

**GEORGI L. MANOLOV**

**POWER  
AND  
PRIVILEGES  
IN POLITICAL HISTORY**

**(XXX CENT. BC – XXI CENT. AD)**



**VOLUME TWO**

**ANTIQUITY, MIDDLE AGES,  
MODERNITY**

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Georgi L. Manolov

POWER AND PRIVILEGES  
IN POLITICAL HISTORY  
(XXX CENTURY BC – XXI CENTURY AD)

Volume One

THEORETICAL AND METHODOLOGICAL ISSUES

Volume Two

ANTIQUITY, MIDDLE AGES, MODERNITY

Volume Three

THE PRIVILEGES OF POWER IN BULGARIA  
(1878 TO THE PRESENT)





**Professor GEORGI L. MANOLOV**  
**Doctor of Political Science**

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**AND**  
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**ANTIQUITY, MIDDLE AGES,**  
**MODERNITY**

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## INTRODUCTION

It is a prehistoric truth that antiquity is the origin of human civilization. This truth is often forgotten and ignored today because in many cases the back is turned to the distant past. This past, however, continues to provide us with an enormous amount of knowledge, both in terms of facts, phenomena and processes, and as new grounds for building hypotheses, concepts and theories. In this sense, authentic historical sources (and references) and the dozens of monographs devoted to this era can help us make sense of what is happening in the contemporary world and its social development. Such is also the problem of political privilege, which is almost impossible to study and explain analytically without tracing its genesis, conceived in the bosom of antiquity. For the problem dates back to the earliest „infancy“ of human history, when there were no state entities, institutions and organs of power. But there is something else: a thorough study of privilege from the dawn of its primary germination gives us rich opportunities to trace its evolution as a social phenomenon more comprehensively, to „unravel“ its real manifestations in different types of societies, and to make comparative characterizations (in quantitative and qualitative terms) according to one or another historical epoch, political system, and party leaders. This is what makes it necessary to consider privilege in a deep historical context whose roots are to be sought in the Old World, in the functioning of tribal societies several thousand years back.

## **Chapter One**

### **PRE-CLASSICAL ANTIQUE PRIVILEGES (XXX – VII CENTURIES BC)**

Historically, the chronological boundaries of the Old World are extremely wide and expansive, and are generally located between the IV and I millennia BC, up to the collapse of the Western Roman Empire in 476. Accordingly, scholars agree on the general view that the history of the Old World is divided into three main divisions, which are determined by the nature of historical processes and the then state of social and state development, namely the Ancient East, Ancient Greece and Ancient Rome.<sup>1</sup> Apart from these three civilizational centers, there existed in antiquity a number of other similar social formations that were distinct in their own right and in different relations with the rest of the Ancient World, some of them even arising long before the classical societies (from the above-mentioned periodization of the Ancient World).

Accepting the periodization of the Ancient World as a foundation for the study of the present problematic in this historical epoch, it is inevitable to make a brief theoretical clarification. It is related to the analysis of a broader time horizon of the phenomenon of privilege, to which we will add the so-called „pre-classical stage“ in the study of privilege (dating as early as the XII century BC), insofar as their first analogues and modifications appeared and evolved since then. This – on the one hand. On the other hand, the study of an authentic historical period so far removed from us will to a considerable extent enable us to throw a realistic light on the true nature of privilege in general, and on its most primitive germ in human history and civilization. Following this brief clarification, we also begin our interpretation of privilege in antiquity, plumbing the vast depths of ancient societies of the time.

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<sup>1</sup> See **Popov**, Vladimir. History of the Old World. Veliko Tarnovo: Abagar, 2008, p. 5.



## 1. BIRTHRIGHT AND PRIVILEGES

Since the remotest times, every human community has organized itself around some wealth, territory, language, philosophy, or leader. In all historical epochs, according to **Jacques Attali**, three types of social power have coexisted: religious – determining the time for prayers, the rhythm of agricultural life, and the path to the afterlife; military – organizing hunting, defense, and conquest; and market – producing, financing, and selling the fruits of labor. And each of these commands time by controlling the instruments for measuring it (observatories, clocks, etc.).<sup>2</sup> Thus the three types of power come to control wealth, and accordingly the history of mankind can be represented as being governed by three main political orders – **ritual**, in which power is primarily religious; **imperial**, whose power is entirely military; and **market**, in which those who control the economy have dominant power. The first system pursues the theological ideal, the second the territorial, and the third the individualistic.<sup>3</sup> Then, 30,000 years ago, some people began to dream of some ideal otherworld where everything was available and where they could be reunited with their ancestors. At that time, the idea of a supreme creative power, of a God who was only one in the beginning, arose. Eventually cannibalism began to give way to its ritualized form of religious sacrifice – by eating the body of God’s messenger to get closer to God. Later, a number of important processes develop: private property takes on much clearer outlines; languages become more diverse; the division of labour becomes more complex – some build huts, others sew clothes, others chisel stones or make tools of labour and weapons, hunt, tell tales, heal, pray; women live in subordination to men, with brothers and cousins guarding and controlling mothers and sisters. A system of prohibitions is then established that limits violence: group members help each other, work together, raise children together, eat together. But it is now forbidden to kill certain animals, to pick and use certain fruits for food – these are

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<sup>2</sup> See **Attali**, Jacques. *A brief history of the future*. Sofia: Riva, 2009, pp. 13-14.

<sup>3</sup> See *id.*

elevated into totems (animals and plants considered by primitive peoples to be the ancestors of the tribes). The most important prohibition is also introduced, which concerns sexual contacts between members of the group: incest is taboo and so women can remain in the group.<sup>4</sup>

In the course of this progressive evolution, man gradually began to divide the idea of God into several categories according to its manifestations in nature – fire, wind, earth, rain, etc. That is to say, polytheism is a religious form that derives from primitive monotheism, and religion contributes to the formation of politics. It begins the ritual system in which man now buries his dead in magnificent tombs, sends them to the next world with rituals, offerings, sacrifices, to appease the gods to whom his loved ones go, and so to beg protection for the living.<sup>5</sup>

Finally, during this historical period, in every group or tribe, **the chief, both priest and healer, is the master of violence, determining the place of each group member in relation to the sacred.** Thus each tribal chief becomes the master of prohibitions, the calendar, the hunt, and force. Cosmogonies also define scapegoats, who are also intermediaries with the Beyond, and the song and flute are the first means of communicating with these intermediaries, while the labyrinth is the first metaphorical image of the journey into the Beyond<sup>6</sup> – Jacques Attali concludes his magnificent analysis. All this successively and in stages led to the logical emergence and unfolding of privilege in tribal communities in Antiquity.

We have already stressed that privilege as a social phenomenon originated in very ancient times. We therefore believe that their most primitive period of emergence and development should be referred to by **the term „pre-classical antique privilege“**, which we will use from here on. And although its perception is not very popular, its essential characterization is instead more precise and clear, because: first, during the remote period under consideration it is well known that there were no states at all, including under the polis organization of society (even though the polis is considered the prototype of the state); second, from a historical point of view, one can speak of archaic social

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<sup>4</sup> See *ibid.*, pp. 20-21.

<sup>5</sup> See *id.*

<sup>6</sup> See *id.*

communities rather than of any established state system, which contained imposed components of statehood; third, during the then traditional domination of society, notions of legitimacy and belief in them rested on the sacredness of the inherited order and rulership: „the ruler (or rulers) – writes M. Weber – are defined by the rule inherited by tradition...“, where „...the ruler is not a „superior“ but a personal master“<sup>7</sup>; fourth, in this context we can speak much later of a genesis of classical Antiquity (as a type of state, as institutions, etc.) in the historical development of Ancient Greece and Rome (VI – III centuries BC), when most political privileges were fully manifested and regulated; fifthly, because of the circumstances mentioned above, it is logical to assume that the existing privileges of the elite of the time were for the most part not regulated at all, as they were considered a „natural“ gift from God. All of this gives us ample reason to use the term „pre-scientific ancient privileges“ in a broader historical context as being relatively the most accurate in analyzing this social phenomenon.

In the light of the view expressed, let us now turn to the genetic roots of privilege in primitive social organization, of course long before the formation of the state. Before that, however, it is necessary to reveal in a synthesized form the character and specificity of tribal societies according to certain popular theoretical views, in order to understand as fully as possible the different varieties and modifications of privilege in these societies. The essence of this structure has been thoroughly revealed by the scholar **Lewis Morgan** in his work „Ancient Society“, where the generic organization of society is analyzed in detail. For example, through the characterization of the **clan**, Morgan outlines ten basic **rights and privileges** pertaining to its members, which are: The right to choose their sachem and their chiefs; the right to change sachems and their chiefs; the obligation not to intermarry within the clan boundaries; the mutual right to inherit the property of dead members; the mutual obligation to aid in defense and revenge for insult; the right to give names to their members; the right to provide for strangers in the clan; common religious rites; a common cemetery; and the formation

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<sup>7</sup> **Weber**, M. Sociology of domination. Sociology of Religion. Sofia: St. Kl. Ohridski, 1992, p. 73.

of a clan council.<sup>8</sup> These rights and privileges are a kind of God's law for the whole clan society, because strict observance is kept of them.

In the absence of any state authority, according to **Fr. Engels**, the clan elects its sachem (elder for peacetime) and chief (war chief), the elder being approved from among the members of the clan itself, and his office being hereditary, while the war chief is someone elected from outside the clan, though sometimes he may be elected without it (all men and women vote absolutely in the election). And the power of the sachem within the clan as a fatherly one is of a purely moral nature, without his having any coercive means. Moreover, the clan has a council – a democratic assembly of all adult members of the clan (men and women) who have equal voting rights. This council elects and deposes the sachems and warlords, as well as the other „guardians of the faith“; decides the question of ransom or blood revenge (for murdered clan members); adopts foreigners into the clan, etc.<sup>9</sup> Or, in a word, it possesses entirely the sovereign power in the clan and clan organization which is most distinctive of this type of social systems (clan). To sum up, **power in archaic patrilineal societies rests on custom, being in the hands of the father, the patriarch, the patrilineal elder, and is above all of a moral character,<sup>10</sup> inasmuch as it is exercised by the authority of the leader (the patriarch) up to the time of the formation of the patrilineal aristocracy (a product of class stratification).**

To this characterization of power in tribal societies, the French political anthropologist **G. Balandier** adds that, due to the lack of a delineated political power, politico-religious power (with religious dominance) operates in the socium through clan-generic structures, territorial units and the arrangement of different age classes. But we cannot define it (power) only by means of these structures, but rather by means of the pronounced relations of inequality that are the basis of this power, including through oppositions and conflicts as its basic

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<sup>8</sup> See **Morgan**, Lewis. *Ancient Society*. The lines of human progress from savagery, through barbarism, to civilization. Translation: Marko Marchevski. Sofia: New world, pp. 73-74.

<sup>9</sup> See more detail in **Engels**, Fr. *Origins of the family, private property and the state*. Sofia: BCP, 1971, pp. 85-89.

<sup>10</sup> See **Naydenov**, Georgi. *Theory and History of Civilizations*. Sofia: UNWE, 2017, p. 56.

manifestations.<sup>11</sup> This author's thesis is of utmost importance because power is interpreted as a particular type of inequality, to which the existing privileges in the then patrilineal societies belong.

The specificity of the generic organization – emphasizes **Prof. Ivan Katsarski** – predetermines both the presence of inequality and the corresponding limits within which it is permissible in society. And since there is a hierarchy of statuses, there cannot be an equal distribution of prestige, influence and power. Here, too, wealth tends to concentrate in the higher hierarchical statuses. But in patrilineal societies, the main wealth is the people who compose them. Therefore, no chief can afford to abuse them, as they (with their families) can leave him and form a group of their own. That is to say, those of high rank are said to have considerable authoritarian power, and members of the group of low rank are said to be presented as servants. In reality, mature individuals in the latter category speak their minds on public issues because they have a vested interest in the group's property; while the chief refrains from abusing them because they are his kin and he realizes he needs their support. Or, there is sufficient flexibility of social structure so that those who are low in rank can always abandon an unscrupulous chief and settle somewhere else with relatives of their own.<sup>12</sup>

Incidentally, we would point out that the chiefs of the pre-state period, before they even obtained the consent of the entire social community to legalize what they had acquired and captured, had the opportunity to demonstrate their status. Or, the leaders (chiefs) of the pre-state societies are sufficiently well provided for property-wise to appear both in life and at the time of their death worthy of the functions for which they are elected chiefs after their power has been transformed from elective to usurped and before it becomes hereditary-monarchical. To put it differently, chieftainship is the original of later royal power, becomes an institution, and as such emerges at the time of the dissolution of the patrilineal system<sup>13</sup> and, of course, is (chieftainship) the natural bearer of various kinds of privileges in society.

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<sup>11</sup> See **Balandier**, Georges. *Political Anthropology*. Sofia: Damyan Yakov, 2017, pp. 87-88.

<sup>12</sup> See **Katsarski**, Ivan. *Power, inequality and stratification in pre-industrial societies*. Veliko Tarnovo: Faber, 2007, pp. 49-50.

<sup>13</sup> See **Nedelchev**, P. N. *The origins of the secular royal institution in the Ancient Near East in the III – II millennia BC*. Shumen: Episkop Konstantin Preslavski, 2004, pp. 85-86.

It is interesting to note that the main figures who do not owe their social position to any hereditary status are the shamans. They become such by vocation, as they are „chosen“ by the spirits with whom they contact. There is also a hierarchy among shamans (major, minor, medium), which is determined by their ability to come into contact with supernatural forces and thus to heal or cure illness, to „work“ for the good of society, etc. They usually attain high status, often reaping considerable economic benefits due to their extraordinary abilities,<sup>14</sup> which they not only possess but also practically „realize“ in social life.

The patrilineal societies, besides being hereditary, are also highly hierarchical, but nevertheless show a high degree of cooperation. In many of them, the solidarity effect is reinforced by the presence of horizontal grouping, which complements rather than excludes hierarchy. For example, a number of societies know so-called „age classes“, which bring together male (or sometimes female) members of a local group falling within a fixed age range. With age, an individual moves from one class to another, the classes being institutionalized groupings with specific rights and obligations. Thus, members of a class are equal among themselves, and the senior classes have a higher status than the junior classes, which is associated with corresponding privileges. This is supported by the example of the Australian Aborigines, in whom, as O. Artyomova, in certain situations old men can rely on the subordination of all others, including young men. They are treated with special respect because they have certain advantages over the young in concluding marriage agreements, in the distribution of food (the best parts of the hunted animal, according to Aboriginal understanding, certain delicate types of food are given to them with priority); they can hunt less than the young, relying on the latter to get food; they are the main creators of weapons and stone tools of labour; certain types of artistic creation are their privilege. They play a leading part in totemic cults, and in some rites performed by them not only women but young men,<sup>15</sup> etc., may not take part.

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<sup>14</sup> See *ibid.*, p. 51.

<sup>15</sup> **Artemova**, O. Y. Primitive egalitarianism and early social differentiations. – In: *Early forms of social stratification. Genesis, historical dynamics, post-testarino-political functions*. Moscow: Nauka, 1993, pp. 48-49.

According to Ivan Katsarski, in tribal societies with advanced stratification three main kinship layers stand out: an upper, or thin, layer, which includes a small part of the society – mainly the patrilineal aristocracy, which is usually not a closed elite, and may be penetrated by people of exceptional ability and merit to the community; a second layer, consisting of the ordinary members of the society who make up its main mass; and a third, bottommost layer (stratum), which is also relatively thin, since it usually includes people of very low status – ethnic and religious minorities, individuals and groups with „impure“ occupations or rejected by society, etc. Despite this considerable differentiation, tribal societies show a high level of cooperation and solidarity. The formula of this social unity contains two main components: one is the elite, but it is such only in so far as it has the support of the rank and file members and therefore cannot afford to abuse them; and the other, the lower, stratum, or inferior and despised minority, which accepts the verdict of the majority and therefore perceives its social position as perfectly normal or as part of the unbreakable social and cosmic order<sup>16</sup> – something quite natural to the tribal organization of Aboriginal tribes.

This social stratification in tribal societies is not accidental, because at that time **the first state forms (entities)** appeared in different parts of the world, such as in Sumer – around 4000 BC, in Egypt – around 3000 BC, in India, China and Mexico, around 2000 – 1500 BC.<sup>17</sup> In this case, it is important to note that the first state entities had their own institutions, which were: kingship – the concentration of power in a single ruler, transmitted by heredity; priesthood – an autonomous power structure overseeing the proper practice of the commonly accepted religion; the seizure of judicial functions from the central authority, previously exercised by the respective clan communities; and the organization of citizens into different sectors with public functions – soldiers, merchants, peasants, etc. Thus, around the II millennium BC, ancient state forms (states) already existed with certainty in several parts of the world (Middle East, East Asia, tropical Africa, Central and South America).<sup>18</sup> Of course, these ancient empires are entirely based

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<sup>16</sup> See **Katsarski**, Ivan. Op. cit., p. 53.

<sup>17</sup> See **Herzog**, R. The state in early times. Sofia: LIK, 1997, pp. 13-15.

<sup>18</sup> See *ibid.*, pp. 13-15; 113-122.



on the powerful authority of the rulers (monarchs) and far from all of them have a favorable fate, since depending on the societal development a number of monarchies perish (e.g. together with the death of the monarch) or collapse under the onslaught of foreign military forces.

It is essential to note in this context that the genesis of privilege developed almost simultaneously with the emergence of power in ancient patrilineal societies. In this sense, descent dynamics arise from the inequalities associated with differences in rank, which R. Firth very faithfully quantifies and specifies: „**Along with rank emerge power and privilege**, and with them the possibilities of oppression“. He further assumes that the political becomes more evident in society due to the fact that a „class hierarchical structure“ is distinguished on top of the segmented structure determined by kinship and descent. This is because, according to him, „class“ interests and latent conflicts between „classes“ are recognised in Indigenous theory. Thus the political system that links chiefs, notables (maru) and „primogeniture“ to each other and to society manifests as a „system of complementary forces“, and in some circumstances they are antagonistic. Concluding his analysis, R. Firth argues that „no equilibrium is possible in any political system“, and emphasizes the fundamentally dynamic nature of the political as a social phenomenon.<sup>19</sup>

Following the natural course of the present exposition, we come quite logically to the **important question of how privilege manifested and developed in ancient patrilineal societies.**

Although the evidence from historical sources is not very detailed, it can be ascertained, at least from the sources cited so far, that the phenomenon of privilege was present in all dimensions of tribal power in the archaic societies of the time. These privileges were the result of the drastic inequalities that existed between the clans and their leaders on the one hand and the great mass of ordinary people on the other, since the privileges formed at that time stemmed above all from the established „unequal rights depending on whether they pertained to the firstborn or to the youngest son“ (G. Ballandier). In this aspect we can distinguish and classify the following **types of privileges in the patrilineal societies of the rich aristocratic and managerial**

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<sup>19</sup> Citation: **Katsarski**, Ivan. Op. cit., p. 53.

**elite: the right and privilege of inheritance from the eldest son (power privileges); providing the best food when hunting animals („food“ privileges); young men’s advantages in marriage („marriage“ privileges) (similar to those enjoyed by old men in this respect); economic benefits through the so-called „exclusive ritual privilege“ enjoyed by a small circle of nobles close to power<sup>20</sup> (economic privileges); participation and advantages in organized hunting trips for the aristocratic class (hunting and fishing privileges); privileges for old men in the sphere of artistic creation, such as leading in totem cults, participation in specific rituals, etc. (cultural privileges); and the right of elderly men to create weapons and stone implements of labour as a matter of priority (privileges regarding weapons and implements of labour).** That is to say, there is a relatively diverse palette of ancient generic privileges enjoyed by an extremely small group of people in the face of the ruling-aristocratic layers of society.

In this context, we can formulate several significant **conclusions** about the nature and development of generic privilege in the deepest antiquity, which are: one, and perhaps the most distinctive, is that these were **group patrilineal privileges**, directly serving an extremely narrow corpus of people (leaders, shamans, old men) on the basis of tribal authority and in the absence of a value-based state and institutional organization of power; the other has to do with the undeniable fact that they were entirely **hereditary privileges**, directly and directly derived from the tribal organization of society; the next has the peculiarity that patrilineal privileges are realised through the triad of power (chief, elder) – rank (office) – privileges (patrilineal), according to which the distinct benefits and advantages are distributed; and the last conclusion refers to the genetic roots of patrilineal privileges, which are contained in the customs and traditions of the then ancient society, i.e.i.e., they **are not regulated privileges** in contrast to the subsequent historical development of future ancient states, in which this (regulation) becomes for some of them a political and legal act. That is to say, the so-called „pre-classical ancient privileges“ find a much larger manifestation in the ancient societies in the subsequent historical time as

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<sup>20</sup> See *ibid.*, pp. 86-87.

the next important step in their historical, political and social development. These societies belong to the civilization of the Ancient East, and more specifically include Mesopotamia, Sumer and Akkad, Babylon, Assyria, Egypt, Persia, India, China<sup>21</sup>, etc., and it is in them that we will examine the origins and evolution of existing privileges.

## **2. POWER PRIVILEGES IN MESOPOTAMIA, SUMER AND AKKAD, BABYLON AND ASSYRIA**

The history of any age can be viewed from many different angles, but when it comes to the Ancient East, we will unequivocally emphasize that it is the cradle of human civilization. During this epoch a number of primary forms of social life emerged, such as the family, the strata, classes, etc., which still arouse unceasing research interest. This is because, according to N. Iribadzhakov, unlike the Greeks and Romans (and modern peoples), the peoples of the Ancient East created their civilization and culture without preconditions, without inheritance and without models to emulate or compare themselves with.<sup>22</sup> In this sense, the authentic genesis and various forms of privilege in the states of the Ancient East (including the city-states of Mesopotamia) not only had no background of their own, but also arose with an „antique pre-statesmanship“ that is evident in the functioning power relations in these primordial civilizations.

### **a) Privileges in Mesopotamia (IV – I millennia BC)**

It is known that Mesopotamia (the Interfluve) was one of the earliest civilizations in the history of mankind, which originated in southwest Asia. The names Mesopotamia, Interfluve and the Two Rivers are defined by the courses and adjacent areas of the two rivers, the Tigris and the Euphrates, and have significant geographical and cultural-historical significance in the overall study of the Old World. Plus, the early

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<sup>21</sup> For ease of clarification of privilege in ancient societies we will use the terms „polis“, „city-state“ and „state“ as synonyms in the text, even though the state understood as a modern social phenomenon (with territory, population, institutions, etc.) did not exist then.

<sup>22</sup> See **Iribadzhakov**, N. Sociological Thought of the Ancient World. Vol. I. Sofia: Partizdat, 1978, p. 102.

history of Mesopotamia is entirely associated with three important Eneolithic archaeological cultures, Ubaid, Uruk and Jemdet Nasr,<sup>23</sup> which had a significant impact on the development of the state territorially.

It should be noted that the emergence and consolidation of territorial unities around a kind of urban centre on the principle of settlement systems of the territorial commune type became a common phenomenon towards the end of the IV millennium BC not only in Sumer but also in the neighbouring Akkadian areas of southern Mesopotamia. It is believed that the earliest city to emerge, as early as the VI – V millennia BC, was Eridu, located in southern Mesopotamia, not far from the Persian Gulf coast, when the city was already taking shape as an early territorial unity. Furthermore, Mesopotamian tradition considers the so-called „Metal Worker’s City“ located in southern Mesopotamia to be the second self-contained city that became a territorial social-state formation. There, in the same millennium, the cities of Larsa, Larak, Sipar, Shurupak, etc., were set apart, and by the end of the IV and the beginning of the III millennium BC, the cities of Ur, Uruk, Lagash, Larsa, Nipus, Akkad, Kish, Uma, Larak, etc., had already established themselves as more significant territorial and settlement entities.<sup>24</sup>

In turn, **power** and governance in these territorial formations became concentrated early on **in the hands of the local patrilineal aristocracy**, which, with the rapid dissolution of patrilineal relations, gradually became a property aristocracy. A very important feature here is the fact that the first positions in government were mostly associated with the developing religious cults and beliefs. For this reason, civil and religious offices coincide even at their inception, and the person at the head bears the priestly title of „patesi“.<sup>25</sup> In this case, there is an undisguised concentration of power in the representatives of the family aristocracy, which is a perfectly logical phenomenon for those distant times.

According to various researchers, the existence of states on the territory of Mesopotamia belongs to the beginning of the III millennium BC, which is evident from documents that claim that these were

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<sup>23</sup> See more details on the historical development of Mesopotamia in **Popov**, VI. Op. cit., pp. 78-90.

<sup>24</sup> See *ibid.*, p. 84.

<sup>25</sup> See *ibid.*, p. 85.

small primary state formations headed by kings. For example, as testified by **V. I. Avdiev**, documents from the time of King Urukagina (XXV – XXIV centuries BC), who seized supreme state power in a violent coup d'état, mention that he relied primarily on the priesthood to realize his power intentions. Thus the ruler laid his heavy hand even on the temple domains. On their part, the priests also oppress the population and demand high pay for performing the religious rites, at the expense of which the rich and the officials can rob and oppress the poor with impunity. King Urukagina emphasizes as his special merit that he put an end to these abuses and restored the ancient „law“. He abolished the overseers and the revenue officials and allowed the people to go about their business freely; he restored the rights and privileges of the temples, abolishing there the power of the ruler; he declared the temple economy to be the property of the gods, or returned it to the priesthood. At the same time he reduces the payment which the priests receive from the populace for performing religious rites, in order to keep the orphan and the widow from being subject to the man in whom the power is. And though there may be a certain demagogy in this statement, yet the social reforms of Urukagina must vindicate the interests of the middle free classes of the population, and partly of the priesthood, who, as a result of these reforms, receive a number of rights and privileges.<sup>26</sup>

Due to the complete fusion of power-political and religious structures in the city-states of Mesopotamia, it is not difficult to guess that **the kings and priests possessed the most privileges**. While in the case of the kings the various kinds of privileges were passed on by inheritance (election of the king by the gods, political rights, appointments to positions, possession of property, economic benefits, etc.), in the case of the priestly class there were actual battles over their acquisition, use and utilization (of privileges). Such are the privileges of priests related to the post of high priest of a spiritual temple (governor), which is passed on by inheritance; the independence of priests in managing temple property; granting them a higher social status in the social hierarchy<sup>27</sup>, etc. In other words, all the privileges established

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<sup>26</sup> See **Avdiev**, V. I. *History of the Ancient East*. Sofia: Science and Art, 1989, pp. 49-50.

<sup>27</sup> See respectively: **Avdiev**. V. I., *Op. cit.*, p. 49; and **Parsons**, T. *Evolution of Societies*. Sofia: KH, 2005, pp. 87-88.

in ancient Mesopotamia were entirely the priority of the so-called „upper classes“ – the kings, the spiritual priests and the wealthy nobles (aristocrats), although there are very few historical sources about them (the privileges).

#### **b) Privileges in Sumer and Akkad (XXVIII – XXIII centuries BC)**

The emergence and development of the ancient Sumerian-Akkadian state passed through three early dynastic periods: the first (XXVIII – XXVII centuries BC), the second (XXVII – XXVI centuries BC) and the third early dynastic period (XXV – XXIV centuries BC).<sup>28</sup> Of these, the Sumerian-Akkadian kingdom reached its greatest flowering in the third period, or in the XXIII century BC, under King Naramsin, when the kingdom was a centralized bureaucratic monarchy with despotic rule. Under him, the royal authority and the unity of the state were mutually supported by a standing army and a bureaucratic apparatus that was personally dependent on the king and numbered about 5,400 men. The rulers are called „kings of Sumer and Akkad“, or „kings of the four corners of the world“, and with this the personality of the king gradually began to be deified,<sup>29</sup> for which the powerful bureaucratic apparatus of various ranks of officials, dignitaries, scribes, deputies, warrior-colonists, foreign mercenaries, and many others serving the layers of power played a great part.

Along with the step-by-step historical evolution of the **Sumerian state**, a slave-owning aristocracy emerged and was formed in society. In addition to directly protecting their immediate interests and privileges, it was also an important economic force that performed managerial and economic functions in society.<sup>30</sup> Thus, all state positions and the main priestly offices on which **the royal power** rested were occupied by representatives of **the aristocracy** in order to permanently maintain the leading structures of the state.

According to **Acad. N. Iribadzhakov** **Sumerian city-state** as a rule has no more than 40 – 50 000 inhabitants. It includes a small number of settlements grouped around a single city located on a hill, sur-

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<sup>28</sup> See the detailed description of these periods in **Barcelo**, P., M. Tacheva, P. Delev. History of ancient societies. Sofia: St. Kl. Ohridski, 1992, pp. 46-48.

<sup>29</sup> See id.

<sup>30</sup> See **Iribadzhakov**, N. Op. cit., p. 302.

rounded by a wall and divided into quarters (separate constituent settlements of the city). Each quarter has its own god, who is worshipped as the lord of the quarter, and the god of the main quarter of the city is worshipped as the lord of the whole city. That is, it is the city that is the center of the state's political, economic, military, and administrative power, and of the economic, political, religious, and cultural life of the city-state. For example, some of the cities also played the role of Pan-Shumerian centers, and besides Eridu, such is Nippur, whose temple of the god Enlil is revered as a Pan-Shumerian shrine; Ur, which is famous as a great craft-trading center, etc. And one more thing: at the head of the city-state stands a **ruler** for whom there are two different titles – „**patesi**“, or „**ensi**“, and „**lugal**“, i.e. „king“. There are different interpretations of these in the historical literature: on the one hand, when a city-state conquers or places other city-states under its dependence, then its ruler is titled as **lugal**, i.e. king; on the other hand, the rulers of the conquered or dependent city-states are titled as **patesi**.<sup>31</sup> In fact, these are also the most important governing persons (along with the priests) who implement the king's orders and injunctions.

In one of the successive unifications of the various cities within the Sumerian state (Cyrus, Ur, Uruk, Eridu), vast wealth and power resources were concentrated in the hands of the ruling aristocracy and the temple priests. At the same time, this exacerbates social inequalities and power struggles between different groups of ruling elites. Thus, in reality, there is a sharp rivalry and struggle between the royal institution and the priesthood in the state, and in the XX to XIV centuries BC they come into extremely sharp conflict. And in order to further strengthen the authority of power, the royal dynasty appropriated to itself the holdings of the temples,<sup>32</sup> which essentially constituted a special kind of royal privilege.

As for the **Akkadian state**, which lasted about 120 years, it was also characterized by a **highly centralized and despotic royal power**, backed by the slave-owning aristocracy and the priesthood, and possessing a powerful military organization used both to carry out the conquering campaigns of the Akkadian kings and to suppress the rebellions

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<sup>31</sup> See *ibid.*, p. 304.

<sup>32</sup> See *ibid.*, p. 306.



of its own and enslaved peoples.<sup>33</sup> In this way, the military overlords fully supported the functioning of the sole royal power in the state.

As ancient political life developed, social differentiation deepened and contradictions between major social groups intensified. This was because the greatest wealth was concentrated in the hands of the despot king, and the royal economy almost completely absorbed the temple economy and grabbed more and more land from the rural communities. Or, Akkadian kings seek to seize the entire land holdings of the state, while being the largest owners of real and movable property, of slaves, and, of course, being the largest exploiters. They impose heavy taxes and all sorts of burdens on their subjects, and their estates employ many slaves and paupers from impoverished rural communities. The economic power of the Akkadian despot kings is the basis of their political power. Not only that, but from their vast wealth and possessions they made donations to the slave-owning aristocracy, to the temples and priests, to the high officials of the state, gave them various offices, and so on, and so forth.<sup>34</sup> All this led society in the ancient Sumerian-Akkadian state to differentiate into four main categories – aristocrats, clients of the aristocracy, commoners and slaves, with only the king and his family, the chief priests and the high officials belonging to the elite.<sup>35</sup> In other words, this can be defined as the establishment and regularization of **a privileged status of the aristocratic upper class and the priestly clergy by the authoritarian royal power in the state.**

Historical sources also testify to another interesting point: the chiefs of the communities in Sumer enjoyed certain privileges, had high social authority, were at the head of a developing social structure, and sometimes also shared the religious leadership of one or more communities and showed a desire to overcome the community's control over their decisions and activities and to inherit power. These leaders carry out intertribal exchanges, have more wives than their tribesmen, take gifts, and most often acquire the best part of the community's yields even when they are not personally involved in obtaining them.<sup>36</sup> We can therefore speak of the system of privileges in the Sumerian state

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<sup>33</sup> See *ibid.*, p. 308.

<sup>34</sup> See *id.*

<sup>35</sup> See **Katsarski**, Ivan. *Op. cit.*, pp. 129; 150.

<sup>36</sup> See **Nedelchev**, P. N. *Op. cit.*, p. 183.

as extending vertically, reaching to much lower levels, such as the chieftainship communal positions of power.

It goes without saying that with such an organization of power and its concentration in one person, the royal personage, absolutely all **privileges in Sumer and Akkad** were determined and granted by him, as follows: **political privileges** – the distribution of high state offices by the king to the aristocrats; the toleration of the priests with various gifts and generous royal donations on specific occasions to the higher aristocratic class, etc.; and **economic privileges** – vast areas and lands held as fiefs by the king; independent appropriation of all holdings of religious temples by the royal family; the largest sole owner of slaves in the kingdom – the ruler, etc. In short, we may summarize that the **different kinds of privileges in the Sumerian-Akkadian state had a more or less integral character, because they included both political and economic privileges**, which represented a new moment in their social development in that remote time.

### **c) Privileges in Babylon and Assyria (XIX – VII centuries BC)**

According to historians, in the XX and XIX centuries BC Mesopotamia still remained in the grip of political fragmentation and economic decline. This is evident in the collapse of formerly powerful cities, which was also the main prerequisite for the establishment of a new political, economic, and cultural center such as the city of Babylon. Thus, in the early XIX century BC, the Amorite ruler Sumu-Abum laid the foundations of the first Babylonian dynasty, whose three-century reign (1894 – 1595 BC) is defined as the Old Babylonian period (or Old Kingdom).<sup>37</sup> **Babylon** subsequently became the largest city of central Mesopotamia, to reach its apogee under the reign of the famous reformer King Hammurabi (1792 – 1750 BC). Here again, government was strictly centralized, and supreme power in Babylon (executive, legislative, judicial, and religious) was entirely concentrated in the hands of the royalty.

Under such despotic rule of the state, the king is supported by a specialized bureaucratic cohort, with some officials in charge of branches of central government and others administering cities or districts on the king's behalf. In this case, the major cities are governed by special deputies of the king, and the population is obliged to pay various

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<sup>37</sup> See **Barcelo**, P., M. Tacheva, P. Delev. Op. cit., pp. 57-58.

taxes – for the land, and more specifically for the grain harvest, for the date gardens, for the sesame fields, for the livestock, for the fisheries. In addition, special taxes in silver and royal taxes in kind were collected. All this income went into the royal treasury and formed the palace property, which along with the temple property was under the protection of the law. Here special officials oversee the handing over of taxes in kind (fish, dates, wool, etc.) to the central storehouses, plus they manage the people who depend on the state (the warrior colonists).<sup>38</sup>

A similar centralization of government, especially in the economic sphere, existed in other countries of the time, such as in Mari. Judging by documents from the royal archives, monthly accounts were made here, recording the dispatch of people, the supply of livestock, clothing, honey, and the payment of taxes. The documents can be used to trace the timely delivery of products to the palace barns on the occasion of the king's return. In addition, other texts refer to the receipt of wheat, barley, beans, sesame and olive oil, essences from oleander and carob fruits, spices (cumin, coriander and saffron) and various wines. That is to say, these products are supplied both for the royal table and for the needs of the funeral sacrificial ritual. Apparently, the king owned a large livestock holding, which included herds of bulls, cows, calves, sheep, lambs, goats, donkeys, and mules. The royal treasury contained large quantities of precious stones and metals: lazurite, mountain quartz, gold and silver, precious articles – rings, necklaces, chains, dishes, axes, objects of imported black wood and, in addition, chariots. And a special royal chamber is in charge of these precious metals. And further, gold for the jewelers' workshops is bought outside the boundaries of the state, and is obtained in the form of donations and sacrifices.<sup>39</sup> In other words, it is a perfectly oiled mechanism for obtaining privileges from the king.

Of course, the whole system of bureaucratic government of the state is headed by the king, who received, according to the teachings of the priests, the supreme power supposedly directly from the hands of the gods. For example, in the introduction to the Compendium of Laws, Hammurabi proudly says of himself: „The gods Anu and Enlil have

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<sup>38</sup> See **Avdiev**, V. I. Op. cit., p. 68.

<sup>39</sup> See id.

summoned me, Hammurabi, the glorious and pious ruler (...) I, Hammurabi, am a shepherd named by Enlil (...) created by the Son (...) protector of the country (...) dragon of kings, twin of the god Zababa (...) god of kings, learned wisdom (...) eternal royal descendant, mighty king, sun of Babylon, illuminated the country with light (...) Marduk sent me to rule the people and give the country prosperity"<sup>40</sup>. These notions of divine assertion, and even of the divine character of royal authority, are reflected in the overall exercise of power, as is clearly evident in the famous **Code of Hammurabi**, one of the first qualitative normative documents to regulate social relations in deep antiquity.

The Hammurabi Code of Laws differentiate between three main social categories, whose representatives are named by the terms „awīlum“, „muškēnum“ and „wardum“, and in which (laws) the rights of free citizens, their personal and private property are protected. What is peculiar is that only one paragraph (202) distinguishes between people of higher and lower social status, and the emphasis falls on negative manifestations: limiting the arbitrariness of usurers, guaranteeing the right of hostages, imprisonment for serious crimes, etc. However, these laws do not at all undo the sharp polarization of society (rich-poor), the huge inequality between people and the **privileges of the upper elite (the king and the layers around him)** in the Babylonian state. Here are examples of these privileges:<sup>41</sup> **1) of a political nature** – distribution of palace lands in the conditional possession of prominent royal officials, special rewards to military representatives for faithful service to the king, a separate (new) royal court with judges close to the royal family, receipt by the king of plots, land, houses, gardens, livestock, etc. from soldiers and officials (for faithful royal service); **2) of an economic nature** – royal privileges such as vast land holdings, numerous palaces, untold riches, temple holdings, numerous slaves, a priceless personal treasury, etc.; **3) of a spiritual nature** – deification (and occultation) of the king, whereby kings consider themselves to be the gods' offspring and heirs to their power; writing special hymns for the king; building temples, sculpting statues, etc., honors only for the king – the ruler of the state, etc. A progressive tendency of increasing the

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<sup>40</sup> Citation: **Avdiev**, V. I. Op. cit., p. 69.

<sup>41</sup> See more details on the privileges set out in: **Avdiev**, V. I. Op. cit., pp. 68; 86; **Iribadzhakov**, N. Op. cit., pp. 314-315; and **Barcelo**, P., M. Tacheva, P. Delev. Op. cit., pp. 60-62.

various kinds of royal privileges is evident here, as compared with the facts of the preceding ancient states, and notwithstanding the fact of a better system of legislation in the society (the Hammurabi Laws).

The other ancient eastern state, **Assyria**, whose role grew considerably in the VIII – VII centuries BC, is regarded as the first major empire-type state in the ancient world. The whole history of Assyria is filled with continuous successive wars against all its neighboring states, as well as against considerably more distant territories, in which many tribes and peoples live and there are different kinds of state organizations. The Assyrian kings then plundered by military force the wealth and goods of the ancient eastern nations, and Assyria became the richest state at the time, its merchants in complete control of international trade for centuries. Naturally, the nature of state organization and royal power was typical of the Ancient East, with the power of the Assyrian kings rising to absolutism and representing a highly developed Ancient Eastern despotism.<sup>42</sup>

In Ancient Assyria, central authority was associated with a developed state apparatus characterized by a multitude of positions, which, together with those for the administration of individual territories, reached up to 150. And the higher administration around the king was confined to persons who had his high confidence, commanding palace life, the army, the provincial administration, etc. And further, the administrative apparatus is similar to the Mesopotamian formations, the functions of the various officials not being strictly delimited, but there being a strictly established hierarchy of command and subordination among them. They deal, for example, with various matters – administrative, financial, military, judicial, etc., and in the individual territories and towns they appoint one-man heads who are essentially regarded as representatives of the king and have too much power (they manage the entire local administration and the military forces at their disposal).<sup>43</sup>

As in many other countries of the Ancient East, so in Assyria – points out V. Avdiev – the great and main owner of the central power was the state in the person of the king, who was considered the supreme ruler of the whole land. An eloquent example of the immense

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<sup>42</sup> See **Popov**, VI. Op. cit., p. 136.

<sup>43</sup> See id.

power of the king are the annals of the Assyrian ruler Adad-nirari II, which say of him, „**I am a king, I am a lord, I am powerful, I am important, I am praiseworthy, I am strong, I am super-powerful, I am raging, I am radiant and majestic, I am a hero, I am a lion, I am a prince, I am sublime, I am fierce**“<sup>44</sup>. That is, the king has no equal in ability! Moreover, kings have extensive land holdings and give away large estates of land to prominent warlords, noble courtiers and officials. And this led to a strengthening of private landholding. A number of documents have survived that speak of the sale of fields, gardens, wells, buildings, and even entire regions. And individual wealthy members of the large clerical or court aristocracy had several hundred hectares of land, bought new land, gardens, slaves, gave loans, etc. Along with this, not only the kings, but also the temples owned large estates. These estates enjoyed a number of privileges: lands granted by the king by special charters were exempt from taxes; the king gave land to military settlers, obliging them to military service, etc.<sup>45</sup>

It is interesting to note that the distribution of diplomas and other gifts by the king took place during feasts in the great royal palaces of the Assyrian state, such as the one built by Ashurnasirpal II. This palace became famous because on the very occasion of its inauguration **the king gave a huge feast during which his guests consumed 1,000 oxen, 1,000 native cows and sheep, 14,000 imported fattened sheep, 1,000 lambs, 500 hunting birds, 500 gazelles, 10,000 fish, 10,000 eggs, 10,000 loaves of bread, 10,000 jugs of beer, 10,000 vessels of wine, and many, many more dishes and drinks**. And according to Ashurnasirpal’s own calculations, **there were nearly 70,000 guests**<sup>46</sup> who come willingly to celebrate his greatness at the lavish feast organized by the royalty.

It can be said that the Assyrian system of government was almost entirely in the service of the kings of the time, because all the threads of government were brought together in the royal palace, under the respective high officials of the state. The vast territory of the state was

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<sup>44</sup> Cited in: **Tarhan**, Z. Power and ideology in the early New Assyrian Empire (934 – 745 BC). Sofia: Gutenberg, 2022, p. 257.

<sup>45</sup> See **Avdiev**, V. I. Op. cit., p. 286.

<sup>46</sup> See **Bauer**, Susan Wise. History of the Ancient World: From the Earliest Historical Records to the Fall of Rome. Sofia: Skyprint, 2021, p. 356.

thus governed by a small but complex state apparatus that enjoyed a variety of royal privileges. For example, only the aristocrats and certain cities in which the great priestly colleges wielded great influence were exempt from taxation (such as Babylon, Borsippa, Sipar, Nippur, Ashur, and Haran, which were exempted from various taxes and obligations in favor of the king). These cities have certain rights of self-government. Usually the Assyrian kings, by special edicts, confirmed these rights to the great cities or to the nobles, usually the viceroys of the districts. In addition, royal charters granted to aristocrats often contained addenda exempting the aristocrat from obligations. And taxes and customs duties are collected on the basis of statistical lists that are compiled during censuses of population and property. The lists preserved give the names of the people, their relations, their property, more precisely describe the lands belonging to them, in addition the name of the person to whom they have to pay tax.<sup>47</sup>

In the political life of Assyria, not only the court aristocracy, the military, and the officialdom were very influential, but also the higher members of the priesthood, who, in addition to being members of the king's inner retinue, were also consumers of a number of other privileges (endowments, special estates, reduced taxes, etc.) in ancient Eastern society.

So let us briefly summarize what has been said about the development of privilege during this pre-Socratic antique period of human history.

**First**, one of the most distinctive features of the evolution of **privileges in the ancient world** is that they progressively began to be **imposed** and increased over time, first and foremost **in the functioning of the sole royal power of the various political dynasties**. They are privileges of power, or such benefits and advantages of power that rulers impose on themselves (and royal families) to the detriment of all other people in ancient societies.

**Second**, for the most part, **these privileges are not legitimized** and are the result of purely subjective selfish and volitional actions of the respective royals and are respectively not subject to any social control due to the absolute and despotic royal power and the gigantic inequality between the ruling elites and the vast masses of people.

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<sup>47</sup> See *ibid.*, p. 290.

**Third**, there is also something very significant in terms of the **regulation of privileges** (and a number of other social activities) during the historical period under consideration, which is associated with the Hammurabi Laws in the Babylonian state. And although there were laws before (as in Sumer), this Law Code of the Babylonian king is of the utmost importance because it accompanies the first steps of public authority in the state. On this occasion, as perfectly accurately pointed out by **Prof. M. Semov**, the Code of Hammurabi constitutes a political instrument and a political tool for the distribution of the means of production and exchange and the resulting distribution of the functions of public authority. It clarified exactly who owned the land (first the king, then those to whom he gave land), defined tenancy relations, usury, the role of public officials – clerks, judges, foresters, etc. That is to say, political and administrative activities for the observance of the law are some of the main activities of public power,<sup>48</sup> which does not at all exclude the regulation of some or other privileges in public life.

**Fourth**, it is also important to note something else important: with the passage of historical time and the evolution of human societies in antiquity, **privileges** began to consistently and systematically leave its „political vestments“ and **move into other social spheres – the economic and spiritual**. This is a novelty in the ancient social reality far removed from us, because privilege moves out of the narrow confines of the political, especially towards the end of the historical period interpreted here. And whether this is an enduring trend that will carry over into the socio-historical and political developments to come will become apparent in the following pages of this work.

### 3. THE PRIVILEGES OF THE PHARAOKS IN EGYPT

In the history of mankind, the Egyptian civilization is considered one of the most ancient, originating in the IV millennium BC and lasting several millennia after that. For it, the oldest records prove that there was originally a division of the state into two parts, Northern and

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<sup>48</sup> See **Semov**, Mincho. Politics – theory and history. Sofia: Partizdat, 1984, p. 41.



Southern Egypt, which were inhabited by tribes of different ethnic origins,<sup>49</sup> whose leadership had an entirely caste-based genesis. Later on, as a result of the first unifying steps of the kings of Southern (Upper) Egypt in the construction of statehood, the union of the two parts, associated with the name of the ruler Menes, took place. Moreover, there is no doubt that the unification in question was achieved by conquest,<sup>50</sup> since the Egyptian state came into being as a consequence of the annexation of one part to the other.

In passing, we note that the periodization of ancient Egyptian history uses Manetho's views, which have long been generally accepted in historical science and Egyptology. He actually establishes a total of 30 Egyptian dynasties, but not according to bloodlines, but according to his own principles – territorial, by localities and cities, etc., from which the dynasties originated by periods, time, etc. Moreover, the whole list of pharaohs is divided into three notional decades, and on the basis of this approach, according to Manetho's periodization, Egyptian history is divided into three kingdoms, Old, Middle, and New. Currently, in the literature on this basis, Egyptian history by kingdoms and dynasties is most often differentiated in the following logical order:<sup>51</sup>

**1) Predynastic period** – covers the time of the first dynasties, i.e. the time before the emergence of state life and the formation of the Egyptian state, or the so-called „prehistoric age“; **2) the archaic period**, or Early Kingdom of the First – Second Dynasties (several centuries in the late IV and early III millennia BC), i.e. the era of the emergence and separation of the individual nomes, when the territory was not yet united into a single and centralized state organization; **3) Old Kingdom** (Third – Sixth Dynasties) – covers the time of the first unification of Egypt into a single state organization, ruled by the pharaohs during most of the III millennium. BC; **4) First Intermediate Period** (Seventh – Tenth Dynasties) – the era of the disintegration of the Egyptian state into separate nomes, which covers about two centuries before the end of the III millennium BC; **5) Middle Kingdom** (Eleventh – Thirteenth

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<sup>49</sup> See **Rostovtzeff**, M. *History of the Ancient World*. Vol. I. Sofia: Anubis, 1994, p. 39.

<sup>50</sup> **Slave** and feudal state and law in Asia and Africa. A. I. Rogozhin, N. N. Strahov, L. N. Maimeskulov et al. Kharkiv: Vyshcha School, 1981, p. 7.

<sup>51</sup> See many more details about this periodization in **Ignatov**, S. *Egypt of the Pharaohs*. Sofia: Iztok – Zapad, 2004, pp. 10-11; **Popov**, Vl. Op. cit., pp. 24-25, etc.

Dynasties) – a time of second successive unification of all Egyptian nomes into a single centralized state organization, established around 2020 – 1800 BC; **6) second intermediate period** (Fourteenth – Seventeenth Dynasties) – here Egypt ceased to be a unified state, because as an independent state existed only part of the southern territories, whose nomes were united around the capital of Thebes, and in the northern regions of the delta and its adjacent areas the so-called „Hyksos“ (who came from the northeast, from Asia) formed their own state in about 150 years; **7) New Kingdom** (Eighteenth – Twentieth Dynasty) – formed after the expulsion of the Hyksos from the territory of the state and its reunification into a single centralized state organization, which included the period from about 1580 to 1085 BC; and **8) Late Egypt** (Twenty-first – Thirty-first Dynasties) – covers the period after the collapse of the New Kingdom until the conquest of Egypt by Ancient Persia in 525 BC.

Already at the end of the archaic period of Egypt's history, with the collapse of the tribal society, such social, political and economic processes began to develop that gradually imposed the power of kings and pharaohs on the then primordial states. For example, according to N. Iribadzhakov, the commune originally based on blood kinship was replaced by a rural (neighborhood), i.e. territorial, commune, in the bowels of which private ownership of land began to form, which, however, affected only the tribal aristocracy. Subsequently, due to the need to further unite the efforts and labour of the communes for the drainage of new lands, for the construction of larger and more perfect irrigation facilities, etc., the unification of the individual rural communes into larger territorial economic and administrative units developed, which the Egyptians called „sepat“ (or „spat“), and later the Greeks gave them the name „nomi“, by which they remain in history to this day.<sup>52</sup>

In Ancient Egypt, **nomes** were city-states, each with one or other city as its centre and a varying sized area outside the city on which the individual settlements (rural communes) with their lands and irrigation facilities were located. In addition, the individual nomes are separate and independent city-states, each with its own chief or governor, the nomarch, and its own patron god. In fact, the nomarch is a minor king

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<sup>52</sup> See Iribadzhakov, N. Op. cit. Vol. I, pp. 140.

because he manages the agricultural activities of the nome, the construction, maintenance and use of the irrigation facilities. In his hands are also military affairs and religious worship. In other words, he is at the same time the head of state, the military commander and the high priest, who performs economic and administrative, political, military and religious functions in the state.<sup>53</sup>

In contrast to the archaic period, during the **Old Kingdom** era the power of the nomarchs weakened considerably as they became subordinate to the central state authority, insofar as Egypt gradually became a highly centralized, organized and bureaucratized state. Here power was now entirely concentrated in the hands of the **pharaoh**,<sup>54</sup> who was not only anointed by the gods, but was himself **declared a god**. Moreover, it is not only the political and religious power of the pharaoh-god that is absolute and unlimited, for he is nominally the owner of all the land, the water, the mountains, the deserts, and even the sea, or literally of almost everything in the state. Indeed, the Pharaoh's nominal ownership does not coincide with his actual ownership, for there are other owners alongside him who can sell or inherit their own land. He is, however, the greatest ruler of lands, herds, mines, quarries, slaves, and all sorts of landless peasants, herdsmen, artisans, etc., who work on his estates. The Pharaoh's wealth is so great that he distributes lands, flocks, and other riches to members of his family, to his relatives and cronies, to his temples, nomarchs, and other nobles.<sup>55</sup>

These vast possessions of the ruler Pharaoh are due to his sole power, which is very accurately revealed by Prof. L. Vladikin: „The divinity of Pharaoh himself was expressed in many ways. The Pharaoh wears almost the same clothes with which the imagination of the Egyptians clothed the gods (this was the custom among other ancient Eastern peoples); the adjective „**son of the sun**“ is a necessary addition to

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<sup>53</sup> See *id.*

<sup>54</sup> *Pharaoh* (from Egyptian *per-aa*, meaning *great house*) – since the beginning of Egyptian culture, this is the name that simultaneously refers to the royal palace and its inhabitants, i.e. the royal court. By the time of the Eighteenth Dynasty the term was used to designate the person of the king, and later „pharaoh“ became the title of the corresponding ruler (See **Egypt**. *The World of the Pharaohs*. Edited by Regine Schulz and Matthias Seidel. Sofia: Colibri, p. 518).

<sup>55</sup> See **Iribadzhakov**, N. *Op. cit.*, p. 143.

his title; at the same time he is called „great god, good god“. One inscription says „The king is the image of Ra among the living“. Ascending the throne, the heir to the throne is transformed in the eyes of his subjects and becomes **an earthly god**. The poets extolled him as shining like the sun, and when he appeared on the terrace of his palace to show himself to the people, according to palace etiquette it was said „the sun showed itself on its horizon“.

The political meaning of all this is clear: it was not by the choice or consent of princes and people, but **only by the favour of heaven that Pharaoh received his power, and therefore none but the gods can judge him for his deeds. And since he himself is a deity, his power is wise and unlimited**. To the monarch, and to all who rule in his name, the subjects owe complete, uncritical, and unquestioning obedience. The power of the monarch is justified, as is the power of the gods, and the state has as much reason to exist as the universe, for all is the creation of the all-powerful and eternal gods<sup>56</sup> (*emphasis mine – G. M.*).

Although the royal house and the state are formally separated, in fact the pharaoh disposes of the state property as his own. In reality, he regularly appropriates a large part of the state's taxes and dues, all the more so as the state's storehouses of all sorts of goods and material values are at his disposal.<sup>57</sup>

In the exercise of his total despotic power and governance of the state, the pharaoh relied on a numerous and complex bureaucratic apparatus, headed by a supreme dignitary, later called the „vizier“. The vizier is the second person in the state after the pharaoh, being both supreme judge and manager of the state treasury, the state holdings and the state archives. He also receives advice and orders directly and only from the pharaoh and is naturally responsible only to him.<sup>58</sup>

With such a total concentration of power in one person at the top, it is only logical that a whole **system of privilege** should develop in society. For example, according to a group of writers, the pharaoh regularly bestowed his cronies, members of the royal family, high dignitaries, and warlords with lands in which they settled their large private

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<sup>56</sup> Vladikin, L. General Doctrine of the State. Sofia: Bulreal 2000, pp. 147-148.

<sup>57</sup> Reder, D. G., E. A. Cherkasova. History of the Ancient World. Part I. Primitive Society and the Ancient East. Moscow: Prosveshchenie, 1979, p. 89.

<sup>58</sup> See Iribadzhakov, N. Op. cit., ibid.

holdings. In many rich tombs of the Old Kingdom era, reliefs and frescoes have been preserved that depict life on these estates. The aristocrats and their families lived in large homes surrounded by numerous servants and maids, musicians, singers and dancers, cooks, bodyguards, etc. Under the direction of the house-manager, clerks, scribes and overseers organized the economic life of the estate and strictly controlled the labor of both the producers of material goods and those engaged in daily activities in the fields or in the lord's house – the farmers, shepherds, gardeners, fishermen, bakers, brewers, coppersmiths, jewelers, potters, stonemasons, weavers, shoemakers, carpenters, boatmen, painters, sculptors, and many others. Plus a number of vast land holdings were also donated to the temples of the numerous Egyptian gods. These lands „ceded“ by the pharaoh were considered a kind of reward for the high dignitaries and priests; documents from the Old Kingdom era, for example, speak of „the land of the god for which the priests performed their service“. Not only that, outside of the temple and private estates, the bulk of the state's territory was directly administered on behalf of the pharaoh as a major source of income for him and the state. Numerous clerks and servants are engaged in the administration of the royal household, while the millions of working people, divided by occupation into work parties, lead a semi-hungry existence and work from morning till night, driven by the rods of numerous overseers.<sup>59</sup> It is more than evident that during the **Old Kingdom** period in Ancient Egypt there was a steady trend of increasing privilege in the economic sphere, which had a twofold dimension: on the one hand, it aimed primarily to consolidate the over-centralized power of the pharaohs and their supporting accompanying estates (the aristocracy, the priesthood, etc.), and on the other hand, it steadily increased the material wealth of the dominant social groups as another, even more solid economic-material basis of existing power.

It is essential to point out another manifestation of **privilege** in the Old Kingdom, of a **politico-economic nature**, writes Prof. L. Berov, namely: according to the extant records of that time, large farms already existed for the Pharaoh, the high dignitaries and the temples. At first, the right to occupy the highest state positions was a monopoly

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<sup>59</sup> See **Barcelo**, P., M. Tacheva, P. Delev. Op. cit., p. 18.

only of relatives of the reigning dynasty, but later, as a result of enrichment through official means, many other wealthy dignitaries of un noble origin were singled out and gained access to the top of the official hierarchy. In this situation, these non-kin (of the dynasty) dignitaries had to be provided with state maintenance through the distribution of separate large estates. In this way, those occupying such positions as **pharaonic relatives centrally received food and everything necessary from the pharaonic economy as a kind of single budgetary source for the subsistence of civil servants.** Thus the use of the income from these estates was at first overtly and contingently official in nature, but over time this new stratum of large official aristocracy began to seek to make their privileged social position hereditary over property and power.<sup>60</sup> Plus, it is evident from the documents of this era that the area of the great estates was usually divided into the „father’s estate“ (as now unconditionally inherited ownership of a once usurped official landholding) and the „princely estate“ as a newly acquired from the pharaoh conditional temporary possession in exchange for the performance of official duties. And with the conversion of these large estates into unrestricted hereditary property came entire lineages of hereditary governors of provinces, warlords, and other kinds of high dignitaries. In this sense, the management of the large estates was entrusted to special officials who had a whole staff of overseers, scribes, storekeepers, livestock handlers, etc., with well-organized stock records. And of course it was not only the pharaoh or dignitary respectively who received food from these holdings, but also the many subordinate officials, servants, slaves, etc.<sup>61</sup> This proves beyond doubt that the so-called „food privileges“, or the free distribution of various types of food to the rulers and their attendant social classes, have a prehistoric date of thousands of years.

Interesting trends are also observed in the social evolution of the **so-called „Middle Kingdom“**, in which there is a certain „loosening“ of the unlimited despotic power of the pharaohs in the state (compared to their power in the Old Kingdom). This is expressed, first, in the strengthening of the position of the Nome aristocracy and its privileges;

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<sup>60</sup> See more on this in **Berov**, L. Economic History. Economic Development of the World from Antiquity to the Present. Second edition. Sofia: Planeta 3, 1999, p. 23.

<sup>61</sup> See *ibid.*, p. 24.

and second, in the formation of a new privileged stratum of people making great material wealth and personal careers thanks to the pharaoh. In this sense, historians testify that the strengthening of the Nome aristocracy during the first transitional period was not completely overcome, and throughout the Middle Kingdom era it retained a significant part of its privileges (of its political and economic power). For the nomarchs often handed down their power by inheritance, forming local dynasties; they also relied on the priesthood in the temples of the local nom deities and had their own armies. And in the rich tombs of members of the Nomos aristocracy, depictions of vast estates continue to be found in this era, with autobiographical inscriptions containing accounts of the considerable material and human resources concentrated in their hands.<sup>62</sup>

In the documents of the Middle Kingdom era, references to slaves are very common. They are treated as part of the property and holdings of the noble and wealthy owners; documents survive of their inheritance and of the purchase and sale of slaves, in which they are placed on an equal footing with working cattle. Here the main source of slaves was the plundering military campaigns in neighbouring countries, when, after a successful military expedition, the pharaohs rewarded their warlords and cronies with a portion of the enslaved prisoners. The autobiographical inscription of Husebek, bodyguard and military commander of the Twelfth Dynasty pharaoh Senusret III, relates that he twice received slaves as a reward, once 60 and another time 100 „heads“.<sup>63</sup> To put it short, we may speak of the privileges extending to the most deprived classes, inasmuch as the Pharaohs not only disposed of the slaves and exploited them cruelly, but had the exclusive right of trading in slave flesh, selling them to various grandees as an inalienable privilege of the Pharaoh Despot.

However, this dependence of the elites also led to a second trend, which stemmed from the weakening of pharaonic power, which is why the pharaohs themselves (during the Middle Kingdom) attempted to create new power classes by further privileging them. This

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<sup>62</sup> See **Barcelo**, P., M. Tacheva, P. Delev. Op. cit., p. 30.

<sup>63</sup> See id.

was the case with the rise of a wealthy overlord class of people of unknown origin (from the so-called „free producers“), referred to in historical sources as „nejes“. They could give education to their children, after which they not infrequently became priests, clerks or scribes. And to counter the powerful Nome aristocracy, the pharaohs of the Eleventh and Twelfth Dynasties deliberately began to elevate representatives of these circles to senior positions in the administration. Thus, in opposition to the traditional tribal aristocracy, another privileged group (stratum, layer, elite) of people with the support of the pharaoh actually took shape,<sup>64</sup> which was always ready to defend his sole power. By these measures, the pharaoh tries to preserve the status quo of his own power and his social position in society, with the privileges of the nomarchs being limited at the expense of the central power in the state. This is perfectly logical, since the Middle Kingdom era (both the first and second transitional periods) was always accompanied by internal instability, dynastic struggles and personality struggles, which, however, did not cancel out the extent of privileges despite their temporary limitation.

Later, during the **New Kingdom** period, these tendencies to increase privilege took on new, even more pronounced dimensions as the apparatus of state government was established during those years, through which the centralized royal system was increasingly reinforced. What is distinctive here is that all „normative“ power is entirely concentrated in the hands of senior royal officials, headed by a special official (the pharaoh) and his adjacent managerial elites.

From that archaic time is preserved a text of an instruction that the king personally gave to the grand dignitary as the first and highest dignitary in the state. This instruction sets out in detail the duties of the ruler and defines in minute detail the entire organisation and office-keeping in his „palace“. Judging by the instruction, this supreme official concentrates in his own hands all the threads of the administration of the state: he is concerned with the establishment of the court ceremonial in the palace, organizes the activities of all the offices and departments of the capital, disposes of the entire land fund of the state and the entire water supply system. In the hands of the ruler is also the

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<sup>64</sup> See *ibid.*, p. 31.



supreme military power, for he governs all the fortresses, recruits the troops, and commands the fleet. In addition, the supreme judicial supervision and the control of the entire fiscal and local government of the kingdom are concentrated in his hands.<sup>65</sup>

Because of this centralized nature of state government, the status and influence of the Egyptian aristocracy, which reached its greatest political and economic power in the New Kingdom and which included the pharaoh and his clan as its composition, rose sharply, the nomarchs and the old family aristocracy in general, the high priests and the new court and official aristocracy (consisting of high dignitaries, officials, governors, central and local officials, senior military leaders, etc.).<sup>66</sup> And of course, a large number of these high-ranking nobles and rulers have a special privileged status (political and economic), of which we will give some very revealing examples. The first has to do with a number of important **privileges** received by the large slaveholders, to whom most writers include **the high priesthood**, such as special gifts, large donations of temples, various valuables, free meat for the elite, regulated hereditary transmission of offices, etc.,<sup>67</sup> from which the priestly upper class amassed immense wealth.

The second example concerns the **so-called „immunity privileges“** discovered by **Max Weber**, which relate directly to the patrimonial power organization of the state in antiquity and extend from the ruler's table (always the best quality food) through the supply of subsistence products from his stock by giving „income“ (from servile land, rent, taxes), etc.<sup>68</sup> These privileges „defended“ the power of the pharaohs, the numerous royal clientele and the ubiquitous patrimonial bureaucracy on which the rulers of the day relied heavily.

The third example piques curiosity because it refers to a very special **privilege** of Egyptian lords, who could only open (and organize) their own royal harems for orgies and pleasures. For example, according to **Prof. S. Ignatov**, the neighbours willingly sent their daughters to the harem of Amenhotep III, even though he was married to two Babylonian princesses, three Mitanni and one from Artsava in Anatolia.

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<sup>65</sup> See **Avdiev**, V. I. Op. cit., p. 174.

<sup>66</sup> See **Iribadzhakov**, N. Op. cit. Vol. I, p. 152.

<sup>67</sup> See **Avdiev**, V. I. Op. cit., pp. 171-172.

<sup>68</sup> See **Weber**, Max. Op. cit., pp. 32; 190-192.

Furthermore, their role in the court is insignificant, as they are ultimately mere hostages, while the chief consort and queen of Egypt is the all-powerful Tiye. While gladly accepting foreign princesses into his harem, Amenhotep III refused to send any of his daughters to be the wife of the king of Babylonia, since an Egyptian princess was never given in marriage to a foreign ruler. And the purity of Egyptian dynasties is kept in the female line, and Egyptian princesses pass royal blood from generation to generation. Observing this rule, Egyptian kings often married their sisters, and Amenhotep III himself even married several of his own daughters.<sup>69</sup> Apparently, almost all Egyptian pharaohs did not at all deprive themselves of their sole „right“ to all sorts of royal privileges, including those that brought to the soul and body unforgettable carnal pleasures and delights...

And the fourth example refers to **the privilege of the rulers and the rich people to be sent to the next world under a special order established for them and them alone**. For from the end of the Sixth Dynasty, funerary rights and rituals, once reserved exclusively for the king, became fully accessible first to members of the provincial nobility and then gradually to all other Egyptians who had the material means to procure everything necessary for the afterlife, as well as the appropriate mourning, funerary and memorial texts.<sup>70</sup> In this context, Egyptian royals always paid a high price for furnishing their tombs, as was the case after the death of the notorious Tutankhamun: his heavy golden coffin alone, over 100 kg, cost as much as 35,000 monthly wages for a laborer,<sup>71</sup> with the real value of a number of other objects found in the tomb of the young king even today exceeding the scope of any human imagination.

Due to the excessively remote historical time and the absence of state structures (institutions of power), it is extremely difficult to isolate and differentiate all the **privileges of the pharaohs** in ancient Egyptian society. Yet these privileges as actually existing benefits of power in the three Egyptian kingdoms (Old, Middle and New) could be **systematized within the different social spheres (and social strata)**, namely:

### 1) Power privileges

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<sup>69</sup> See **Ignatov**, S. Egypt... Op. cit., p. 117.

<sup>70</sup> See **Ignatov**, S. Morphology of classical Egypt. Based on the Hermitage Papyrus 1115. Sofia: New Bulgarian University, 2012, p. 21.

<sup>71</sup> See **Ignatov**, S. Egypt... Op. cit., p. 372.

- divine origin of Pharaonic power;
- transmission of power by inheritance;
- palaces, temples, tombs, etc.;
- centralized subsistence for the pharaoh and his first kin;
- special food and food products;
- bloated service staff – shepherds, gardeners, bakers, shoemakers, carpenters, fishermen, etc. (only for the Pharaohs);
- „royal slaves“ for the service and work of the pharaohs (nobles, priests, officials, etc.);
- privileges for carnal pleasures (harems, etc.);
- lavish funeral rituals;
- other privileges.

## **2) Economic privileges**

- vast domains of lands;
- gifts of land (to cronies, high dignitaries, high-ranking military commanders, etc.);
- offerings to temples (in the name of Egyptian gods);
- appropriation of the holdings of spiritual temples;
- other privileges.

## **3) Privileges in the spiritual sphere (education, religion, cult)**

- special privileges only for the priests from the pharaohs (power, economic, religious);
- specialized schools for the training of so-called „scribes“ (scholars, teachers, bureaucrats), or the court intelligentsia of the time;
- deliberate privilege in the implementation of religious cult (rituals and incantations are the monopoly of the priests);
- privileges regarding the afterlife (expensive sarcophagi, overflowing tombs, buried material valuables – gold, silver, dishes, etc.);
- other privileges.

## **4) Privileges of the aristocracy**

- appointment to senior management positions;
- transmission of the relevant power by succession;
- specially fortified dwellings with high walls for the government;
- property privileges;
- maintenance in kind of senior civil servants;
- right to form local dynasties;
- having a small army of their own;

- other privileges.<sup>72</sup>

For the wide spread of privilege in all Egyptian kingdoms during the historical period under consideration there were a number of social, political, power, historical, etc. objective reasons in the social life of the time. Among these, however, one is of the greatest importance, and this has to do with the nature, functioning and specificity of power and power relations in Egyptian society, or, to put it bluntly, with the character and manifestations of **the power of the pharaohs** as the most distinctive emblem of the ancient Egyptian kingdoms.

Pharaoh's authority is unambiguous and indivisible because, as T. Parsons writes, „he as both king and god (Horus) is the unifying center of the system. At once god and man, he is the link in the continuous hierarchy of all phenomena that have meaning. He is the son of Ra, the sun god, who was believed to be the source of all life. More directly, he is also the son of more specific divine parents, the mother goddess Hathor and his own royal father, symbolized by the alignment of Horus and the Bull. His human nature is thus linked to the general genealogy of animal life. He is also implicated in the cyclical processes of nature – the seasons, sowing, harvesting and the annual spilling of the Nile. Moreover, the institution of kingship spans many generations and links the living pharaoh to both his ancestors and his descendants“<sup>73</sup>. This in turn means that all power in the state (executive, judicial, military, religious, etc.) is in the hands of the pharaohs, with the Egyptian pharaoh kings literally owning the entire state with all of its natural and economic resources (including disposing of the people in society at will). Thus, all actions within and outside the state are carried out in the name of the pharaohs, and in the absence of laws, the regulations and assessments of the pharaohs or of the administration at the various levels have only substantive meaning.<sup>74</sup> That is to say, **the power and personality of the pharaohs have a supernatural character, are totally**

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<sup>72</sup> The developed systematization of the Egyptian privileges of the pharaohs in the above four points is based on data from the following sources: **Avdiev**, V. I. Op. cit., pp. 116-118; 128-129; 145-146; 172; **Iribadzhakov**, N. Op. cit., pp. 153; 165-169; 225-226; **Rostovtzeff**, M. Op. cit. Vol. I, pp. 48-50; 112-114; **Barcelo**, P., M. Tacheva, P. Delev. Op. cit., pp. 15-19; **Berov**, L. Op. cit., p. 23.

<sup>73</sup> See **Parsons**, T. Op. cit., p. 80.

<sup>74</sup> See **Popov**, V. Op. cit., p. 52.

**deified and literally „merge“ into one monolithic power entity in Ancient Egypt**, without whom no managerial decision is made.

It is particularly important to note that the immense power of the pharaohs rested entirely on the **aristocratic-managerial overlordship** they created, which was crucial to the nature of social organization, the evolution of economic life, and the development of social relations. The cultivation of the administrative and managerial apparatus of the state is also linked to this overlord, and especially to the higher and middle levels of central and local government (from these circles also come the senior representatives of the priestly stratum).<sup>75</sup> Within this apparatus, senior officials form the closest entourage of the king (pharaoh) and as such bear the appropriate ceremonial titles – „first after the king“, „chief of the palace“, „keeper of the seal of all scrolls“, etc. In addition, there are courtiers who refer to themselves in inscriptions as „princes“, „in the service of the palace“, „friends of the king“, etc., thereby emphasizing their closeness to the ruler of the kingdom.<sup>76</sup> Of course, the state was ruled by the pharaoh, but also with the direct participation of the tribal aristocratic oligarchy and the high spiritual priests, who also held high state positions.

We would note in passing that the high priests have a no less centralized structure within their „spiritual“ hierarchy. Such is the opinion of VI. Popov, according to whom the chief, or high, priest – the so-called „high priest“ of each deity – is usually appointed by the pharaoh. In priestly circles there is a clearly established strong hierarchical structure of subordination between the individual priests. It is natural that all the priests of that deity, but not others, should be subject to the high priest. After the high priest follows a circle of high priests appointed by the pharaoh or by the high priest, nominated with ranks such as „second“, „third“, etc. And after them there is a lower circle of priests, also divided hierarchically into „first“, „second“, etc. But the most numerous is the so-called „lower priesthood“, to which belong a wide range of persons engaged not only in cultic problems but also in the maintenance of temples and their holdings.<sup>77</sup> Through this hierarchical ladder, it was quite normal for the higher priests, as close to the pharaoh-ruler,

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<sup>75</sup> See *ibid.*, p. 56.

<sup>76</sup> See **Avdiev**, V. I. *Op. cit.*, p. 117.

<sup>77</sup> See **Popov**, VI. *Op. cit.*, p. 19.

to receive many material and moral privileges for their loyal service and servitude to him.

With such a centralized one-person mechanism of power organization, which is based on the „**close alliance between religion and state**“ (M. Rostovtzeff), it is perfectly logical to stimulate the system of privileges at different hierarchical levels. For example, in the admonition of the Heracleopolitan king Ahtoi III to his son Merikara it is explicitly stated: „The king is great with his nobles. (...) Reward your nobles with tax lists (*tax reductions and remissions – my note, G. M.*), your priests with plots of land (*royal gifts – my note, G. M.*). They will work for thee as a troop. There will be no rebels among them. Thou shalt not suffer that the Nile comes not. The taxes of the North shall be in thy hand“<sup>78</sup>. The all-powerful Egyptian pharaohs thus appear as a kind of „legal“ guardians of the privileges of power and „moral“ guardians of the privileged status of the higher oligarchic (and managerial) strata in government.

There is no doubt that the system of privileges in the ancient Egyptian kingdoms (Old, Middle, and New), which was used by some 170 pharaohs and several hundred senior officials,<sup>79</sup> was of extraordinary proportions in terms of quantity and social extent in contemporary society (compared to many other ancient states) due to the absolute power of the pharaohs. This is a natural tendency in the social evolution of almost all ancient societies, in which the privileges of the rulers acquire greater and greater proportions depending on the nature of their state-political structure.

#### 4. THE EVOLUTION OF PRIVILEGES IN PERSIA, CHINA AND INDIA

In the course of historical time, political privileges continued to be affirmed, enforced and extended in almost all ancient societies in which social processes of primordial state formation were already underway. These processes stimulated the evolution of some or other privileges in individual states, which began to develop en masse in the

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<sup>78</sup> Barcelo, P., M. Tacheva, P. Delev. Op. cit., pp. 35-36.

<sup>79</sup> See Clayton, P. Chronicle of the Pharaohs. A chronicle of the rulers and dynasties of ancient Egypt. Sofia: Riva, 2007, p. 6; Katsarski, Ivan. Op. cit., p. 150.

manner of the states of previous ages (Babylon, Assyria, Egypt, etc.). But above all they are noticeable in the so-called „Eastern despotism“ where the state (meaning the king) has all the power and the political oligarchy is completely mixed with the governing apparatus, as in Persia and China, for example.

#### a) Evolution of privilege in Persia and China

As early as the reign of King Darius I (522 – 485 BC) **in the Persian state**<sup>80</sup> power privileges found their natural evolution in spite of certain reforms in the interest of the people which were then made in the kingdom. The traditional policy of ancient despotism was pursued in Persia at that time, by which King Darius I consolidated his own power, thus unconditionally supporting the wealthy classes and strata of society – the slave-owning and agricultural aristocracy, the rich merchants, the high clergy and priesthood, etc. And although Persian society was highly stratified and differentiated (rich and poor), the state power in the person of the king constantly took measures to keep the vast masses of impoverished population in subjection. For this reason – writes V. I. Avdiev – the tsar not only strengthened the social position of the aristocrats, but also determined and distributed a number of deliberate **privileges**: awarding the title of „benefactor of the king“ to prominent aristocrats; bestowing huge estates on the aristocracy; giving away large landed estates; exempting large landowners from taxes and obligations (provided that all taxes were increased); the right (of the same landowners) to judge and punish people in their estates; non-payment of taxes by the spiritual temples in the kingdom, etc.<sup>81</sup>

Of course, as might be supposed, the most numerous and varied privileges were enjoyed by **the king of Persia**, in whose hands were concentrated a vast landed estate, magnificent mansions with magnificent parks (called „paradises“), forest villas with abundant

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<sup>80</sup> The state of Persia arose initially in the territories to the southeast of Mesopotamia, gradually spreading across the entire Iranian plateau. According to historians, the tribes of Medes and Persians (Parsua) lived in these places, the latter descending from the earliest Indo-European tribes, and the Persian state itself was established around the end of the VIII and the beginning of the VII centuries BC (See **Popov**, VI. Op. cit., pp. 191-194).

<sup>81</sup> See **Avdiev**, V. I. Op. cit., p. 373.

game for royal hunting, special forests with nurseries for the acclimatization of rare and alien plants, immaculately tended orchards, etc.<sup>82</sup> Moreover, royal privileges have a wide social reach, which is why the king relies on the support of the established state apparatus, which in turn enables him to control the central and local government of the state. For example, immediately attached to the royal court were senior officials who were responsible on behalf of the king for the branches of central government – the treasury, the courts and the military. The king's personal secretary, who writes the king's decrees, is also attached to the king, and the central government, in the person of the king, directly intervenes in local government. Along with this, the king examines the complaints of his subjects, for example, the priests of the temples, determines tax privileges, gives personal orders for the construction of a temple or city walls, etc. Also, any decree that has the royal seal is considered a law, not subject to revocation. Plus, the whole government is implemented by officials and is bureaucratic in nature, with the king keeping in touch with officials by means of special messages. Careful clerking is applied in the palace and in all offices, and the centralisation of government is helped by the post of „supreme state inspector“ (the king's eye), who, on the king's orders, acts as supreme controller in the various areas.<sup>83</sup>

It is intriguing to note the high royal favour for arranging lavish royal banquets, at which lavish feasts were made, involving huge armies of servants and people entertaining the feasters with vast quantities of food and drink. In addition, as a sign of royal favour, **gifts (privileges) were distributed**, which included lands, special robes, valuable metal objects, jewellery, etc.<sup>84</sup> Moreover, high-ranking officials received correspondingly larger portions than low-skilled workers, for example, 2 sheep, 90 litres of wine and 180 kg of flour, although the quantities provided were too large to be consumed by a single person. Similarly, other members of the elite receive quantities that are too large to be consumed by anyone alone. Such payments may have been redistributed among the person's subordinates, given on credit against

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<sup>82</sup> See *id.*

<sup>83</sup> See *ibid.*, p. 374.

<sup>84</sup> See **Waters**, Matt. *Ancient Persia. A Brief History of the Achaemenid Empire, 550 – 330 BC.* Sofia: Ashur, 2017, p. 135.



future payments as needed, or exchanged for other goods or silver. Large expenditures were also used for special occasions or for feasts at the royal table, attended by people carefully selected according to their place in the hierarchical ladder and their personal achievements. It is possible that some of the large payments to the elite were intended for just such purposes, although they (the payments) usually indicate what was paid rather than its intended use.<sup>85</sup> All in all, this kind of royal entertainment not only took place regularly for the political elite of the time, but was also a manifestation of a kind of privilege, given lavishly at the king's pleasure.

It is curious to point out that the Persian king Artaxerxes II (404 – 359 BC) made very full use of **his exclusive right to have his own harem**, as he had 366 wives and concubines in it, from which he had only... 150 sons!!!<sup>86</sup> This parental record is possible because the cited king lived and ruled for too long and apparently wasted no time at all in settling various affairs of state...

It should be explicitly noted that all judicial power is concentrated in the hands of the king, as well as special „royal judges“. These judges, or, as they are called, „law-bearers“, base their activities on the principle of unlimited royal autocracy. They find „a law which permits the Persian king to do anything he pleases“ (Herodotus), are appointed by the king for life, and can be removed from office only if they commit a crime or are accused of taking some bribe. Sometimes the office of „royal judge“ is passed down by inheritance,<sup>87</sup> which constitutes one of the greatest privileges in the Persian judicial system. Or, to sum up, **privileges in ancient Persia had a new social dimension that found expression in almost all social spheres – political, economic, spiritual, military, judicial, etc., and in this sense they (privileges) differed in their prevalence (in terms of scale and scope) from those in many other states during the era under consideration.** That is to say, there was a tendency towards the expansion of power privileges in antiquity, which was true to varying degrees for most of the newly formed and actually functioning ancient eastern states.

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<sup>85</sup> See *ibid.*, p. 151.

<sup>86</sup> See **Popov**, VI. Op. cit., p. 204.

<sup>87</sup> See **Avdiev**, V. I. Op. cit., p. 374.

This historical trend further encompasses ancient Chinese civilization since the imperial Shang dynasty (1766 – 1122 BC), which is considered the first dynasty in China's social evolution.

It is well known that in **China's** political system the leading figure is the king, or the so-called „Wang“, who makes the most important decisions of a military and economic nature.<sup>88</sup> But for a long time the family aristocracy, and in particular the Council of Elders, retained a role in making these decisions. At the same time, there is an advisory body to the royal institution, the Council of the Aristocracy, which includes prominent representatives of the clan aristocracy and tribal chieftains (with all senior positions in the management of the army and the economy being held by the clan of the ruling dynasty). This is because power is passed by inheritance, but not from father to eldest son, which is typical of Western European civilization (the so-called „majorat“), but from brother to brother by seniority (if there are no living brothers, the mother's brother and subsequently the nephews become the heir).

In this first Chinese civilization of the Shan Empire, there was a strong class stratification. The family aristocracy and the distinguished cronies became a privileged *baixing* class with considerable wealth and slaves, and the main occupation of this class was waging wars of conquest. In these, captives were turned into slaves, who were used not only as domestic slaves but also on the various farms (e.g. as shepherds). More often, however, the conquered population fell into direct personal-land dependence, i.e. they were turned into serfs. What is special here is that **the king gave the conquered lands** together with the inhabitants to his relatives and cronies in the form of conditional ownership. This form of ownership and the relative economic, religious, military, judicial, etc. prerogatives of the local *baysin* are very similar to the feudal relations between the king and his cronies during the era of the decay of the Western Roman Empire and the establishment of the first barbarian kingdoms.

In a system of highly centralized power, it goes without saying that the king (*van*) is an autocrat. He unites in his personality all the functions-military, political, administrative, economic, and religious-

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<sup>88</sup> Here and in the next few paragraphs the presentation of the ancient Chinese political system is based on. Cited in: **Naydenov**, G. Op. cit., pp. 156-158.

because he is the „son of Heaven“ and is the high priest. Thus he alone has the right to perform the rituals associated with the cult of heaven and earth, central to which is the cult of the ancestors, in whose memory great sacrifices are made by the van or by the local high priest. And these sacrifices have extremely important functions related to preserving the unity of the dynasty and historical memory.<sup>89</sup>

The views and works of Confucius (551 – 479 BC) and Shan Yan (390 – 338 BC) had a significant influence on the formation, evolution and consolidation of the ancient Chinese political system. According to the sage **Confucius** in his treatise *Lun Yu* („Teachings and Discourses“), everything that happens on Earth, including people’s individual destinies, is predetermined in heaven, which represents a supreme spiritual power, not God, but only a moral force dissolved in the universe.<sup>90</sup> It is the idea of the heavenly predetermination of nature and society that is the driving philosophical thread in Confucius’s teaching, which he uses to explain the nature of social organization and the understanding of the human community as a collection of individuals having a common destiny imposed from above. In this sense, Confucius conceived of the state as a large cohesive family in which its members are as tightly and multifacetedly bound to one another as people are in any family. On this basis, the great philosopher defines five kinds of relations between people, which are: between father and son, between man and woman, between brothers, between different families, and between ruler and subjects,<sup>91</sup> and in all of them (relations) the obedience and respect of the younger to the older are invariably present.

From such worldview positions Confucius also justified his thesis on **the government of the state**: „The ruler is the son of Heaven“<sup>92</sup> and for this reason all people must obey him, because he is the father of the whole subjects. But the ancient sage does not stop there and develops his thesis by explicitly emphasizing that **the ruler can rule only**

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<sup>89</sup> See *id.*

<sup>90</sup> See **Lun Yu**. – In: *Ancient Chinese Philosophy*. A collection in two volumes. Moscow: Mysl, 1972 – 1973, pp. 170-171; and **Alexandrov**, G. F. *History of Sociological Teachings. The Ancient East*. Moscow: Russian Academy of Sciences, 1951, p. 225.

<sup>91</sup> See **Dachev**, L. *History of political and legal doctrines. From Antiquity to the Bourgeois Revolutions*. Sofia: Svida, 1999, p. 22.

<sup>92</sup> **Lun Yu**. *Op. cit.*, IV, 15.

**with the help of the „noble“ people in the state** (and society), the only ones possessing the appropriate qualities for this. Or, Confucius believes that **state rule is the rule of the „noble“ people and the aristocrats, i.e., the select elevated and perfect elite in society** who distinguish themselves from all other subjects by qualities they (the subjects) do not possess. This rule of the „nobles“ is a result of the Confucian notion of rule by the moral example of statesmen, which dictates that the advisors and servants of the ruler must be truly worthy, honorable, and noble people, as they are the epitome of the „noble man“.<sup>93</sup> Moreover, by placing this small social group (of noble people) at the head of state power, Confucius was in fact developing **the idea of a higher governing elite** elected from among the wealthy classes. His recruitment (of the elite) was through the principle of heredity, with the result that ordinary people had no possibility of access to the pinnacles of power.

But the question of the managerial elite in Confucian philosophy is not considered in the abstract or in isolation, for the creation of the elite is an integral part of the problems of power. For the thinker Confucius, power represents a key value, and in this sense **the central question of any government is the question of power**. Therefore, Confucius believed that the optimal functioning of power is impossible without the formation of a national cultural elite that is the „salt of power“ and to which all rulers should listen.<sup>94</sup> Indeed, this idea of the elite is not formulated directly, but it is implied subtextually insofar as it is derivative of the overall elitism of Confucianism.

Confucius' views on the state and the elite also reflect **the problem of the functions and responsibilities of the statesman**. According to the moral ideal of Confucianism, the ruler is free to make such political decisions as he himself deems fit, as long as he is responsible for the governance of the state. Here, however, there is a contradiction noticed by the great scholar of the Ancient East, the Russian scholar **V Rubin**, the essence of which is this: On the one hand, the Confucian teaching is always half-hearted about the political activity of the states-

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<sup>93</sup> See more details on the concept of „noble man“ in: **Fotev**, G. History of Sociology. Volume I. Sofia: St. Kl. Ohridski, 1993, pp. 57-58.

<sup>94</sup> Citation: **Rubin**, V. Personality and Power in Ancient China. Moscow: RAS, 1999, pp. 266-267.

man, regardless of the measures that are applied in various social conditions – favorable, unfavorable, even those of social chaos, and in this sense this activity is judged as just; on the other hand, Confucius himself several times claims in his treatise „Lun Yu“ that the ruler is not obliged to actively participate and bear responsibility for the management of the state even when there is social unrest<sup>95</sup> This „paradox of Confucian participation“ in government (as V. Rubin calls it) is an expression of the thesis of the absolute autonomy of rulers in decision-making, which gives them the right to abdicate their responsibilities if there is a discrepancy between the governing ideal and the methods of its realization.

The other famous Chinese thinker is **Shang Yang**, who in his book „Shan Jun Shu“ („Book of the Governor of Shan District“) substantiated his own views on the so-called „Shang“. **„legalistic doctrine“ of the state**, the basic **principles** of which are as follows: 1) ransoming of state positions as the main basic principle for all those involved in politics and governance; 2) selling of positions by the central government as a condition for finding the most intelligent, prepared and solvent ruler; 3) appointment of politicians by the emperor through ransom as a „certificate“ for the consolidation of Asian dictatorial despotism; 4) total awareness of the Eastern ruler of what the masses think (incl. including through the imposition of a spy-espionage system); and 5) the use of the principle of fear to achieve cruelty and terror among the people to keep them in permanent submission to the ruler.<sup>96</sup> In other words, these views of Shang Yang are entirely aimed at imposing the absolute power of the ruler as the supreme goal of his rule in establishing the domination of the totalitarian state.

Viewed comparatively, the two doctrines of the nature and power of the ancient Chinese state (those of Confucius and Shang Yang) have diametrically opposed views of its fundamental character, for: **while Confucius regarded the state as a large family in which the governor was a caring father to his subjects, Shang Yang believed that the governor was the sole ruler of the state, and the people the**

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<sup>95</sup> Ibid., p. 108.

<sup>96</sup> See this issue in more detail in **Manolov**, G. L. Introduction to Political Science. Second supplemented and revised edition. Plovdiv: VUSI, 2020, pp. 15-16.

**buttress of his power and nothing more.** However, no such distinction is made at all with regard to privilege, since in both theoretical conceptions of the state these privileges are totally applied to the whole of socio-political life.

It goes without saying that different types of privilege were consumed by certain oligarchic elites (aristocratic, etc.) and groups in Chinese society at the time. However, they were part of the social structure of ancient China, which consisted of three main social class groups – „noble“, „good“ and „vile“ people. This three-class division was already outlined during the Shang-Yin era in China (XV – XI centuries BC), when, during the breakdown of patrilineal relations, the emerging social-class boundaries shifted between: (a) the privileged ruling clan aristocracy consisting of the supreme ruler, his relatives and confidants, local governors and their relatives and cronies, and the heads of clan, family (clan) associations; (b) the free peasants united in communes; (c) the lawless slaves who served and were exploited by the aristocracy.<sup>97</sup> The acceleration of the processes of centralization and of the formation of a strong apparatus of state power led to the demarcation in China of a social stratum whose representatives were anyway included in the system of government. Belonging to this privileged group and one's place in it is determined not by a person's wealth and background, but by one's attitude towards the civil service. The policies of the legists against the nobility also contributed to the social restructuring. With the reform of Shang Yang, the Legist kingdoms for the first time introduced official trade with ranks of nobility, which exempted from labour conscription. The law began to draw increasingly sharp distinctions not only between „good“ and „vile“ people, but also between two categories of free people – those with official positions and official ranks („guan“) and commoners („baysin“). The division into 9 clerical ranks, which is based on a system of payment for the clerk's service in grain (ranging from 200 to 10,000 dan<sup>98</sup>), was formed as early as the Warring Kingdoms period. These 9 ranks, each consisting of two classes, invariably coexisted with the categorization of senior, middle, and junior officials. The title of nobility also correlates with a number of

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<sup>97</sup> See **Krasheninnikova, N. A.** History of the Law of the East. Moscow: Russian Open University, 1994, pp. 53-54.

<sup>98</sup> One dan = 103.5 kg of grain

higher ranks. Technically, the path to a clerical position is open to all who have received a Confucian education and passed examinations, but in reality education is available only to the children of these same clerks and wealthy people.<sup>99</sup> There is also no equality among both the „good“ and the „vile“ people. For example, when entering the civil service among the „baysins“, farmers are given preference; during mobilisation, people with a commercial background are recruited first and only then farmers. Wealthy merchants and artisans are in a special position. The social barriers separating them from the nobility could be overcome by purchasing honorary titles and positions.<sup>100</sup>

And so, in **the political sphere** of ancient Chinese society, a solid system of privilege consistently developed within the state, which under the aegis of the king (and with his connivance) benefited a significant group of the aristocratic officialdom occupying senior state positions. Some of these **privileges** may be arranged in the following order: **first**, the creation of a civil servant law, which established **so-called „degrees of eminence“** (18 in total), awarded only to a narrow circle of senior administrators, military and other people around the king for holding higher positions (regulated by Shang Yang’s reforms); **second**, the appointment of politicians to the state by **buying out positions**; **third**, **the sale of positions** by the central government as a guarantee to promote good rulers; **fourth**, **inheritance of senior positions** from wealthy aristocrats to retain important positions in the state; **and fifth**, building a special **incentive system with rewards for rulers** (and aristocrats) to highlight the merits of the top oligarchic-managerial stratum in the state.<sup>101</sup> And all this does not at all include the immeasurable political privileges of the king and his retinue, such as special food, magnificent robes, sumptuous palaces, lavish harems, hunting trips, rich tables, noisy feast, and so on, and so forth. That is to say, privileges which, apart from not being available to the people at all, since they are intended for the elite (and come at the expense of the state treasury), fit in perfectly with the maxim that it is „the nature of men always (...) to

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<sup>99</sup> See id.

<sup>100</sup> See id.

<sup>101</sup> See more details on these privileges in: **Avdiev**, V. I. Op. cit., pp. 440-441; **Berov**, L. Op. cit., p. 50; and **Rubin**, V. Op. cit., pp. 47-49.

seek advantage“ (Shang Yang). Something that applies with double force to almost all politicians, including modern ones, we would add.

To the **privileges** in the political sphere in China, we will add another variety, manifested, however, **in the justice system**. It is that the dynastic codes have transferred the „eight rules“ from the Confucian source „Liji“ for the application of punishments to persons of high social status. Eight categories of noble persons (I – relatives and II – loyal friends of the emperor, „who had served him for a long time“, III – „noble people whose words and deeds could serve as a model“, IV – „capable, talented in military and state affairs“, V – meritorious military personnel, VI – noble officials with high ranks and positions, VII – „diligent officials“ and VIII – „guests“, i.e. descendants of royal dynasties) in the case of the commission of a number of crimes punishable by death, do not fall under the jurisdiction of ordinary courts. The vagueness of the criteria of Groups III, IV, V and VII of this list effectively leaves it to the Emperor to determine the punishment, mitigate it or pardon a significant group of people.<sup>102</sup> Such privileges were extremely rare in most states of antiquity.

Other categories of officials also benefit when deciding whether to punish a crime, thanks to the system of substitute punishments, where imprisonment or exile has been replaced by loss of office, rank or title. The more titles the official has, the higher his rank, the more opportunities he has to „extinguish“ the main punishment. In the case of serious crimes, where titles and ranks are not sufficient, the remainder of the penalty may be extinguished by a fine. The dominant position of the bureaucracy in society determines the existence in Chinese traditional law of another, very specific institution, the „shadow“, on the basis of which the relatives of an official („shadow-giver“) receive a number of special social and legal benefits depending on the „shadow power“, measurable by the rank of the official and the degree of kinship of the „shadow-recipients“ with him (which is determined according to Confucian criteria by the period of mourning for a deceased relative). The shadow enables one to obtain a position of public office, and also exempts or mitigates punishment for committing a serious crime. The consequences of its operation are detailed in the Tang Code.

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<sup>102</sup> See **Krasheninnikova**, N. A. Op. cit., pp. 61-62.



The most powerful is the „shadow“ of the emperor, which extends over a large circle of his „relatives“. For example, during the reign of the Ming Dynasty (1368 – 1644), the total number of the emperor’s „relatives“ with high titles, ranks, and honorary titles exceeded 100,000. But even the most petty official had the opportunity to „cover“ with his „shadow“ grandfather, grandmother, father, mother, wife, sons, grandsons.<sup>103</sup> These privileges are particularly significant and very „life-sustaining“, since they are passed on unhindered from family to family, from dynasty to dynasty, and from century to century...

The spread of **privilege in the economic sphere** of the ancient Chinese state differed almost in no way from those considered before (in Persia, for example). Therefore, we will only recall here that we are talking about preferential distribution of land estates by the king (emperor) to noblemen, a number of tax breaks to the ruling class, special permissions for the construction of buildings by powerful oligarchs (political and economic) close to the royal power, etc.

Although in embryonic form, in ancient China one can also speak of the manifestation of specific **military-educational privileges**, which, according to M. Weber are already noticeable in the Confucian era. It was a matter of the military abilities being tested by the army’s leading cadre, who regularly put the army’s inferior clerical staff to the test. However, under this positive examination system for its time, senior members of the imperial clan were exempted from the most severe examinations of the first competitive grade, which greatly facilitated (and privileged) the occupation of the relevant military positions.<sup>104</sup> It is true that these military privileges crystallized in their fullest splendor in late Chinese feudal society (around the VII century), but it is even truer that their distant roots can be found in the bowels of the Confucian era (many, many centuries ago).

Therefore, at least four significant and somewhat contradictory **conclusions** could be logically summarized in conclusion: **one is that the system of privileges in ancient China developed with an extremely high degree of social diffusion (political, economic, judicial, military, educational) because it is through state institutions (the set of rules,**

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<sup>103</sup> See id.

<sup>104</sup> See **Weber**, M. Genesis of Western Rationalism. Sofia: KH, 2001, p. 200.

the collective responsibility, the system of rewards, the honorary ranks, etc.) and the existence of a whole caste of elected and paid officials that the functioning of the royal power is ensured;<sup>105</sup> the other is related to something very curious, but also democratic, since an authentic Chinese source, the *Jiu Chuan*, states unequivocally that the senior rulers and their cronies are not entitled to (and should not) enjoy various kinds of privileges and should not prosecute those who speak out against them;<sup>106</sup> the next stems from a privilege rarely found in the ancient world at all (or at least not in the major sources), according to which the emperor had the right, in exchange for a ransom, to commute and reduce severe punishment, as well as to pardon various nobles for major crimes they had committed in ancient Chinese society; and the latter conclusion is entirely „akin“ to the opinions expressed before, namely, that the greatest and most „predatory“ consumers of the many and varied privileges of all kinds are the omnipresent Chinese kings and emperors, whose power is omnipotent, absolute, and unchecked. Such, in fact, is basically the socio-political situation and the privileges in the exercise of power in most countries of the Ancient Eastern world.

#### **b) Caste Privileges in India**

Similar to the systems of power and privilege formed for the top rulers in ancient eastern societies, a number of components of these systems developed consistently **in India** irrespective of the differences in the state structure of the time. These differences were expressed in the establishment of the **so-called „caste system“**, the nature of which necessitated certain relationships between the tribal aristocracy of priests and warriors on the one hand and the mass of the free population on the other. Moreover, according to V. I. Avdiev, the relations between rich and poor and slaveholders and slaves, which were mainly reduced to the domination of the slaveholding aristocracy, had to find a place within the caste system. The Indian social system of **varnas (castes)** thus divided society into four major social groups and distinct social classes. The caste

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<sup>105</sup> See **Gernet**, Jacques. History of Chinese civilization. Sofia: Kama, 2004, pp. 63; 72.

<sup>106</sup> See **Rubin**, V. Op. cit., p. 211.

system thus grew out of the socio-economic conditions and reflected the real social life that were typical of ancient India.<sup>107</sup>

It is necessary to clarify that the word „varna“ is of Indian origin and literally means „colour“, „way“, „essence“, „caste“.<sup>108</sup> Or, varnas are ancient social groups that unite people from certain areas, related by common occupation, common religious rites and located on the same rung of the social ladder. And the obligation of the members of each caste to intermarry within it gives a clue to the fact that all the members of the caste are connected through a community of clan and partly kinship ties. The division of the people into varnas has its origin in the time of the dissolution of the clan system, when the clan aristocracy was formed and strengthened. Hence in the later Laws of Manu, the word „jāti“ is sometimes used as a synonym instead of the word „varna“.

The formation of social stratification in India is reflected in customary and priestly law in the form of a system of four main varnas which is supposed to legitimize and strengthen the most ancient class system. The doctrine of the origins, meaning, rights and duties of the ancient varnas, from which the much modified and complicated caste system later developed, is preserved in ancient Indian books, for example, in the Laws of Manu and the Law Codes of Apastamba. In these, the main varnas are considered to be (1) the varnas of the priests (Brahmanas); (2) the varnas of the warriors (Kshatriyas); (3) the varnas of the agriculturists, artisans, and traders (Vaishyas); and (4) the varnas of the Shudras (the lowest strata of the oppressed and lawless poor, who are almost in the position of slaves as well as actual slaves). Thus, through the religious ideology of ancient India, a special belief system was created which justified this most ancient caste system and the **privileges of the three upper castes**. For example, a tradition relates that from the body of the deified „progenitor of all beings“, whom they regard as

<sup>107</sup> See the detailed and thorough treatment of the caste system in ancient India in the work of V. I. Avdiev, on which we rely in the exposition here (See **Avdiev**, V. I. Op. cit., pp. 405-416).

<sup>108</sup> *casta* (Portuguese, related to the word *casta* – pure). By this, the Portuguese, who first came to India, wanted to emphasize that the Indian varna social groups, which were based on endogamy, i.e., on compulsory marriages within each individual varna, were distinguished by the „purity“ of their clan and tribe origins. The word „caste“ in the Portuguese language to this day signifies a connection with this concept – „clan“, „generation“, „quality“, „caste“ (See **Avdiev**, V. I. Op. cit., p. 406).

the „first, original“ man, Purusha, the Brahmanas, Kshatriyas, Vaishyas, and Shudras were created, the priests from his mouth, the Kshatriyas from his hands, the Vaishyas from his thighs, and the Shudras from his feet. Accordingly, the Brahmanas are to perform the functions of priests, the Kshatriyas are to have the task of government and warfare, the Vaishyas are to have agriculture, husbandry and trade as their chief occupation, and the Shudras are to serve **the higher castes** of the „twice-born“, and in the first place **the aristocratic priests**. Thus the three higher varnas are sharply opposed to the fourth varna of the shudras as privileged gentry.<sup>109</sup>

According to the teachings of the Brahmanas, a sharp line should separate the three higher castes of the „twice-born Aryans“ from the fourth caste, which includes the poor and virtually enslaved people. Each varna is a kind of closed society, and marriages between people of different castes are considered unacceptable. Therefore the regulations in the state are very definite: according to the laws of Apastamba, if a man even merely approaches a woman of another caste, „both commit a sin (...) and their son also becomes „sinful“; and according to the laws of Manu, the son of a Brahman and a Shudra woman is counted among the lower class of people (Chandala); and touching which defiles the „twice-born“ as touching a corpse. These people, the unfortunate chandalas, are placed by law in a position of being despised by all persons outside society. They are therefore called „the lowest of men“, and are obliged to live „outside the settlement“, and the goods they use „must be thrown away“. Their property can only be dogs and donkeys, and their clothes the garments of the dead. Food must be given to them in a battered vessel. They are only allowed to wear iron ornaments. „They must constantly wander (...) at night they are not allowed to go into villages and towns.“<sup>110</sup>

The caste system, constituted by rules of religion and life and framed in the collections of Brahmanical laws, is meant to convey the idea of the gulf that exists between the upper and lower castes, and in fact between the rich and the poor, the full and the disenfranchised. The law demands not only obedience to the higher castes but also a

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<sup>109</sup> See id.

<sup>110</sup> See id.

deep respect for them. The Apastamba Laws, for example, say that „respect should be shown to those who are of a higher caste“, and the Manu Laws preserve the ancient common law norm that law is the equivalent of retribution applied in the context of class society and caste inequality. A person guilty of causing bodily harm to a person of the upper caste is severely punished. If anyone raises a hand or a stick against a person of higher caste, his hand should be cut off. If someone „kicks his leg in anger, his leg must be cut off“, which unconditionally protects the legally rich classes.

Under the varna system, the aim was to consolidate the position of supremacy of the conquerors over the conquered population, and then to strengthen the dominant position of the tribal and slave-owning aristocracy, and primarily of the Brahman priests and Kshatriya warriors. **The Brahmanical laws thus privileged the people of the upper castes by allowing them to repay their debt gradually and exempting them from debt dependence.** At the same time, Brahmanical law protects private property, the most important bulwark of ancient class society, and there are paragraphs in the Manu Laws (Ch. VIII, §§ 320 – 322) that punish theft by fine, corporal punishment, and even by cutting off the hand,<sup>111</sup> when it is violated.

In the most ancient times **in India, the king** relied on a bureaucratic apparatus composed mainly of priests (Brahmans) and warriors (Kshatriyas), i.e. all people of the two higher castes, with the aristocrats of the Kshatriya caste enjoying great influence in the administration of the state. Along with this, during the conquests of the army, certain principles of distribution of the spoils of war among the warriors are laid down in the ancient laws, namely: **according to the Laws of Manu, the „best portion“ should be given „to the king“** because he is invested with the highest military authority, commands the army and at the same time has the highest judicial authority.<sup>112</sup>

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<sup>111</sup> See id.

<sup>112</sup> See **Avdiev**, V. Op. cit., p. 409.

The Laws of Manu (563 – 483 BC) and Kautilya's political treatise Arthashastra, or Science of Politics (IV – III centuries BC) are of particular importance for the assertion of royal authority in the imposition of the Indian caste system.<sup>113</sup>

The Laws of Manu are written in verse form and consist of 12 chapters and 2685 paragraphs. Chapter I deals with the creation of the world, chapters II to VI deal with the rules of daily life, matters of cult and ritual, chapter VII with instructions for the government of the state, and the following chapters deal with the rules of judicial procedure, property, family and other relations. Here are some formulations from the Laws of Manu:

1) *About the king*, „When the people who had no king scattered in all directions for fear, the Lord of the world created a king to protect this world“. Let the king defend the state and kill the enemies; a king who has a properly governed state increases prosperity; a king who, through imprudence and negligence, tortures his state, together with his relatives, immediately loses his state and his life.

2) *For the knowers of the Vedas*: the king, even if he dies, cannot collect tribute from the knowers of the Vedas; he has to establish a special relationship and show paternal care for them.

3) *The servants of the king*: they are appointed to protect the people, but the majority of them are wicked and eager to seize other people's property.

4) *For the government*: a governor should be appointed for each village, a governor for ten villages, a governor for twenty hundred, and a governor for a thousand; in each city one should be appointed to think of everything.

5) *For the trial*: guided by the rules of trial, the truth, the subject-matter of the action, himself, the witness, the place, the time, and the circumstances are to be considered; neither those interested in the action, nor relatives, nor accomplice, nor enemies, nor those afflicted with disease, nor the slandered are to be admitted as witnesses.<sup>114</sup>

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<sup>113</sup> See **Zotov**, V. D., L. V. Zotova. History of Political Doctrines. Moscow: Norma; Infra-M, 2010, pp. 41-43.

<sup>114</sup> See id.

The treatise „Arthashastra“ analyses the whole spectrum of the most important state political and economic issues and contains practical advice. For example, the section on the foundations of the state says: „The basic elements of the state are: the ruler, the minister, the rural province, the fortified towns, the treasury, the army and the allies“. The „ideal of a ruler“ is characterized in great detail. In terms of the qualities that attract people to him, he must be tall, of happy fortune, just, truthful, keep his word, have no unworthy persons in his entourage. He must possess such qualities of mind as inquisitiveness, the ability to learn, to investigate, to reflect on knowledge, to reject the useless and to penetrate into truth. His actions should be distinguished by the following positive qualities: eloquence, ingenuity, the ability to dispense justice, foresight, to be skilful in choosing peace or war, and also to be free from passions, anger, greed, distraction, tendency to slander.<sup>115</sup> Of course, all this was entirely aimed at strengthening the caste system in the interest of power and wealth in the society of ancient India.

A good summary of the distinctive features of the Indian political system is given by **P. Kennon**, who (drawing on the theses of P. Speer) lists four key features of the caste system: 1) occupational restrictions; 2) the „hereditary principle“ expressed through marriage restrictions; 3) restrictions on eating, touching, and ritual purity; and 4) duty. That is, caste is any hierarchical social division based on birth membership and endogamy and accepted by all people belonging to the caste as a good and natural thing. Or, to put it bluntly, the caste system primarily and largely benefits those at the top, but it is also comfortable enough for those at the bottom because it is a refuge, a cocoon, a hermetically sealed community.<sup>116</sup> However, this does not at all mean that the „people at the bottom“ are privileged in any sense, since under the caste system only the highest castes (the top two) have this right.

In support of what we have said, we will give one more curious detail from the Arthashastra on the selection of personnel for the civil service, which is only limited by the caste system. This fact is drawn to

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<sup>115</sup> See *id.*

<sup>116</sup> See **Kennon**, P. *Twilight of Democracy*. Sofia: Obsidian, 1995, p. 279.

the attention of Fr. Fukuyama, who (quoting Science of Politics) emphatically points out that **the most important condition for being elevated to a high post is to have a noble lineage, i.e., the „father and grandfather“ must have been high-ranking officials** (and they must have been almost entirely Brahmins). That is why the salaries of the top bureaucracy are extremely hierarchical, with the ratio between the lowest and the highest being 1 : 4800!!!<sup>117</sup> As things stood, only members of the three highest varnas (castes) were appointed to senior government posts, which was nothing but **a classic form of privileging** particular minority elites in power.

One of the most essential principles on which the Indian caste system rests is the principle of hierarchy. According to it, castes manifest themselves as strictly aggregated groups and the caste system as a „plural society“ in which extreme integration within the boundaries of the different castes (especially the upper castes) is constructed among their representatives. Or, as M. Walser rightfully points out, „prestige, wealth, knowledge, positions, occupations, food, clothing, even the social good of social intercourse are subject to the intellectual as well as the physical discipline of hierarchy. And hierarchy itself is defined by a single value, ritual purity“<sup>118</sup>. Hence, **the hierarchical principle of power organization in ancient India constitutes a solid objective premise for the permanent generation of multiple caste privileges in society**, which naturally leads to glaring social inequalities.

According to M. Duverger, the caste system in India shows that such inequality of personal status has many varied aspects and meanings. In the beginning, it rests on the basic opposition of the „pure“ and the „impure“, which is completely religious in nature. The division of castes is at first made according to what each of them can do as far as food, religious rituals, relationships, marriage, etc. are concerned. In each case the behaviors are hierarchized according to the division of pure and impure. For example, vegetarian food is considered purer than meat food, the meat of a herbivorous animal is purer than the meat of a carnivorous animal, the meat of game is purer than that of a domestic animal kept by the lower classes. Also the killing of widows by burning

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<sup>117</sup> See **Fukuyama**, Fr. The Origins of Political Order. From prehistoric times to the French Revolution. Sofia: Iztok – Zapad, 2015, p. 225.

<sup>118</sup> **Walser**, M. Spheres of Justice. Sofia: KH, 2009, p. 57.



after the death of the husband is the pinnacle of purity, their life without remarriage comes second, and finally remarriage. The way the castes fit into this purity scale determines their hierarchy in relation to each other. Accordingly, the hierarchy of the pure and impure distinguishes a very large number of castes (about 200, divided into sub-castes), which are fairly closed communities. **People of different castes should not eat certain foods together, drink certain beverages together, smoke together, etc.** There are also general prohibitions on contact by members of the upper castes vis-a-vis those of the „untouchables“, or members of the lower classes. Usually the castes practice endogamy (an obligation of some tribes to marry only within their tribe), which in the case of the sub-castes is sometimes not so strict because it is an aspect of opposition between the pure and impure in the hierarchy, etc.<sup>119</sup> In this sense, caste hierarchy can also be defined as a „protective armour“ of power to preserve and multiply particular kinds of privilege.

In this theoretical context the already quoted **M. Weber** quite rightly points out that in caste societies like the Indian one, the existing privileges are always based on distance and exclusivity, the most common of them (privileges) being: **the wearing of certain clothes; the right to consume so-called „taboo foods“ (which other people cannot eat); the carrying of weapons; the possibility of dilettante ways of practicing art (playing certain musical instruments),** and so on, and so forth,<sup>120</sup> i.e., strictly defined benefits and advantages for the social-caste privileged groups who alone have the „right“ to join the power structures and exercise their powers.

What is characteristic and distinctive about caste privileges in ancient India?

It is not difficult to notice that **the most characteristic features of caste privileges differ almost in no way from the royal privileges used** (and by the attendant higher oligarchic strata) **in the other states** of the ancient era under study, such as the special clothing, ecological food, sumptuous palaces, deliberate security, ritual funerals, etc. This was a regularity in the governance of all ancient societies

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<sup>119</sup> See **Duverger**, M. *Sociology of Politics*. Sofia: Kama, 1999, pp. 152-153.

<sup>120</sup> See **Weber**, M. *Figures of Culture. Figures of Power*. Sofia: KH, 2017, p. 246.

during that historical time, despite the fact that some of these privileges were regulated by laws.

As for **the distinctions of caste privileges in India**, they can be arranged in a logical order as follows: 1) **perhaps the most revealing difference in the use of privileges is that they are enjoyed in priority by the three upper castes in society**, both in scale and scope and in quality (by a handful of wealthy minority elites); 2) the other distinction arises from a wholly new **material privilege** that is legitimized in Chapter VIII, Art. 40 of the Laws of Manu and **which entitles the king to distribute to his own benefit (and to the Varna) the property stolen from captured thieves;**<sup>121</sup> 3) the next difference is of an **economic nature**, since according to the royal provisions **the upper castes are exempt from debt dependence (from debts)** and can pay their debts in stages; and 4) the last difference is the rare **aristocratic privilege in the arts**, according to which only certain high castes are allowed to play expensive special musical instruments as a reward for devotion (and loyalty) to royalty.

We could summarize that caste privileges in Ancient India entirely bear the imprint of drastic social inequalities between rich and poor and as a product of omnipotent royal power evoked a host of social grievances in the people – an indisputable fact that is unequivocally confirmed by the evolution of privileges in subsequent human history despite the social injustice that „gushed“ from their proliferation.

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As an overall summary of the era presented so far, we will conclude that **the genesis and manifestations of privilege in the ancient Eastern societies we have examined in this chapter developed in a strictly specific environment of „statelessness“, i.e. in the absence of primordial city-states** (such as the polis), as opposed to the classical ancient Greek era, when they (privileges) burst forth with new force and variety under the imposing patterns of primordial democratic social development (as the initial germs of democracy in those years).

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<sup>121</sup> See **Manu's** Laws. – In: *Krashennnikova*, N. A. Op. cit., p. 90.

## **Chapter Two**

### **ANCIENT POLITICAL PRIVILEGES**

### **(VIII CENTURY BC – III CENTURY AD)**

The history of societal development in antiquity shows that in Ancient Greece many theoretical ideas, views and concepts about politics, power and the state were formed and evolved. During this remarkable era, the first models of statehood were „born“ and emerged on the basis of social practice in the ancient polis. This is how the authentic political elites of Ancient Greece were created, who, along with the rights and responsibilities they had, also acquired and possessed privileges specially established for them, which were unavailable to all other people in society.

#### **1. POLITICAL PRIVILEGES IN ANCIENT GREECE**

It goes without saying that the various privileges in antiquity appeared and developed successively in ancient Greek society, and according to the particularities of the particular epoch and time; therefore, before examining them in more detail, let us first clarify their historical periodization and the political regimes (and systems) formed on this basis.

##### **1.1. Political regimes in Ancient Greece**

Traditionally, the history of Ancient Greece is divided according to scholars into five main periods, each of them covering a long historical time with a general typology of the state, changes and trends in the overall development of the then Greek world. These periods are:<sup>1</sup>

**1) Cretan-Mycenaean Greece, or Greece in the III – II millennia BC.** This period encompasses the emergence and development of early

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<sup>1</sup> The exposition of the five periods is based on **Popov**, VI. Op. cit., pp. 220-221.

forms of social and state life. Through it is perceived the overall cultural and historical development of the early Greek population in mainland Greece and on the island of Crete, as well as of the Achaeans from the II millennium to the time of the so-called „Trojan War“ (dated variously in modern historiography from the XIII to the XI centuries BC).

**2) Homeric Greece, or Greece in the XI – IX centuries BC.** This time is defined as a relatively little-known era that occurred after the arrival of the Dorians and the end of the ethnic shuffling of Greek tribal groups. The era is studied mainly from the evidence of the Homeric epic, which, although assigned to the preceding Mycenaean period, reflects the social life and organization of the people from the time of the XI – IX centuries BC. And outside the traditional name, the era is also defined by some writers as the premillennial period.

**3) Archaic Greece, or Greece in the VIII – VI centuries BC.** During this epoch, great and significant changes took place: first of all, the picture of the social structure and of social relations changed; the division into a patrilineal aristocracy (eupatrids) and a people (demos) lost its significance and the free population was organized into unified civic collectives (in which property status was decisive); the polis state organization emerged and the institutions and magistracies that governed it developed; political changes were accompanied by acute socio-political struggles, which led to the emergence and development of the so-called „early Greek tyranny“, and of two main trends of future polis organization and governance – oligarchy and democracy. At the same time, significant changes occurred in economic life, as the Greeks shifted to active production of various handicrafts and trade, mainly by sea, and the closed subsistence economy gave way to broad commodity-money and market relations. Colonisation also took place on a large scale, with Greeks moving mainly to the coasts of other countries, where they founded many new polities, and so on.

**4) Classical Greece (Classical Age), or Greece in the V – IV centuries BC.** During it, the establishment and development of the Greek polities led to the widespread adoption of two main forms of state-politics, oligarchic and democratic, which determined both the socio-political relations within each polis and the interpolitical relations.

**5) Hellenistic Age (Hellenistic Greece), or Greece from the late IV century BC to the Roman conquest in the mid-II century BC.** This epoch

encompasses the changes that occurred and the new processes and features in the socio-political and cultural development after the collapse of the state of Alexander III of Macedonia until the Roman conquest.

Based on this classification, and according to the opinions of various researchers, somewhere around the IX – VII centuries BC, the first prototypes of future states emerged, which had an entirely archaic character. Since then, separate forms of **ancient archaic states** are known,<sup>2</sup> organized on a hierarchical clan principle, in which settlements were formed – villages, subcenters and a main center. Initially, the main center was some kind of sanctuary, the center of the gods, which gradually began to play the role of the administrative center. Examples of this are Sumer and Khuzestan (V century BC), Egypt (IV century BC), Northern China (II century BC), in whose centers the archaic system of production of goods of prestige and sacred objects of human preservation took shape. At the same time, surplus production increased and the structures of the charismatic state developed, in which people and symbols ruled by entering into war or alliances. Thus dynasties gradually became established, thanks to which the value of territory in ancient states replaced shrines and charismatic objects as symbols of power. Territory thus became the component that made power secular,<sup>3</sup> paving the way to the subsequent, higher forms of state organization in antiquity, as examined by the political philosophers of the time.

In Ancient Greece, Aristotle classified the different types of government on the basis of **two criteria**: in whose interest is the government and what is the number of those who govern. According to the **first criterion**, state arrangements are: **proper**, where the government is in the interest of the common good of the polis and its members, in which case there are three types – monarchy, aristocracy and polities; and **improper** – tyranny, oligarchy and democracy, in which the government is in the interest of the rulers alone. And according to Aristotle's **other classification criterion**, there are three main categories of

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<sup>2</sup> **Manolov**, G. Modern Political Systems. Plovdiv: VUSI, 2019, pp. 95-115.

<sup>3</sup> See on this issue: **Breuer**, St. The state: creation, types and organizational stages. Sofia: Voenna izdatelstvo, 2004, pp. 41-54; and **Pirgova**, M. Problem fields in political science. Sofia: St. Kl. Ohridski, 2018, pp. 77-78.

government – rule by one, rule by a few (minority) and rule by the majority. Each of these categories allows for two power possibilities: supreme power concentrated in one person (monarchy or tyranny); power concentrated in a few or a few (aristocracy or oligarchy); and supreme power concentrated in a majority (polities or democracy).<sup>4</sup>

On the basis of these criteria, we will also consider the main types of political system (state system) in antiquity, in which different types of privilege gradually manifested, spread and evolved.

One of the most archaic forms of government (a type of political system and regime) in antiquity was **the aristocracy**<sup>5</sup>, which can be originally and generally defined as the **rule of the aristocratic, noble and wealthy people**. Or, in aristocracy, a **minority**, composed of the best and most valiant men, chosen on the basis of their wealth and moral qualities, who rule in the interest of the common good of the polis (city-state), is at the **head of government**.

During the classical era in Ancient Greece, real power under aristocratic and oligarchic regimes was concentrated in the council (or councils).<sup>6</sup> These two political regimes differed mainly in the methods by which that minority of the citizen body which wielded the most power was elected. In the aristocratic political regime, access to the various councils is restricted to representatives of the aristocracy, and social background is crucial. In these councils, members are elected for life. For example, the Council of the Areopagus in Athens before the reform of Solon. Then the role of the National Assembly was mostly reduced to spontaneous approval of the decisions taken by the members of the Council. Alongside this, measures were also taken to limit the number of full citizens (as in Thebes). In this sense, Ancient

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<sup>4</sup> See **Aristotle**. Politics. Sofia: Open Society, 1995, pp. 74-75; and the detailed elaboration of this issue in: **Manolov**, G. Introduction... Op. cit., pp. 65-67.

<sup>5</sup> *aristocracy* (Greek: *αριστοκρατεία*) – 1. The upper stratum of the propertied ruling class, who, by reason of their wealth or noble descent, usually have titles of nobility and enjoy various privileges, the chief of which is to hold the highest offices in the state. 2. A high estate in ancient Greece. 3. A form of government in which power is in the hands of noble and wealthy people. 4. A privileged elite group in society (See **Dictionary of Foreign Words in the Bulgarian Language**. Sofia: Science and Art, 2007, p. 84).

<sup>6</sup> These institutions will be discussed in more detail in the following pages of this submission, so we only briefly mention them here.

Sparta, Carthage, ancient China, etc., and the medieval city republics of Venice and Genoa in future Italy can be referred to aristocratic forms of government.<sup>7</sup>

The great theorist Aristotle defined as aristocratic those types of government in which the best men in terms of virtue rule unconditionally. Election to office is conditioned not only by wealth but also by high moral qualities (*aristinden*). That is to say, aristocracy is the rule of virtuous men, virtue being the main measure of aristocracy. And the offices of government of the state are regarded as honorary, and they are distributed among equals in virtue and dignity. „Only the polity composed of men who are unconditionally the best in virtue, and not the best under certain conditions, is rightly called an aristocracy.“<sup>8</sup>

According to Aristotle's claims, internal contradictions and collisions in aristocracies arise because few participate in the occupation of honorary positions, as is the case with oligarchies, since aristocracies are also oligarchies in a sense (in both devices the ruling few). „This inevitably happens in the case of a majority of people who have imagined themselves to be equal in virtue to those who rule. (...) Or in the case of some people who are not respected by the more knowledgeable citizens, although they are influential and in no way inferior to them in virtue. (...) Or in the case of someone who is a brave person but does not participate in government...“<sup>9</sup> Moreover, according to Plato and Aristotle, an aristocracy can easily degenerate into an oligarchy, which in turn can become a plutocracy, and hence lose its true essence definitively.

In modern realities, „aristocracy“ refers to a small class of individuals who have special privileges in some countries. And as the representatives of this nobility themselves claim, they are charged with a number of special responsibilities. For kinship, descent, upbringing in certain traditions, etc., are regarded as the essential characteristics of aristocracy.

The other type of political system in antiquity was **the timocracy (timarchy)**<sup>10</sup>, which according to Plato is a „mixture of good and evil“

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<sup>7</sup> See **Yankov**, G. Aristocracy. – In: *Key terms used in the learning process*. Vol. III. Political Science. First edition. Sofia: UNWE, 2011, p. 14.

<sup>8</sup> **Aristotle**. Op. cit., p. 113.

<sup>9</sup> Ibid.

<sup>10</sup> *timocracy* (Ancient Greek: *thymi* – price) – a form of state system in Antiquity

and which as a system of government has one main characteristic – a **marked tendency to ambition and weakness due to the domination of a bold ruler**.<sup>11</sup> To the theocracy Plato unequivocally assigns the Cretan and Spartan states, whose political system was „praised by many“. Yet, the ancient Greek thinker leaves us wonderful descriptions of their institutions, the main „blame“ for which goes to Apollo (who developed the laws of Sparta) and Zeus (who made the laws of Crete).<sup>12</sup>

As a „popular government“ (Plato), timocracy often leads the state into disastrous wars because they are „the chief source of private and public troubles“. Thus, disrupted by wars and strife, **the timocratic state is replaced as a result of the accumulation of considerable wealth in private individuals**. Wealth thus destroys timocracy, or, to put it more precisely, **a conflict between virtue and money occurs**. And hence the transition to oligarchy is complete when the rich pass a law that exempts from public service all those whose means are insufficient for a certain amount (this amount is imposed by force if threats and blackmail do not produce results).<sup>13</sup> Hence, timocratic government is very inefficient and socially harmful because it is entirely based on the ambition (and weakness) of the leaders, sparing the personal, wasting the common, and ultimately preferring war to peace (as a means of solving problems).

The next form of ancient state system is **democracy**<sup>14</sup>, which historically originated way back in Ancient Greece. Even then, Plato and Aristotle interpreted democracy in detail from theoretical positions, even though they classified it among the so-called „irregular state systems“.

According to Aristotle, democracy is the „**rule of the poor**“ for **their own benefit**, which is opposed to oligarchy, because there is „rule of the rich“ for their own interests. In this sense, in his work „Politics“, the thinker distinguishes five types of democracy (government): one type is democracy based on equality; another is democracy in which officials are determined by low censuses; the next represents democracy

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<sup>11</sup> See **Plato**. *The State*. Sofia: Iztok – Zapad, 2014, p. 348.

<sup>12</sup> See **Yankov**, G. *Political Thought from Antiquity to the Present*. Third edition. Sofia: Stopanstvo, 2006, pp. 21-22.

<sup>13</sup> See *ibid.*, p. 22.

<sup>14</sup> *democracy* (Ancient Greek: δέμος – people; κράτος – power, authority) – popular rule



in which citizens with impeccable background rule; the fourth is such democracy in which we have government of all citizens subject to the law; and the last type is that democracy in which all citizens rule, not the law (the so-called „extreme democracy“).<sup>15</sup> Or, for Aristotle, **positive is any democracy in which there is rule of law**; and, conversely, negative is any democracy in which supreme power belongs not to the law but to the people (demos). And in this case it is of particular importance to note that in classical antiquity we have developed not only theoretical postulates, but also a mechanism of functioning of political systems modern for its time (in Ancient Greece and Ancient Rome).

In contrast to the previous types of political system, most of which were democratic in nature, in classical Greece (and in other countries) there were also systems in which the principles of wealth, dictatorship and non-democracy in general were the guiding principles.

In the case of **oligarchy**<sup>16</sup>, it is not the specific social origin but the corresponding property census that is decisive for its development. Accordingly, Plato, for example, defines it as „a state system which depends on the property valuation of the people and in which the rich rule and the poor have no part in government“<sup>17</sup>. Moreover, **a certain property census is required** for election to the Council (the Boule), for holding magisterial offices, and even for participation in the Assembly (the Ecclesia). Following Plato, Aristotle identifies the holding of magisterial offices by election (subject to a certain property census) as a characteristic feature of oligarchy. But unlike in modern times, electoralism in Ancient Greece was an oligarchic principle, not a democratic one.<sup>18</sup>

It is important to note that, depending on the severity of the social problems, the oligarchy assumes a despotic or moderate character, and the measures limiting the number of privileged citizens are more or less strict. For example, Aristotle points out „five oligarchic stratagems of legislation“ that the oligarchs apply (and which can also be recognized

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<sup>15</sup> See Aristotle. Op. cit., p. 109.

<sup>16</sup> *oligarchy* (Ancient Greek: *ὀλιγος* – little; *αρχή* – power) – 1. Political and economic domination by a small group of exploiters (slaveholders, capitalists). 2. A state with oligarchic rule. 3. Power of large financial capital (See **Dictionary** of Foreign Words in the Bulgarian Language... Op. cit., p. 536).

<sup>17</sup> Plato. Op. cit., p. 352.

<sup>18</sup> Yankov, G. Political Thought... Op. cit., p. 31.

in contemporary political practice). They are (1) the contrivance in regard to the National Assembly, that all have the right to participate in it, but the fine for non-participation is imposed either only on the rich or is much greater for them; (2) the contrivance in regard to the offices of leadership, THAT those who have a given censure have no right to refuse to perform them, while the poor have the right to refuse; (3) the contrivance in regard to the courts, that there is a fine for the rich if they do not participate in them, while the poor are not threatened with a fine, i.e., the fine for the rich is large and the fine for the poor is small; 4) the contrivance in regard to arms, that the poor have a right not to possess arms, and the rich who do not possess arms are punished; and 5) the contrivance in regard to gymnasium exercises, that the poor are not fined if they do not practice in the gymnasium, and the rich are punished for not participating. Thus in Hellenic democracies they invented in turn the reverse of these stratagems, because they provide a reward for the poor who participate in the National Assembly and the courts, while the rich are not fined for non-participation.<sup>19</sup>

It should be pointed out that oligarchy does not enjoy Plato's sympathy because for him it is „a government full of many evils“. According to Plato, „the more they regard money as valuable, the less they regard virtue“. He continues, „...when wealth and the rich are honoured in the state, then virtue and virtuous men are not honoured“<sup>20</sup>. Whereas for Aristotle, virtue and wealth are not uniquely related, or more accurately put, it seems as if moderate (average) wealth most corresponds to virtue. Thus, Aristotle also distinguishes between oligarchy and democracy by economic criteria: **oligarchy** is a **rule of the rich** without regard for the poor. In some polities, oligarchs utter the following oath: „I will be the enemy of the demos and do it all the harm of which I am capable“<sup>21</sup>. And this in turn means that the oligarchic government thinks of the rich as a priority. In fact, perhaps the most accurate assessment of the shortcomings of oligarchy is provided by Socrates, who determines them in three distinctive categories: the first being the requirement to possess a certain amount of property and other wealth (fortune); the second,

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<sup>19</sup> See **Aristotle**. Op. cit., p. 123.

<sup>20</sup> **Plato**. Op. cit., p. 352.

<sup>21</sup> See **Aristotle**. Op. cit., p. 124.

where **oligarchy divides the state through the wealth** of some and the lack of it in others; and the third, arising from **unequal ownership**, resulting in get-rich-quick schemes at the expense of **ruining others**.<sup>22</sup> These disadvantages have persisted through the centuries because, regardless of the different social conditions (in antiquity and now) where oligarchic political systems exist, they (the disadvantages) continually manifest themselves in modified versions.

In the evolution of the Ancient Greek era, as early as the dawn of its emergence (VIII – VI centuries BC), the **so-called „tyranny“**<sup>23</sup> gradually gained momentum and emerged as a type of political system that dominated for centuries in Antiquity. Initially, the term „tyrant“ was used to refer to any person invested with supreme power, without distinguishing between a tyrant and a king, *basileus*. Thus, by the V century BC, the Greeks used these two terms to denote „the rule of one man“, the term having no negative connotation. Later, however, the term „tyranny“ took on the meaning of an **unlawful, illegitimate, and degenerate form of one-man rule**. It is the disregard for traditional laws that characterizes tyranny much more than the harshness and cruelty of that power. This is the name given to usurpers who seize power and hold it by force. The term thus takes on pejorative overtones (this is felt in Herodotus and intensified in Plato and the philosophers of the IV century BC).<sup>24</sup>

Tyranny, as defined by Plato, is „the greatest evil of the state“, as the tyrant aspires to power as „the protégé of the people“. The main disadvantage of tyrannical rule lies in the seizure of power and its exercise „against the will of the people“. Moreover, under tyranny, power is an end in itself, and more famous tyrants in ancient Hellas were Pisistratus of Athens, Cypselus and Periander of Corinth, Polycrates of Samos, Gelon and Hieron of Syracuse, Thrasylbulus of Miletus, Theagenes of Megara, etc.<sup>25</sup>

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<sup>22</sup> Citation: **Gocheva**, D. Oligarchy and the Oligarch according to Plato and Aristotle. Political thought of the European past. Sofia: St. Kl. Ohridski, 2010, p. 116.

<sup>23</sup> *tyranny* (Gr. *τυραννία*) – 1. In ancient Greece, sole rule established by the forcible seizure of power; rule of a tyrant. 2. A state having such a government. 3. Coercion, despotism, cruel rule; oppression, cruelty (See **Dictionary** of Foreign Words in the Bulgarian Language... Op. cit., p. 758).

<sup>24</sup> See **Yankov**, G. Tyranny. – In: *Basic terms*... Op. cit., p. 426.

<sup>25</sup> See id.

According to Aristotle, tyranny relies on the support of the demos because the Greek tyrant begins his career as a demagogue. That is to say, tyrants in most cases are demagogues who promise the demos to protect it from the notables. Along with this, however, the ancient philosopher considers the possibilities of tyranny to maintain power, which boil down to three main things: first, humility of the subjects; second, distrust among them (the subjects are spied upon); and third, depriving the subjects of the opportunity to act (against the tyrant).<sup>26</sup> This is how one-man tyrannical power actually manages to persist, despite being, according to ancient thinkers, extremely harmful to the development of society.

During the period under review, the **so-called „despotism“**<sup>27</sup>, which was characteristic of the slave-holding monarchies of the Ancient East, developed as a form of government. Especially in Ancient Greece, the term „despotism“ was used to refer to the political system of the „barbarians“, who were then personified by the Persian Empire. This was because the Hellenes were considered a superior ethnicity, while all others were „barbarians“ insofar as Asians were considered slaves by nature and therefore naturally inclined to despotism. And from this point of view, there is a significant difference between despotism and tyranny:<sup>28</sup> tyrants rule over Greeks (i.e. demos, having a sense of freedom), therefore their rule does not last long; and despots rule indefinitely and, of course, unmolested by anyone (i.e. their people are not free).

In the traditional despotic culture – writes prof. G. Yankov – the attitude of the subjects towards **the ruler** is based on the recognition of his **absolute and unlimited power** over them. Here, power is **hereditary**, which is why ancient despotism is characterized by a **strict centralization of government**. That is, all supreme power – judicial, executive,

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<sup>26</sup> See Aristotle. Op. cit., pp. 159; 167-168.

<sup>27</sup> *despotism* (Ancient Greek: *δεσποτεία*) – 1. A country ruled by a despot; 2. The domain of a despot. 3. A form of government characterized by complete arbitrariness of power and complete lawlessness of subjects; despotism. 4. Oppression (See **Dictionary of Foreign Words in the Bulgarian Language...** Op. cit., p. 209).

<sup>28</sup> See Yankov, G. Despotism. – In. *Basic terms...* Op. cit., p. 112.

legislative (and even religious) – is ultimately concentrated in the king.<sup>29</sup> (Including there is also centralized management of the economy.)

Among the archaic types of political system that emerged in antiquity, we should include **the empire**<sup>30</sup>, which was highly developed and widespread during this period. It is one of the longest-existing forms of government, having several main meaningful characteristics: 1) a state based on conquest and a government based on the army, i.e. Empires can be seen as a variety of military dictatorships; 2) multinational states in empires, where one of the constituent nations dominates the others; and 3) state empires in antiquity and in the Middle Ages, functioning as **one-man political regimes, resting on one man (lord, dictator, authority)**, collapsing after his death. Or, empires are fleeting entities that are most often born from the fusion of an exceptional personality and a new military technology with which other armies during the relevant historical time are superior<sup>31</sup> (e.g., Cyrus and the Persian cavalry; Genghis Khan and the steppe cavalry; Alexander the Great and the Macedonian phalanx, etc.).

What general characteristics emerge from the types of political system considered in antiquity? First, the evolution of the systems mentioned above unfolded under very immature social relations (insecure institutions, lack of parties, uneducated people, violated rights, etc.), which is why the functioning of these state systems is extremely unsustainable and vulnerable. Second, a distinctive feature of the models analysed is the dominance of sole power, or tyranny, through which most political systems pass despite some rudiments of democratic social organization. And third, the political regimes presented in antiquity give us a real insight into the character of the states of the time, in whose foundations we discern some initial democratic components of future political systems over the centuries.<sup>32</sup>

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<sup>29</sup> See *id.*

<sup>30</sup> *empire* (Latin *imperium* – power) – 1. A monarchical state of which the ruler is called emperor. 2. A period in the existence of a state during which it is ruled by emperors. 3. A colonial state which, as a metropolis, siphons off the natural wealth of the colonies it conquers (See **Dictionary** of Foreign Words in the Bulgarian Language... Op. cit., p. 296).

<sup>31</sup> See **Duverger**, M. Op. cit., pp. 296-297.

<sup>32</sup> See the more detailed elaboration of these ancient types of political system in **Manolov**, G. Modern political systems... Op. cit., pp. 95-115.

It is crucial to recall that almost all the forms of political systems represented in antiquity were established (and enforced) through the polis, or city-states. The model here is the ancient Greek polis, in which Greek philosophy, science and culture developed, as well as all the other specific social features that distinguished it from other Eastern societies (including the spread of privilege).

**The ancient Greek polis** was an objectively legitimate product of the political and socio-economic development of Greece in the VIII – IV centuries BC, which led to the collapse of the patrilineal system and its replacement by the city-state. The polis **emerged from the tribal community** and for a long time bore within it some of its most characteristic features – blood kinship among the members of the polis, the division into phyla, fratricies and clans, communal ownership of land, etc. And the populations of the polis are not numerous, the largest being Athens and Sparta, which number approximately 400,000 inhabitants.<sup>33</sup> Moreover, according to N. Iribadzhakov, the vast majority of the citizens of the polis were small proprietors and manufacturers – peasants and artisans who lived mainly by their personal labour, as well as rural and urban paupers, whose ranks were constantly swelled by the impoverished small peasants. Many of them find themselves in debt bondage to large landowners and slaveholders, are often sold into slavery for their debts, and are forced to seek work and livelihood in the cities (or to emigrate from their native polis and seek their fortunes in the colonies). Obviously, all these citizens of the polis were not really free men. Yet they have the privilege of being counted among the free and full citizens, whereas the great bulk of the population of the polis is not counted among the civil commons and does not enjoy the civil rights of free citizens. This included, above all, the slaves, who were treated as speaking tools and chattel, the various categories of free but disenfranchised inhabitants of the polis – the migrants from other polises, the foreigners, etc. Women were also deprived of the right to participate in social and political life, and in many polises free and full citizens were in fact a privileged minority who held economic and political power in their hands.<sup>34</sup>

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<sup>33</sup> See **Iribadzhakov**, N. *Sociological Thought of the Ancient World*. Vol. II. Sofia: Partizdat, 1981, p. 42.

<sup>34</sup> See *ibid.*, p. 44.

The polis organization guarantees the interests of the unified civic collective, and the right to citizenship in the polis provides the persons concerned with a whole range of economic and political rights, as well as protection from attacks and crimes against them. The polis form thus manifests itself as a higher degree of provision for citizens in everyday life than the generic organisation, in which the nearest collective is the sole institution for protecting the interests of the individual. And citizenship is also the basic prerequisite for participation in the governance of the polis through the National Assembly and the possibility of election to collective governing bodies or to various offices.<sup>35</sup>

It is important to recall that in exchange for the rights and protections provided, the policyholder bears certain obligations. The main of these comes down to his participation in the polis militia, which is the main military force of the polis for the protection of the polis collectivity from external encroachments, as well as for one or another foreign policy or military activity of the polis. Citizens are also obliged to obey all the laws enacted in the polis, to observe the polis regulations, and to obey the relevant polis governing bodies and officials (various types of penalties are practiced for violations).

A specific feature of the obligations of citizens in the polis are the so-called „liturgies“ (obligations), which apply only to wealthy citizens, i.e., to citizens with a certain wealth. These citizens have to perform public duties for the benefit of the whole civic collective, because it falls on them to organise with their own resources the building and equipping of warships, general celebrations and competitions, etc.

There are two basic forms of ownership characteristic of the Greek polis, as all citizens of the polis have the right to private ownership of all real and movable property (but only within the boundaries of the polis). For this reason, the relatively small boundaries of the polis set a natural limit to large-scale landholding, and the right to freely acquire and alienate immovable property within the boundaries of the polis developed gradually over different time periods. And another, the non-citizens of the polis had the right to own mostly movable property, and could not acquire ownership of land.<sup>36</sup> In this sense, the **commonality between all**

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<sup>35</sup> See **Popov**, VI. Op. cit., pp. 250 et seq.

<sup>36</sup> See *ibid.*, p. 251.

**polises**, accepted as one of the main characteristics of the political system, boils down to the following more fundamental features:

First, the early periods of the formation and regulation of the polis organization are associated with the widespread **abolition of royal power**, inherited as a tradition from previous eras. The abolition of royal power took place at different times and in different ways in different Greek communities, and officials began to be elected everywhere in place of kings. Or, the kingship was not only retained as an archaism in some polities, but was also essentially very limited. For the functions of the kings were modified, being mostly confined to the command of the army, certain priestly duties, etc.

Second, the established **political system of the polis is primarily associated with the National Assembly**, which sooner or later becomes the main organ of the polis. The National Assembly was an inherited ancient institution from the previous ages of the dominance of tribal orders, and it gradually changed its appearance and functions as the polis was formed. That is to say, the Assembly became a body consisting of the entire civic collective. Every full citizen of the polis was by right a participant in the Assembly, and it became the main legislative body and institution (for the election of other bodies and officials).<sup>37</sup>

It should be summarized that in comparison with the tribal commonwealth, **the Greek polis of antiquity represents a new, higher stage in the evolution of statehood, because in the classical era of the period under consideration (VI – IV centuries BC) the institutions of power, some of which have a proven democratic character, actually began to function.** In other words, the ancient Greek polities were social communities that were innovative for their time and that, thanks to their structural organisation and institutions, decisively pushed forward their own political and socio-economic development.

The development of ancient democracy, in which all free citizens participate equally in the governance of public affairs, took hold gradually over several centuries, culminating in the V century BC in ancient Athens. Thus, over a sufficiently long period of time, from 508 to 322 BC, Athenian citizens participated directly in the governance of the

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<sup>37</sup> See *ibid.*, p. 252.



state, making the decisions that affected their own destiny.<sup>38</sup> In this it is necessary to note that the introduction of democratic government was a conscious choice of the Athenian citizens, who took pride in their polity. Moreover, „**our system of government**“, Pericles points out, „**is called a democracy because it does not take account of the minority, but considers the interests of the majority.** In disputes between private individuals all have, according to the law, equal rights. As regards respect in public life, honour is paid only to him who has distinguished himself in one respect or another, and that not on account of any origin, but on account of his ability“<sup>39</sup> (*emphasis mine – G. M.*). Furthermore, in the context of ancient democracy, the individual citizen was seen as an integral part of the political community, his actions generally subordinated to the interests of the state. Thus, the development of democratic organs and the flourishing of the political community depended to the highest degree on the active participation of all citizens in public affairs, which was a major achievement for those times (*see Diagram No. 1 A) and B*).

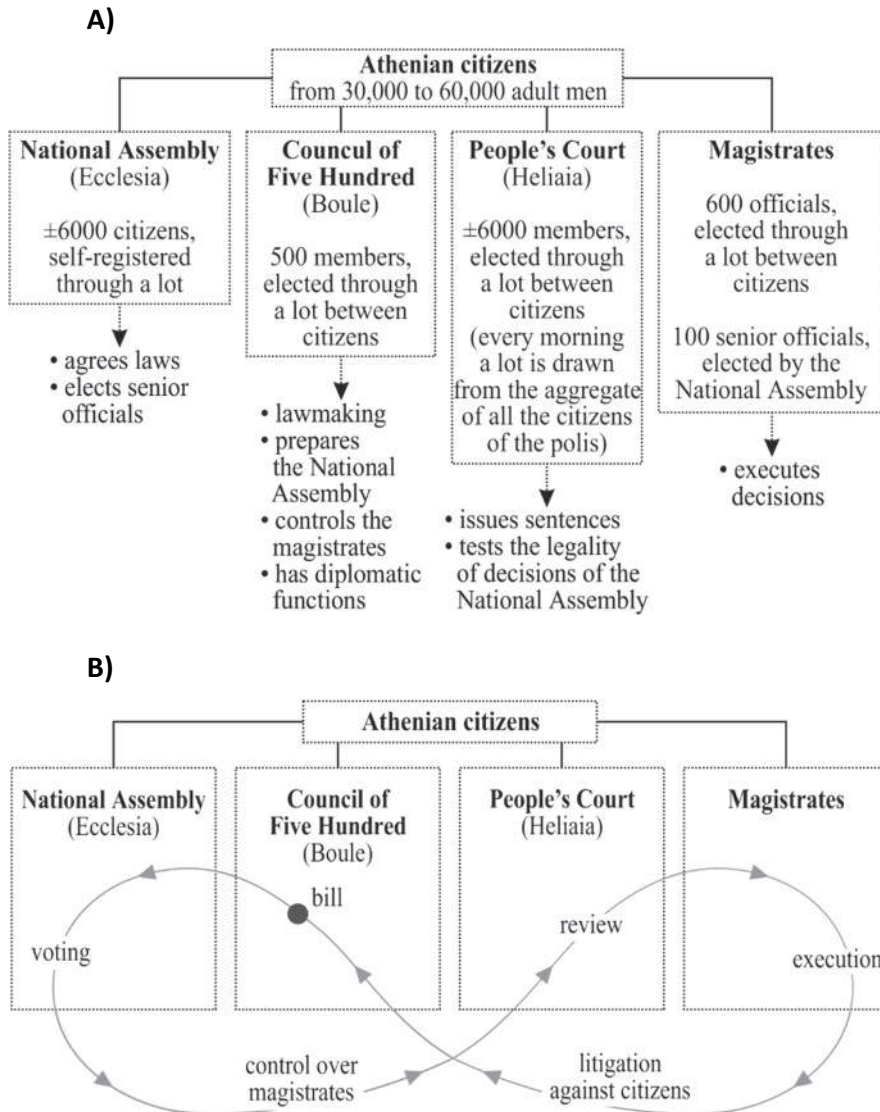
According to **Prof. G. Bliznashki**, the beginning of democracy is associated with the reforms of Solon, who abolished slavery due to indebtedness, forbidding the granting of loans in which the security of the „body“ of one or another human person is at stake. He introduced four classes of citizens according to the fruits of their labour in cultivating the land, the main purpose of the censal division being political privileges. In particular, **the privileges of the different classes are made dependent on their duties to society**, and rights are distributed in classes that correspond to the property status of the citizens. Access to public office is widened, **the criterion no longer being the origin but the wealth of the candidates**. But here again, the lowest class of citizens cannot hold public office, but is allowed to participate in the meetings where the affairs of the state are discussed. Thus the aristocratic monopoly of office was practically destroyed, which is described in historical literature as a kind of „political revolution“ in antiquity. And one

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<sup>38</sup> At this point in the study of ancient Greek institutional democracy we adhere to the valuable work of Prof. G. Bliznashki in his book „Evolution of Constitutionalism“ (See **Bliznashki**, G. Evolution of Constitutionalism. Sofia: St. Kl. Ohridski, 2017, pp. 49-59).

<sup>39</sup> See **Thucydides**. History of the Peloponnesian War. Sofia: Science and Art, 1979, p. 125.

**Diagram No. 1. Main organs of Athenian democracy (V and IV centuries BC) and the division of legislative, executive and judicial powers**



**Source:** Raybrook, D. Van. *Against Elections*. Sofia: Ciela, 2020, p. 63.

more thing, along with the Areopagus<sup>40</sup> Solon created another institution, the Council of the Four Hundred (Boule), which was composed of 100 people from each tribe (later it became the Council of the Five Hundred). This democratic Council was a particular counterweight to the aristocratic Areopagus. In addition, Solon stripped the Areopagus of much of its judicial power by creating a system of courts whose hallmark was juries composed of people drawn from all social classes.<sup>41</sup>

The political system of ancient Athens<sup>42</sup> encompassed both representative institutions and elements of direct democracy. Each of the ten local tribes elected by lot 50 representatives over the age of 30 to form the new Athenian **Council of Five Hundred**. Moreover, each year the composition of the Council is completely renewed, and no citizen may be elected to this Council more than twice during his lifetime. In this way a considerable number of citizens become acquainted with public affairs and gain considerable experience in the government of the State. Thus the Council of Five Hundred, in which every part of Attica is represented, becomes the supreme governing body of the state, and the day-to-day management of the activities of the state administration is carried out by nine archons (under the supreme supervision of the Council of Five Hundred). The Archons themselves are elected for a term of one year by the casting of lots, while the Council exercises effective control over the activities of the Archons and other officials. And, among other things, the Council of Five Hundred acts as a body that prepares the meetings of the State National Assembly (the Ecclesia) and exercises the right of legislative initiative. (In the Ecclesia, all proposals of a legislative nature are discussed in advance and acted upon by the Council.<sup>43</sup>)

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<sup>40</sup> *Areopagus* – a supreme and all-powerful body whose members are chosen by lot from the class of large landowners

<sup>41</sup> See **Bliznashki**, G. Op. cit., p. 51.

<sup>42</sup> It should be pointed out that by the middle of the V century BC the total population of **Athens** was 170,000 (including women and children) and 60,000 slaves. The free people, who enjoyed civil rights, numbered somewhere around 20 – 30,000. That is, 2/3 of the entire population of Athens are free citizens, while slaves make up about 1/3 of it. Or, **only 15% of that population are free male citizens who have political rights**. At the same time, a significant portion of the state's revenue came from sources other than the productive labor of Athenian citizens (See *ibid.*, p. 54).

<sup>43</sup> See *ibid.*, p. 55.

It is particularly noteworthy that the **National Assembly**, as the supreme organ of the state, occupies a central place in Athenian democracy because it is through it that the demos participates in the governance of the state. The National Assembly is a regular meeting of the free citizens to listen, discuss and pronounce on all matters of public importance. Every law passed by the Assembly begins with the ritual phrase: „It seems that the best thing for the people is...“. In other words, the National Assembly embodied the Athenian democracy of the time. This – on the one hand. Second, the National Assembly made the laws and dealt with all the essential matters that affected public life, starting with the provision of food for the population, moving on to the defense against external enemies, to the hearing of applications for public offenses, and, in addition, it considered applications that were of a private nature. The National Assembly is composed of all free male citizens who are politically capable: young people become adults at the age of 18, after which they undergo military service for two years, and after the age of 20 they are allowed to participate in political life. It is interesting to note that citizens remain under military obligation until the age of 60. During the sessions of the National Assembly, citizens have the opportunity to put forward their views and speak out on policy. Lastly, the National Assembly has its sessions in the agora, the main town square, which is the main centre of all public life. It is also noteworthy that during a later phase of the development of democracy, in 395 BC, a reward for attending the Assembly was introduced, but when democracy was already in decline, one can assume that problems with citizen participation arose. (Sometimes even the intervention of police guards in the form of Scythian archers was necessary to ensure attendance.<sup>44</sup>)

An essential element of the democratic state structure of ancient Athens was the established **judicial system**. The administration of justice was entrusted to the so-called „people’s courts“, known as *dikasteria*, i.e. „Places of justice“. The distinctive feature of this system is the fact that the courts are entirely under the control of ordinary citizens, who effectively become „masters of their own voice in court“ and thus „masters of the state“ (Aristotle). It is also indicative of the efficiency

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<sup>44</sup> See *ibid.*, p. 56.

and importance of the judiciary that these courts hear cases of both a general and a private nature,<sup>45</sup> with which various interests of citizens (public and private) are protected.

Historically it is known that in the VIII – VI centuries BC in Ancient Greece there were major changes in social and political relations. It was then that Greek society was already divided into a patrilineal aristocracy (eupatrids) and a people (demos), these groups representing estates essentially distinguished by two features – the preservation of patrilineal organization and its decomposition with the development of private property and economic life. Thus, the tribal aristocracy had a priority position in the overall social and economic life of Greece, and its role increased even more after the power of the basileis as tribal chiefs and military leaders was gradually limited and completely abolished. Due to this, the noble aristocratic families gradually usurped the family property and concentrated in their hands the main wealth of the time – the land, thus each rich aristocratic family also became landowners. And further, the enrichment of the family aristocracy within the clans was also very often at the expense of enslaving and selling into slavery the impoverished members of the clan and others. This phenomenon was typical throughout Greece and was one of the most important features of social relations at that time.<sup>46</sup>

What is distinctive about the noble families is that they also enriched themselves through pirate campaigns, trading expeditions and various other activities at sea, as they also received the bulk of the captives turned into slaves. However, gradually the stratum of the wealthy noble families decreased and the number of impoverished population increased, which affected the social status and participation in the government of the then early state organizations. In other words, wealth began to enter more and more prominently and strongly as a factor in social and political life, while governance gradually became a function not so much of the patrilineal aristocracy, but primarily of that part of it which was wealthiest. That is to say, with the great stratification of property and society, the impoverished aristocratic families were displaced and removed from power.<sup>47</sup>

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<sup>45</sup> See *ibid.*, pp. 58-59.

<sup>46</sup> See **Popov**, VI. *Op. cit.*, p. 240.

<sup>47</sup> See *ibid.*, p. 241.

As a result of these socio-political processes, by the VI century BC, family ties began to actively disintegrate and lose their social significance, with the wealthy overlords of the family aristocracy gradually usurping the traditional family institutions of power for their own interests. That is to say, the patrilineal aristocracy legitimated through them its hegemony in socio-political life and its violence over the broader strata of the demos<sup>48</sup> – something that was quite natural for the relations between social groups during this historical period.

Among the new social layer – as VI. Popov points out – gradually formed a wealthy overlordship, which came into conflict with the overlordship of the landed gentry and which zealously defended its privileged position in society and its right to political power in the country. Thus, the conflict between the old patrilineal aristocracy and the newly wealthy strata (associated with crafts, trade and commodity-money relations) is sharply exacerbated in Greek societies, manifested through the different economic and political interests of the two social groups. In this sense, the patrimonial aristocracy defends by all means its interests, mainly reduced to its right to political power in the states and domination over the overall economic, social and political life. Of course, it is an enemy of any reforms and defends thoroughly the formal preservation of everything old (the division by descent into clans, phratries and phili), as it is the basis of its primary position in the overall life<sup>49</sup> in antiquity.

Broadly speaking, these are the key features of the main political regimes of antiquity in general and of Ancient Greece in particular, which, although they approximate the structure of future states, do not at all shake off one political vice – the privileges of the elites. This is true of all the state systems of the ancient Greek polis, regardless of their oligarchic or democratic model of functioning.

## **1.2. The privileges of Hellenic polis democracy**

On the basis of the confrontation between the two social groups, the patrilineal aristocracy gradually lost its privileges in Ancient Greece

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<sup>48</sup> See id.

<sup>49</sup> See id.

and, merging with the wealthy artisanal-merchant strata, transformed from a patrilineal to a property aristocracy.<sup>50</sup> This does not mean, however, that privileges were completely lost, for the new wealthy class, the propertied aristocracy, through its immense wealth once again secured for itself the right to power and leadership in the formation of state institutions in the polis organization of society.

It is also essential to point out another fundamental argument for the imposition of political privilege in ancient Hellas. It is of an important theoretical nature and is contained in the analytical and profound insights of **Aristotle**, who writes that in established state systems (aristocratic, oligarchic and democratic) it is generally considered „just that power should be obtained according to some superiority over others, but not according to the same superiority, but according to the above“<sup>51</sup>, i.e. according to established law and norms and according to superiority over others in some virtues. In this case, the ancient thinker is arguing that power belongs to the dominant minority in society (the aristocrats, the rich farmers, the wealthy merchant classes, etc.), but regulated by law and virtue in the polis world, and therefore this same minority can enjoy various kinds of privileges.

Indeed, the application of the privileges of political elites in **Ancient Greece** was particularly widespread, above all in the two main forms of polis organization, oligarchic and democratic.

As we have already pointed out, in **oligarchy** a minority of citizens is elected to lead the state, which is defined according to two principles: one – according to descent (i.e., the overlords of the patrimonial aristocracy); and the other – according to property (i.e., the overlords of wealthy citizens). These two components of the oligarchy involve only people of high property censure who have specific rights (privileges) and which, naturally, the other citizens in the polis do not possess at all. Moreover, in oligarchic polis, the National Assembly has a limited political role, convenes very rarely, and the rights of the majority of citizens are restricted.<sup>52</sup> That is, most of the citizens participating in the Ecclesia cannot make proposals, debate individual bills, or participate fully in discussions, because laws are introduced by the

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<sup>50</sup> See *ibid.*, p. 242.

<sup>51</sup> **Aristotle**. *Op. cit.*, pp. 98; 268.

<sup>52</sup> See *ibid.*, p. 252.

ruling officials (or other elected bodies) at the behest of the oligarchic power elite.

A classic example of the exclusive rights of the rulers in oligarchic state systems are the **so-called „property privileges“** of dominant minorities. These privileges are a striking characteristic of oligarchic societies, which can be vividly illustrated by the famous classification of types of oligarchy made by Aristotle in antiquity.

One of the most widespread types of oligarchy is one in which officials are defined by a property census – so high that the poor do not participate in government at all (even though they are more) at the expense of those with the defined property. Another kind we have in the case where the officials are determined by a high property census and choose the underprivileged people themselves (in the case where they choose them from among all of them, this seems to be more of an aristocratic choice; and in the case where they choose them only from among some limited people, it is more of an oligarchic choice). The next kind of oligarchy is that in which the son is allowed to rule in the place of the father, and the fourth kind is that in which the son is allowed to rule in the place of the father, and it is not the law but the officials who rule. And yet, of oligarchies, this kind is correspondent to the tyranny of monarchies, and such an oligarchy is called a „dynasty.“<sup>53</sup> In other words, in an oligarchy, the property census is not only the guiding criterion for occupying the highest positions of power, but also the determining measure of the possession of some or other political privileges (not counting here the choice foods, hunting outings, wine-drinking revels, etc. of the ruling elite). Or, to put it briefly, privileges in government are entirely determined by the property possessed by the wealthy folk in society when they occupy high government positions (i.e., as a basic privilege).

In contrast to oligarchy in **Hellenic polis democracy** as another important form of state system in Ancient Greece, power and the actual ability to participate in government belonged to the majority of citizens, organized necessarily through a People’s Assembly. Here, too, privileges found a very wide application, referring primarily to a narrow

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<sup>53</sup> See **Aristotle**. *Op. cit.*, p. 110.



circle of persons high in power, wealthy aristocratic personages, citizens – members of the Ecclesia, and some others. In this sense, it should be noted that **political privileges** occupied an exceptional place in the institutions of the ancient Greek polis under democracy. These privileges were accorded to **the citizen** as a matter of priority (constituting his civic honour) and were of **four** general **types**: 1) the right to be a magistrate, judge and to participate in elections; 2) the right to buy and own real property; 3) the right to perform public sacrifices; and 4) the right to marry an Athenian.<sup>54</sup> This is so because it is in the relations between citizens that state power is manifested, and to exercise it rationally, it is necessary that they (the citizens) enjoy a certain set of privileges in their political activities.

As is probably implied, citizens as political beings express the interests of the then existing classes in the state. According to Aristotle, these classes consist of „not one but many constituent parts“. The first part, or class, is the agriculturists, „the mass of the people working over the products of food“; the second class is the artisans, without whose crafts „the very existence of the state is impossible“; the third class is the merchants; the fourth class is the wage-labourers; the fifth class is the military; the sixth class is the judges and the men of law; the seventh class is the rich, who serve the state with their property; and the eighth class is the holders of public office. Of these class divisions, Aristotle recognized one to be the most essential: the poor and the rich, diametrically opposed to each other, with the predominance of one or the other in power determining the appropriate form of government.<sup>55</sup> In this sense, without the representatives of the fourth class (wage-labourers), the overlords of all other social groups enjoy one or other privileges, if, of course, they have the status of citizens.

One of the most prominent political privileges in ancient Athens was related to the **regulated right to vote**, but only for a part of the population, or only for those who had the status of citizens. That is to say, full citizens, compared to those who did not have the right to vote (women, Metics and slaves), were a minority in number, **numbering about 10% of the total population of Athens**. However, the circle of

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<sup>54</sup> See *ibid.*, pp. 64-65; **Semov**, M. *Theory of Politics*. Sofia: Sofi-R, 2000, pp. 82-83.

<sup>55</sup> Cited in: **Semov**, M. *Op. cit.*, pp. 83-84; **Aristotle**. *Op. cit.*, pp. 19-21.

politically eligible people is much larger than in other Greek polities, which in turn fully adhere to the principle giving the wealthy the right to participate in elections<sup>56</sup> for the National Assembly. And although the property barrier to political participation was later removed in Athens (in favour of the democratic majority), this did not change the low percentage of eligible voters at all.

Historical sources testify that political privileges in Ancient Greece derived from the property status of the respective classes. For example, Solon divided his citizens into four social groups or orders (which existed before) according to the valuation of their property: pentacosio-medimni – receiving bulk and liquid products from estates up to 500 meri;<sup>57</sup> horsemen – up to 300 meri; the zeugitae class – up to 200 meri; and the last group – thêtes.<sup>58</sup> Or, as Aristotle explains, the reformer Solon only allowed members of the first three classes to hold most of the higher offices of state, corresponding to the magnitude (size) of their property (their annual income).<sup>59</sup> This right does not apply to the thêtes group, since they have much lower incomes and can therefore only participate in the work of the Ecclesia and the courts. That is to say, the main purpose of the censorial division is political privileges, insofar as rights are distributed in classes corresponding to the property status of the wealthy classes. In essence, these **property privileges** were one of the main criteria in the formation of power institutions and political elites in the ancient Greek society of the Athenian polis.

It should be noted that the Solonian classes continued to exist for a long time and are subsequently found in documents from the IV century BC. However, over time, with the appreciation of life and the fall in the value of money, the boundaries between categories of citizens diminished and lost their meaning altogether, i.e. the classes, or groups, now existed as a kind of anachronism. But for its time this reform of Solon's was of great importance, because several extremely important principles were introduced. First, that everyone is entitled to

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<sup>56</sup> See **Barcelo**, P., M. Tacheva, P. Delev. Op. cit., p. 95.

<sup>57</sup> *mera* – a measure for bulk (*medimn*) and for liquid products (*amphora* or *metreth*) in Ancient Greece (See **Aristotle**. The Athenian Polytia. Sofia: Hristo Botev, 1993, p. 100).

<sup>58</sup> See *ibid.*, pp. 25-26.

<sup>59</sup> See *id.*

participate in government according to the amount of property he possesses. Second, that neither descent nor aristocracy mattered, but above all a man's property status (anyone, including the unknowable, could become rich, given enough energy, diligence, and favorable circumstances). Thirdly, that the higher offices of state cease to be the exclusive privilege of the family aristocracy, and that in the first orders the amount of the census is such that not only large landowners are included in their membership. And fourthly, it is important to reiterate that thetes are granted the right to participate in the National Assembly and the courts. That is to say, the National Assembly itself has increased in importance, since its composition now includes all citizens and thētes, until recently deprived of all political rights<sup>60</sup> – something which does not at all diminish the unabated spread of privilege.

The process of consolidation of power gains continued under the tyrant Pisistratus, who pursued a visible policy of collaboration **with the aristocracy** to consolidate his personal power. In this case, the fact that he not only did not bother the aristocratic class (although he limited their rights), but even gave them the opportunity **to occupy senior state positions**, such as the office of „archon“, is crucial. Plus, Pisistratus strictly ensured that candidates of his convenience were chosen, who in most cases were his relatives and supporters (including through the marriages of his sons to wives of noble families).<sup>61</sup> This is another significant proof of the thesis that regardless of the nature of the political system, the privileges of the rulers always find wide application, but only for a handful of political elites.

It is reasonable to assume that **the top rulers** in ancient Athens **received some of the highest remunerations**. Several high-ranking institutional positions, for example, were honoured with these: members of the Ecclesia, 1 drachma for ordinary meetings and 9 obols for four years; judges, 3 obols; members of the Council, 5 obols for each meeting.<sup>62</sup> In this sense, the senior officials also use (are entitled to) another political privilege, which is still very popular today, which is the **cash**

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<sup>60</sup> Moneva, St. Athenian Democracy. Practice and Institutions. Veliko Tarnovo: St. Cyril and Methodius, 2009, p. 50.

<sup>61</sup> See *ibid.*, pp. 70-71.

<sup>62</sup> See Aristotle. The Athenian polities... *Op. cit.*, pp. 81-82.

**supplement for food to the salary.** Here are the facts according to Aristotle: **the nine archons** received 4 obols for their meals; the heads of higher units – special funds from the public treasury for their participation in the traditional lunches; the higher officials – physical education teachers (who conducted gymnastics training in special schools) – extra money for their meals<sup>63</sup>, etc. Similarly, **the members of the Council (the Boule)**, for example, receive 5 obols for each day of attendance, while their prytanes (chairpersons) are entitled to 1 obol for food, plus the privilege of living and eating on the budget and in government buildings during their work. And for this purpose four different buildings have been specially added on the north side of the tholos (building), where all the Boule members, guards<sup>64</sup> etc. dine sweetly and undisturbed. It is evident that since earliest antiquity, the high salaries and food allowances of the powers that be have always served the ruling elites to further aid them in their grueling work of statecraft.

In his analysis of politics, Aristotle points out that the rulers of the time possessed a whole range of economic „rights“, acquired through various state levers and mechanisms. These **economic privileges** were enjoyed by the top leaders of the state, as in the case of Pisistratus, who in the form of a tax took a tithe of the yields of arable land for himself personally. This tithe was collected as various monetary or in-kind levies, and sometimes in larger amounts,<sup>65</sup> which ultimately contributed to a significant increase in the ruler’s personal income at the expense of the labor of the people.

Another essential privilege of the arsenal of the **Boule members** was the fact that during the course of their one year’s activity they **were exempted from military service**. Moreover, the prytanes have the privilege of occupying the front seats in the theatre, and during the sittings of the National Assembly they again sit in the front rows. The fact that in the course of the assemblies the Boule members place myrtle wreaths on their heads as a mark of their personal dignity is also noteworthy.<sup>66</sup> To this should be added a „secondary“ type of privilege,

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<sup>63</sup> See *id.*

<sup>64</sup> See **Moneva**, *St. Op. cit.*, p. 194.

<sup>65</sup> See **Aristotle**. *The Athenian polities...* *Op. cit.*, pp. 68-69.

<sup>66</sup> See **Moneva**, *St. Op. cit.*, p. 194.

that of the so-called „ephebi“ (young men between 18 and 20 years of age), who were trained both for initial military service and as various guardians (guards) of the higher statesmen. During the two years when they guarded the rulers, they wore special clothes (cloaks) and were exempted from any duties,<sup>67</sup> in order to perform their duties properly. It is a question of creating specialized security bodies of the authorities, whose representatives, in addition to the important functional responsibilities, have a number of specific privileges reserved only for them.

In the meantime, we will note that **the aristocracy** in Athens during the period under consideration (VI – IV centuries BC) enjoyed much greater **rights (privileges)** than the common people, including the citizens of the polis. According to Hendrik van Loon, for example, the aristocrats always bought the best weapons from the leading markets of the time; they studied especially the art of war; they had the privilege and opportunity of maintaining a mercenary army<sup>68</sup> etc. Such privileges, in addition to serving to strengthen the respective power (oligarchic and democratic), are also beneficial to the state in resolving military conflicts with other states.

In the historical presentation of privileges in the Athenian polis, a number of **other benefits and advantages for the rulers and the aristocracy** can be pointed out, such as: riding a horse as a privilege only for the aristocrats; the regulated seats for the rulers when attending cultural events; the special entertainments for the elite involving jesters, comedians, artists, singers, etc. On this occasion K. Marx rightly notes that in ancient Athens, lackeys, parasites and flatterers were seen as court jesters, only granted the „right“ to speak the truth.<sup>69</sup> This, obviously, far from being just some „natural“ privilege of the empowered princes of the day, is a real regularity in the evolution of various socio-political systems over the centuries.

In Ancient Athens, service to the state was seen as a sacred and honorable duty, and therefore no wages were received at all until the middle of the V century BC. Pericles, however, was the first to break with this tradition, and he did so by introducing **privileges for magistrates**, who now received lunch money. Thus the participants in the

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<sup>67</sup> See **Aristotle**. The Athenian polities... Op. cit., p. 62.

<sup>68</sup> See **Loon**, Hendrik van. A History of Humanity. Sofia: Far, 1944, pp. 66-67.

<sup>69</sup> See **Marx**, K., Fr. Engels. Writings. Vol. 1. Sofia: Partizdat, 1968, p. 35.

sessions of the National Assembly, the judges, the members of the Council of Five Hundred and the Delos amphictyons received, in addition to their salaries, money for lunch as follows: the archons – 4 obols a day, the prytaneis – 1 obol, the archon of Salamis – 1 drachma, the sophronists (the ten-member college of electors responsible for the morals of the ephebes) – 1 drachma, etc. One more thing, all nine archons were exempt from liturgies (duties of wealthy Athenians to the polis community) while fulfilling their official engagements.<sup>70</sup> That is to say, even in the justice system of the ancient Greek Athenian polis, the privileges of the magistrates (especially those for food) were strictly regulated, despite the fact that their numbers numbered only about 500 (according to some recent studies).

Interesting facts and evidence of the existence of power privileges can also be found in **Ancient Sparta** (VIII – IV centuries BC), although they are much fewer in number compared to the Athenian polis. This stems both from the nature of the Spartan polity and from the contradictory and in many ways biased assessments of the development of that polis. However, it is known that the Spartan state organisation of the communal state type was headed by two kings (called „Archegetes“) who descended from the dynasties of the Aegides and Euripontidae and who had to have civil political majority (obtained after the age of 30). Furthermore, the authority of the Spartan kings is closely related to the so-called „Gerousia“, which consists of 28 lifetime elected members (necessarily over 60 years of age) and the two archegetic kings, i.e. it (the Gerousia) is the main authority in the Spartan state. And all Spartans over the age of 30 form the Spartan National Assembly, the supreme organ of the state, which, however, functions absolutely formally<sup>71</sup> because of its oligarchic character of action and work.

An important feature of the Spartan state is the existence of a college of five judges, or so-called „ephors“, who are elected by the National Assembly. These magistrates (ephors) have a term of office of

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<sup>70</sup> See **Moneva**, St. Op. cit., pp. 248; 252; 268.

<sup>71</sup> See more details on this in **Popov**, Vl. Op. cit., pp. 280-281.

one year, are united in a college and are all equal, with the same functions, rights and authority.<sup>72</sup> Thus, gradually, the ephors became one of the most important high-ranking officials of the country.

In spite of the scarce sources about the socio-political life in Ancient Sparta, there are still some interesting data about **the privileges** of the elite, which are: a) according to the historian-chronicler Thucydides, **each of the two kings had the right to vote with not one, but two votes** when making decisions, as well as **having a special military detachment (locha) for personal and public security and protection;**<sup>73</sup> and b) according to the famous philosopher B. Russell, kings who inherit power enjoy two other privileges: the first is **to receive twice as much food as everyone else during holidays**, and the second is **the right to universal public mourning when one of their number moves to the afterlife.**<sup>74</sup> There is a third, which is also akin to the privileges noticed by N. Machiavelli, who unquestioningly points out that in Ancient Sparta **high public offices were distributed among a small number of citizens** and kept away from the common people,<sup>75</sup> i.e. distributed among the cronies of kings and the rich folk. This political privilege of the rulers was the result of Lycurgus' legislation, which instead of any justice established more property inequality and less equality in the social position of the people (according to Machiavelli). While it is true that these privileges only apply to the pinnacles of power in the Spartan state, the two royals, it is even more true that they epitomize the vast gap between rich and poor in society, depending on which ruling elite determines for themselves one or another of the benefits of power.

In its historical development, privilege in Ancient Greece was a vivid manifestation of the prevailing socio-political and economic inequality that no one disputes today. But this conclusion, while correct, is far and away not enough to distinguish the most essential features of the privileges, benefits and advantages of the elites in the ancient state already examined. We shall therefore briefly summarize both the

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<sup>72</sup> See *ibid.*, p. 282.

<sup>73</sup> See **Thucydides**. *Op. cit.*, p. 36.

<sup>74</sup> See **Russell**, B. *A History of Western Philosophy*. Vol. I. *Ancient Philosophy*. Sofia: Skyprint, 2017, pp. 155-156.

<sup>75</sup> See **Machiavelli**, N. *The Ruler. Reflections on the first ten books of Titus Livy*. Sofia: Zhar-ptitsa, 2001, pp. 141-142.

general characteristics and the specific features of **privileges in Ancient Greece** during the historical period under study (VI – IV centuries BC).

### 1) General characteristics

- In the centuries-long evolution of ancient Greek societies, one cannot help but notice an essential socio-political regularity in the formation and spread of privilege: despite the vicissitudes of history and different ancient rulers, **privilege never loses its character and meaning, whether in oligarchic, democratic or other political systems**, but only acquires different kinds of modifications, because it always serves particular narrow, class or elitist-oligarchic interests in politics. This is evidenced by the fact that out of about 230,000 people living in the Athenian polis (mid-V century BC – mid-IV century BC), **more than 20,000 people** (6,000 judges, 1,600 archers, 1,200 horsemen, 500 members of the Council, 500 guards of the shipyards, 50 guards of the fortress, about 1,400 clerks – 700 at home and 700 abroad, etc.),<sup>76</sup> or **about 9% of the total population, were supported by taxes, levies and allies** alone. Of these, only 10,700 and somewhere **around 5% of the total people actually had the right to and used various kinds of privileges**, i.e. were an extremely privileged and dominant political minority in ancient Greek Athenian society.

- Primarily, the privileges affected (as in previous societies) the political oligarchies (minorities) of the time and, of course, some of their surrounding layers as managerial elites (occupying high-ranking managerial positions).

- Privileges were prioritized for wealthy people in ancient society (kings, rulers, aristocrats, landowners, senior military, etc.) who had high property values (and consequently received property and economic benefits).

- Political privilege (and power) was central to ancient society, which is why the most private people in the state, or kings, usually also consumed the most kinds of benefits in this „system of benefits“, promoted in most cases by them personally.

- Although political privileges were the leading ones, thanks to the then ancient legality they permeated almost all other social spheres – economic, cultural, military, etc.

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<sup>76</sup> See **Barcelo**, P., M. Tacheva, P. Delev. Op. cit., p. 125.



- Compared to other states (Mesopotamia, Babylon, Sumer and Akkad, Egypt), privileges in Ancient Hellas seem to have been much smaller in breadth and scope, i.e. in quantity, types, variety, etc. (without negating the qualitative benefits to the elite of them). This is also due to the important fact that not only oligarchic-tyrannical but also qualitative democratic political systems were established in Ancient Greece (under Solon, for example).

## 2) Specific features

- The first and most significant difference here is the fact that **the privileges were actually also used by some craftsmen and farmers holding public offices** (e.g. Council officials, participants in the National Assembly, etc.), **who were paid small sums necessary for their responsible public work.**<sup>77</sup> These redistributive payments were intended at least in part to balance inequalities in Athenian society, because senior citizens in public employment did not always work.

- Contrary to the tithe imposed on the land of the rich under Pisistratus, there are known examples of **whole areas being exempted from taxes for the benefit of the disadvantaged people**, as the tyrant „wished to rule according to the laws, without benefit to himself“<sup>78</sup>. This privilege for the poor was a kind of counterpoint to the privileges of the rich and was not common in the ancient world.

- One other **privilege** then (by 410 – 409 BC) was related to the fact that **the state had introduced what was called „diobelia“, which was a daily (state) distribution of funds to poor citizens at the rate of 2 obols per day.** Along with these funds, only already under Pericles, the so-called „money for spectacles“ (theorikon) was regulated at the rate of 2 obols per day, which was distributed from the beginning of the Dionysian festivals (and later on other festivals) in order to enable the common people to attend the theatre as an important centre for the political and moral education of the people.<sup>79</sup>

- Almost beyond belief, but to minimize wealth inequality in society, the reformer **Solon** publicly forbade the display of personal

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<sup>77</sup> See **Walser**, M. Op. cit., p. 119.

<sup>78</sup> **Aristotle**. The Athenian polities... Op. cit., p. 34.

<sup>79</sup> See **Moneva**, St. Op. cit., pp. 113; 144.

wealth, enacting **an anti-luxury law that restricted lavish private wedding and funeral rituals**. Moreover, Solon promulgated another peculiar **law**, which, under a mandatory order, prescribed that **the demos participate in joint meals with the wealthy**<sup>80</sup> in order to unite all people (regardless of their property status and wealth). Of course, such popular privileges are not a constant companion of ancient Greek political traditions, which, however, should not be overlooked as something extremely important and socially just.

Such are the main manifestations of privilege in Ancient Greece, which inevitably carry all the positives and negatives of their historical time and the characteristics of the original ancient civilization.

## 2. ANCIENT ROME: POLITICAL INSTITUTIONS AND PRIVILEGES

The emergence of the earliest Roman state dates back to around the VIII century BC, when the city of Rome was founded (21.04.753 BC) according to the documentary evidence left by Marcus Terentius Varro. This state appeared on the Apennine peninsula in Europe and went through three main periods in its historical development: 1) the royal period – VIII – VI centuries BC; 2) the Roman Republic (early and late republican era) – IV – II centuries BC; 3) Roman Empire (early and late) – I – V centuries AD.<sup>81</sup> In this sense, we will first briefly characterize each of these periods in order to subsequently reveal the evolution of the privileges of the political elite at the time.

### 2.1. The royal institution and privileges

During this first period the Roman state emerged at a time when tribal orders completely determined the nature of social organization and of social relations among all the tribes and peoples of ancient Italy. This feature dictated that patrilineal orders would quite naturally enter into the overall life of the young Roman state, and this was done in essentially two ways: on the one hand, the first settlers of Rome also became the progenitors of new Roman clans; on the other, as other,

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<sup>80</sup> See *ibid.*, p. 54.

<sup>81</sup> See **Popov**, VI. *Op. cit.*, pp. 478; 505; 677.

compact population groups moved into the city with them, established traditional patrilineal structures entered. For these reasons, the Roman clans and the resulting clan organization are very similar to the features of the clan orders of the other peoples of this part of Italy. Furthermore, the patrilineal collective is characterized, as in other peoples, by a commonality of descent of its members based on blood ties. Or, the clan and clan organization binds its members everywhere by a variety of ties and defines a system of rights and duties, and many scholars define the Roman clan as a kind of religious organization. All Roman clans are known to have a common religious cult, common clan festivals, and a clan cemetery. That is, the clan exercised overall moral control over the behavior of its members and could impose prohibitions and punishments of various kinds (including expulsion from the clan and banishment of individuals). In other words, the clan is the only social institution that has the right to decide matters concerning its members, and decisions cannot be directed solely against the interests of the communal state.<sup>82</sup>

The next cell in the constructed structure of the generic organization is the **family (Latin: *familia*)**, which, realistically speaking, is a close-knit, closed circle of persons. The Roman family was such a social unit that was composed of the head of the family, his wife (without any separate rights), their offspring, grandchildren, and slaves. This family could by right own any property (land, livestock, chattels, etc.), but only the head of the family had the right to dispose of it,<sup>83</sup> which was perfectly natural for the time.

The other unit of the structural hierarchy of the clan organization is the **so-called „curia“**, which actually means a grouping of ten clans. What is different here is that the curias were where popular assemblies were held in early Rome, with each curium having one vote in deciding the relevant issue.<sup>84</sup> Thus the curia gradually became the only public institutions with an important political role and significance during the royal period.

And the last structural grouping on a tribal basis is the **so-called „tribe“** (similar to the Greek *phila* – tribe), which consists of ten curiae

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<sup>82</sup> See *ibid.*, p. 487.

<sup>83</sup> See *ibid.*, p. 489.

<sup>84</sup> See *id.*

or respectively of one hundred clans. Like the curiae, it (the tribe) also has its own leadership, which is composed of the heads of the clans (like a council of clan elders) and which has the right to hold popular assemblies.<sup>85</sup> Thus, the early Roman state was originally constituted as a tribal alliance of several tribes, formed „artificially and by analogy with the principles of other Italian city-states“ (VI. Popov). In this way, through the aggregate of the members of the individual families, clans and curiae, the Roman nation was initially formed, which population later received the name „patricians“.<sup>86</sup>

In the social structure of early Rome during the royal period, two leading social groups were formed – the patricians and the plebeians. This social division was due to the property differentiation between the clans, which is why **the patricians** usually included the nobles, aristocrats and wealthy citizens of the ruling class (elite) on the basis of the principle of celebrity and wealth (at the expense of seniority, wisdom and experience); while **the plebeians** were mostly people from the lawless population of Ancient Rome, or people from the so-called „lower“ and illiterate classes.<sup>87</sup> In fact, it was on the basis of the property division thus established between the two social groups that the various kinds of privileges enjoyed by one or other of the estates (especially the patricians) were subsequently formed.

According to the Bulgarian historian prof. VI. Popov, it would be wrong to believe that the social group of the patricians was only a class of wealthy citizens or a kind of aristocracy, because it was first and foremost an indigenous population of the Eternal City. In this sense, the author makes a detailed distinction of what is **common and different between the patricians and the plebeians**,<sup>88</sup> which is important for greater precision in specifying the composition of these social groups in ancient Roman political history.

In the first place, the **common ground** between patricians and plebeians is that the two estates are composed of free men, the plebeians being equal to the patricians only in respect of their proprietary

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<sup>85</sup> See *ibid.*, p. 490.

<sup>86</sup> See *ibid.*, p. 491.

<sup>87</sup> See **Popov**, D. *Ancient Rome. History and Culture*. Sofia: iztok – Zapad, 2020, p. 28.

<sup>88</sup> See **Popov**, VI. *Op. cit.*, p. 491.

capacity. They have the right to own all kinds of property and accordingly to acquire and alienate it in various forms. Plus, between patricians and plebeians it is possible to have different legal relations (private law contracts, etc.), and plebeians can, on their own behalf, bring claims and answer claims in court, and both estates must necessarily participate in the army.

Second, there are also significant **differences** between patricians and plebeians: 1) patricians at that time were the only full free people in the state, i.e. they represented the Roman people itself, and were usually equated with so-called „full citizens“, even though such a legal definition could not yet be applied for that time; and 2) unlike patricians, plebeians did not have a similar status and the same rights as them, because, for example, marriages between representatives of both social groups were forbidden. Thus their admission in individual cases makes them illegal, and their descendants deprived of the rights of the patrician father of such a family. And especially important, plebeians had no political rights and did not participate in the governance of the Roman communal state at the time.<sup>89</sup> Close or similar types of differences (and divisions) are found in many other ancient peoples, which is of course quite normal for the historical era under consideration in Antiquity.

In the process of shaping Roman society during the imperial period, another social division of the population, known as „**patrons and clients**“, or a relationship of dependence between patronuses (patrons) and cliens (clients), also emerged and developed. In this division, the patrons took the clients into their family and gave them their name, and also undertook to support them by setting aside land for them and defending them in court. While in return, the clients obey their patrons in absolutely everything (including the common feasts), and, most essentially, make up their fighting bands.<sup>90</sup> That is to say, there is a „perpetual“ dependence of the clients on the patrons, which finds expression in almost all social relations – political, property, commercial and economic, etc.

Starting from these social relations, it should be noted that the whole of Roman society was woven by a web of dependencies and obligations of allegiance, usually known as client relationships, but today

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<sup>89</sup> See *ibid.*, p. 493.

<sup>90</sup> See **Popov**, D. Op. cit., p. 28.

we could only grasp or imagine this web superficially.<sup>91</sup> In a narrower sense, *clientela* refers to the set of those individuals (*clientes*) who establish allegiance (*fides*) with their patron (*patronus*) in order to protect and advance their interests. Thus, in exceptional cases, the patron guarantees the social existence of his client by providing for his maintenance, shelter and at least temporary employment. And clients with some security of social position – for example, small peasants, artisans, small and medium-sized traders – expect their patron to provide legal protection, measures to safeguard their property and promote their professional advancement. And what is more, clients (including those belonging to the elevated and upper classes, such as large landowners, merchants, shipowners, workshop owners and bankers) occupying an independent social position and themselves entering the role of patron do not require material assistance but business assistance from their patron, who has considerable social and political influence. Thus, one of the most ancient functions of the patron, the representation of the client before the court, is often used primarily in the higher strata of society. But this is not all, either, for the client is obliged to respond with actions whose type and scale depend on his situation and capacities as well as on the patron's needs. We will cite here only the case of the patron who belongs to one of the largest families and is a politician by profession, for whom, in general, his clients vote in elections and plebiscites (i.e. for his proposals and for his candidates). And when clients belong to the upper circles and have clients themselves, they bring them along, and they are expected to protect their business and public relationships in the interests of their patron.

As a rule, the client relationship cannot be discontinued because, if the patron dies, his succession encompasses all existing obligations; but if the client dies, his successors continue the relationship of allegiance to the patron, i.e., the client relationship is multifaceted. Therefore, an individual may be a patron to more clients, or a client to more patrons, or both together. However, the personal commitment is weaker the more similar the social rank of the partners in such allegiance relationships and the more independent they are in their social

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<sup>91</sup> The synthesized exposition of the patron-client relationship is presented by **Barcelo**, P., M. Tacheva, P. Delev. Op. cit., pp. 193-194.

position. This is especially true of the relationship between ruling families and the so-called „equites“, who are better placed. In their mutual obligations the members of these two estates do not define themselves as patrons and clients (except in court), but as friends (*amici*) or good acquaintances (*familiares*). All this, however, alters nothing at all in the moral obligation to respond to every favour, and among the great families, too, relations of fidelity not infrequently continue for generations.<sup>92</sup> But in the daily life of political and social life, as a rule, changing relations rather than stationary patterns of conduct operate.

Within the social divisions of Roman society during the royal period, it is of particular importance to know how political power was „constituted“, what the functions of its institutions were, and what privileges the ruling elite had, respectively. We are talking about **the king and royal power** in the peculiar communal states with their leaders, who are usually likened to kings, although states are not authentic monarchies in the common meaning of this political term. The first period of Roman state history is therefore rightly called the Imperial,<sup>93</sup> with which is associated both the evolution of power and the power relations within it.

According to a widely held view in scholarship, the principles of operation and the system for obtaining royal power in Ancient Rome were very specific. They do not correspond to historical knowledge of the general features of the acquisition and succession of sole monarchical power of one kind or another. For the Roman state at that time was far from being a typical hereditary monarchy or monarchical system of the classical (hereditary) pattern. This is so because during the royal period in Rome there was a peculiar genealogical system of rights to the throne, and it may be generally argued that two systems of rights to the royal power were then practised in Rome: the first, that the Roman kings were the husbands of the daughters of the preceding kings, i.e., their sons-in-law; and the second, that they were the sons of the daughters of these kings, i.e., their grandsons in the maternal line. Further, the system of the succession to the kingship goes beyond this simplified scheme of succession, and is complicated by a number of other

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<sup>92</sup> See *id.*

<sup>93</sup> For a more detailed elaboration of the issue of power and state institutions during this period, on which we rely here, see **Popov**, *VI. Op. cit.*, pp. 495-504.

principles, which are very peculiar in comparison with the other societies and states of the Old World in deep antiquity.

It should be pointed out that one of the most significant features of the power of the Roman kings is directly related to the existence of specific triads (trios) of so-called „brothers“, which represent an alliance of three persons. These persons could be both direct blood brothers and twins on other traditional grounds, including on the basis of family proximity. At the same time, it is not so much a single individual **who has the right to kingship** as the **trio of related brothers, through whom one of the individuals is nominated and elected king by the popular assemblies**. The one elected king is not entitled to lifetime power, as were the ancient Eastern rulers or the ancient Greek Basil-eus, but the triad of brothers is entitled to rule for 24 years, 8 for each of the brothers respectively (after this period, power is now vested in another triad of conjoined brothers). In this sense, the functions of the Roman king are also very diverse, since **the king is the supreme head of the Roman state**. He carries out all the main functions of state power, which boil down to a few main areas – domestic, military, judicial, religious, etc. In other words, the power of the king is qualified as supreme and is rightly called by the Romans imperium.

Concerning royal power, the famous scholar of Ancient Rome T. Mommsen points out another very, very important circumstance: „We should be mistaken“, he writes, „if we were to take the Roman system of government to be a theocracy; never for the Italians were the terms „god“ and „king“ merged into one, as in Egypt or among the Eastern nations. For the people **the king is not a god, but rather the owner of the state** (*emphasis mine – G. M.*). That is why we do not find with the Romans such notions as divine grace shining upon one race at the expense of another, or of some mysterious magic power which makes the king a man of a different origin from that of the rest of the people; noble descent, kinship with the king (...) is an advantage, but not a prerequisite; any adult Roman, sound in body and spirit, can attain to the kingship“<sup>94</sup>.

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<sup>94</sup> Mommsen, T. Roman History. Sofia: Prozolets, 2019, pp. 41-42.



To these peculiarities of power we will add, however, that **to the king** nevertheless **belongs a portion of the supreme religious authority**, for he also performs the most important sacrifices, which are accepted as a common work for the gods. In this case the king's injunctions are binding on all citizens of the state as well as on those who have no corresponding rights and are of a different status. These dispositions are valid only as long as the king does not revoke them or as long as he is alive. Unlike laws, which are permanently valid until they are repealed or modified in the appropriate manner by a vote in the National Assembly, the King's decrees cease to be valid after his death. In other words, the king possesses an enormous double power – state and religious, which in turn unequivocally means that „**under the power of the king** – according to Cicero – **the rest of the people are completely excluded from universal legal order and decisions (...) and the multitude can hardly enjoy freedom, since it is deprived of joint participation in (...) power**“<sup>95</sup>.

What other more important **institutions of power** were there during this royal period?

The first of these is **the Senate** (created by Romulus), which according to Roman historical tradition belongs to the most ancient state institutions and consists only of patricians. It is a council of the representatives of the clans (up to 300 people), elected by the heads of the individual clans themselves or by other persons entitled to represent them. At the same time, the Roman Senate also plays an extremely important role in the election of a king, since after the death of the king and until a new one is elected, power passes entirely to the Senate. However, the functions of government (after the king's death) are not exercised by all the senators, but only by the ten „first“ on the principle of rotation every five days during the interregnum.

The second essential institution are the **popular assemblies (comitia)**, in Ancient Rome they are gatherings of citizens to vote on a given occasion and are of four main types: **1) Comitia curiata** – they make various decisions related to: the nomination and election of the king, certain magistrates, religious leaders and priests of particular deities; the adoption or rejection of specific laws, without proposing and

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<sup>95</sup> **Cicero**. For the State. For the laws. Sofia: Sofi-R, 1994, p. 28.

voting on new ones; the initiation and termination of wars; capital punishment for Roman citizens, etc.; **2) Comitia tributa**, i.e. the so-called „popular assemblies of tribes“, which decided certain local matters, such as the collection of taxes, participation in the army, maintenance of roads, etc.; **3) Comitia centuriata** – assemblies in which all Roman citizens had the right to vote, regardless of whether they were patricians or plebeians (excluding citizens of the lowest classes, who were without income, as well as women, foreigners and slaves, who were also non-citizens); and **4) Comitia calata** – an institution that had no particular role and importance in the governance of the state, because it dealt with private matters, such as the wills of Roman citizens, certain actions of priests, etc.

The next important institutions are **the magistracies**, which for the ancient Romans meant persons – holders of specific offices with certain functions in the state government (in our modern times this term is used as a synonym for judges in the judiciary), and those who hold them are called magistrates. That is to say, magistrates are civil servants. And after the establishment of the Roman state, other, specialized institutions and magistracies arose successively over time.<sup>96</sup>

And finally, we will necessarily point out the existence of **the Law of the Twelve Tables**, which is considered the basis of Roman law and for unknown reasons is not interpreted in this way (except by lawyers) by various social scientists – political scientists, sociologists, historians. It is, however, a rational body of customary law, was created between 451 and 450 BC by a college of ten magistrates, and is set out in 12 tables. It regulated the formal equality between the patricians and the plebeians, which was a great victory for the plebeians because it protected them from the lawlessness and arbitrariness created by the patrician magistrates and judges. It is a real protection of the equality of citizens, since through the law their dignity, honor and rights are upheld (and protected), including through the prohibition of certain special privileges (of the patricians) that existed then.<sup>97</sup> **This law**, in our

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<sup>96</sup> See **Popov**, VI. Op. cit., pp. 499-502.

<sup>97</sup> See **Dunant**, Jean-Philippe, Pascal Pichon. Roman Law. A glossary of basic terms. Second revised and enlarged edition. Sofia: Ciela, 2010, pp. 159-160; and <https://bg.trendxmexico.com/obrazovanie/84613-rimskie-zakony-12-tablic-obshchaya-harakteristika-i-istoriya-sozdaniya.html>.

view, not only gives written form to ancient customs in various areas of private and criminal law (as lawyers have argued), but also **more closely resembles the first written constitutions** because, although partial, it still addresses the issues of equality of citizens and existing privileges in Roman society.

In this context, during the royal period, free adult male Roman citizens had the following rights: to vote in the enactment of laws; in the election of magistrates; and to be elected as public officials. Those of them who were not senators sat in the national assemblies (commissions). Initially, they too were organized on a tribal basis, later according to property, and finally, after the institution of the plebeian tribune was created, on a territorial basis. In turn, the comitias passed laws, some of which initially also had to be approved by the Senate, and they (the comitias) elected the inferior magistrates and acted as local authorities. They also have judicial functions for particularly serious crimes, for which the death penalty may be imposed, but the condemned person has as a last resort the right to appeal „to the Roman people“, i.e. to the crowd assembled at the time in the forum.<sup>98</sup> In this case, we will highlight only the undeniable fact that, although too early in history, and that too under absolute royal power, Roman citizens even then (men) still possessed a primordial human right – to choose and to be chosen.

It should be noted that for the royal period under consideration there are very few documentary facts and evidence of the existence of **privileges of the ruling elite**. In spite of this paucity, some historical evidence can still be found of the manifestation of some or other privileges directly derived from political power. Here are just some of them: first of all, there are the notorious **royal privileges of a political and economic nature**, such as, for example, the reduction of the share of the spoils of war to be received by the army and their appropriation; the imposition of extraordinary dues by means of undue taxes in order to encroach on the property of the citizens; the obtaining of the harbour dues, the revenue from the communal lands, the fee for the right of grazing on the communal meadows, the share of the harvest which

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<sup>98</sup> See **Cholov**, R. Roman Private Law. Sofia: Ciela, 2000, p. 20.

the users of the public lands must pay to the king; the fines in kind from cattle, the various kinds of confiscations<sup>99</sup> etc. Then we shall single out the important privilege which arises from the power and entitles **only the rich noble people to bear the name of „patricians“** as opposed to all unknown and unrich relatives (and people);<sup>100</sup> then comes **the right of first vote in the comitia centuriata of the so-called of the „first class“ and of the equestrian class**, who always vote according to their own interests and often by prior agreement;<sup>101</sup> and finally **the division of the local population of Rome (patricians and plebeians) into six property categories, defined by the land census**, i.e. according to the amount of land each owned (not according to money),<sup>102</sup> and hence the prerogatives of participation in public and political life. We cannot omit one other **privilege, that of the senators** (whose principal representatives are the patricians), which we will provisionally call **„religious“**. In this case, **the patricians very early enjoyed a whole range of privileges**, the most important of which were **the right to act as intermediaries between the king and the gods**. The priestly colleges remained exclusively patrician until a much later time. For example, the most prominent priests were: The flamines, or „burnt offerings“, each of whom looks after the cult (worship) of a separate god; the augurs, who foretell the future by the flight of birds; the saliai, or „dancing men“, who propitiate the god Mars by means of sacred dances with weapons; and finally the Lupercalia, or „wolf brotherhoods“, who run along the pomerium (the sacred boundary of the city) and thus drive out evil spirits and ensure fertility for the women and cattle of the community. But the priests, or so-called „pontifexes“, are the highest among the king's assistants in religious affairs: it is they who stamp the religious calendar of the commune, advise the king on rites, etc., in other words see to it that the religious and civil law is carried out,<sup>103</sup> so that its stipulations are realized in life.

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<sup>99</sup> See **Mommsen**, T. Op. cit., pp. 42-44.

<sup>100</sup> See **Popov**, D. Op. cit., p. 28.

<sup>101</sup> See **Popov**, VI. Op. cit., p. 501.

<sup>102</sup> See **Popov**, D. Op. cit., *ibid.*

<sup>103</sup> See **Rostovtzeff**, M. Op. cit. Vol. II, pp. 25-26.

All of these privileges are accounted for, without cumulating the extensive royal powers (privileges) that derive from the additional symbiosis between royal and religious power (special food, royal palaces, hunting trips, etc.) as exclusive rights and benefits belonging solely to the ruler. Throughout **this so-called „royal period“**, therefore, **there was a close intertwining of specific political (power) and economic (property) privileges, serving the oligarchic strata of Roman society for the sake of a small group of wealthy nobles** who held the power and resources of power.

## **2.2. The Roman Republic: the privileges of the nobility**

The republican era in the evolution of Ancient Rome marks its beginning in 509 BC, when the Roman state changed over the years its overall state structure from a kingdom to a republic.<sup>104</sup> This occurred after the abolition of kings and the establishment of new, republican institutions, with modified functions, even though most of them (the institutions) bore the same names as in the royal period.

The rise of the Roman Republic is entirely associated with the state system established in Ancient Rome, which found its adequate form in a mixed constitution. It would endure in modified form for nearly five centuries, while Ancient Rome would grow from a small city to a vast Mediterranean empire. And although the evolution of this polity went through a series of political clashes and upheavals,<sup>105</sup> there is no denying the emergence of the new institutional structure of the state.

The nature and functions of the Roman (Senate) Republic have been developed in the literature in a very comprehensive political and legal manner, without, however, taking into account the direct links of political power to existing privileges. Therefore, we will first focus on

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<sup>104</sup> According to the historical record, the Roman Republic was divided into two republics: the Early Republic (V – III century BC), when Rome conquered all of Italy and the number of slaves increased markedly (and they began to separate sharply from the rest of the free classes); and the Late Republic (II – I century BC), which marks the flowering of slaveholder relations in Italy and is distinguished by the creation of the Roman Mediterranean state (See **Popov**, D. Op. cit., p. 9).

<sup>105</sup> See **Bliznashki**, G. Op. cit., p. 72.

the general and specific features of Roman republican institutions (structures, functions, character), on the basis of which we will also clarify the manifestations of privilege in the overall socio-political life.

In the formation of the republican system in Ancient Rome, similar to the royal period, several main institutions were distinguished through which political power functioned in the state. These institutions were:<sup>106</sup>

### **1) National Assemblies**

Since the reforms of Servius Tullius in Ancient Rome three types of popular assemblies are known (comitia curiata, comitia centuriata and comitia tributa), which existed simultaneously in the early republican era (and much later), as follows:

#### **- comitia curiata**

This is the oldest type of people's assemblies (V – IV centuries BC), whose role and functions generally boil down to the following: validating the decisions of the people's assemblies on the election of magistrates, the adoption of laws, etc.; granting imperium to the higher magistrates who have such a right after their election; granting investiture (putting a vassal in possession of a fief, accompanied by a ceremony) to one of the priests; taking a position on certain matters of family organization (families, clans, curiae, adoption, wills), etc.

#### **- comitia centuriata**

During the two centuries of the early republican era, power in this institution remained essentially in the hands of wealthy Roman citizens alone. There were, however, certain changes in the functions of the centuriate assemblies. According to them, gradually a part of the matters which had been in the power of the comitia curiata passed to those of the comitia centuriata, and in general the functions of the comitia centuriata were reduced to: First, the election of magistrates, consuls, praetors, military tribunes with consular power, censors and decemviri; secondly, legislative activity – on the principle that public institutions could only accept or reject a bill proposed by sitting magistrates who had the power to propose laws (the assembly had no right

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<sup>106</sup> Here and later, on the next few pages of the exposition, the functional characteristics of the Roman state institutions are clarified by **Popov**, VI. Op. cit., pp. 517-539; **Bliznashki**, G. Op. cit., pp. 72-98; **History of Ancient Rome**. A. G. Bokshchanin and V. I. Kuzishchina. Sofia: Science and Art, 1974, pp. 60-71.

to discuss or vote on proposals from its own members); thirdly, declarations and terminations of war; and fourthly, judicial powers, whereby the *comitia centuriata* are the highest appellate authority, and the actions and decisions of the senior Roman state magistrates can only be appealed to these commissions. Along with this, the *comitia centuriata* also decide questions raised about high treason, actions against the state, the authority and inviolability of the higher magistrates, etc.

#### **- *comitia tributa***

The nature and functions of *comitia tributa* changed significantly during the early republican era compared to the time of their emergence at the end of the tsarist period. The changes took place gradually and were closely linked to the struggle of the plebeians against the patricians. Under them the structure and administration of the tribes became the basic systems of the internal affairs of the republican organization. Thus the *comitia tributa* had essentially several basic functions: management and control of the overall life of the tribes; election of various magistrates to the Roman civil service; legislative powers; and judicial functions.

It is important to say that the legislative power of the *comitia tributa* is at first very slight, because the beginning of the electoral powers of the *comitia tributa* is usually considered to be the Law of Publius Voleron of 472 BC, which gave the plebeian assemblies under the tribes the right to elect the plebeian magistracies. After this law, the plebeian assemblies under tribunes elected the popular tribunes and almost all the lower magistracies, such as plebeian ediles, quaestors, curators, various types of tribunes, etc. (later, quaestors and military tribunes were also nominated by the tribunes).

Over time – points out VI. Popov – „the tribunate assemblies became (...) strong socio-political institutions, which in many respects were opposed to the *comitia centuriata* and competed with them in the internal political life of Rome in the early republican era. The wealth of Roman citizens was of no consequence in the tribunate assemblies. This peculiarity made the *comitia tributa* too early the only constitutional institutions where Roman citizens were truly treated as full citizens“<sup>107</sup>. Thus, a robust system of democratic participation of citizens

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<sup>107</sup> See Popov, VI. Op. cit., p. 521.

in the social and political life of the ancient Roman Republic was established, which was not dependent only on the property status of the people in that distant historical era.

## 2) Senate

It is necessary to recall at the outset that the Senate (i.e. the Council of Elders of all three hundred families) as an institution stands at the head of the clan-tribal Roman community, and to its composition are drawn men of noble birth – patricians. They, as pioneer statesmen, are called „fathers of the state“ and discuss all matters in the Senate, which are then finally decided by the National Assembly. Moreover, in the Roman monarchy there is no law of hereditary succession, and the king is elected by the National Assembly with the participation of the Senate, so that he (the king) simultaneously performs several functions – that of military leader, high priest, and sometimes supreme judge.

The state structure of the Roman Republic in general (and the Senate as an institution in particular) during its classical period (III – II centuries BC) was described as a „mixed constitution“ by the famous historian Polybius, who was a first-hand witness to the events of the time. Taken as a hostage in 167 BC, he lived in the high society of Ancient Rome for a full 17 years (until 150 BC), a circumstance that allowed him to get to know closely and in detail not only the institutions of the state and their relationships, but also the main actors of the political scene of the era. Therefore, Polybius' reflections on the Constitution of Rome refer to the period defined as the „Golden Age“ in the development of the Republic.<sup>108</sup>

During the early republican era, Roman senators were not elected, since after the destruction of royal power, consuls made up the list of members of the Senate. At the same time, the work of the Roman Senate proceeded according to strictly established rules, usually convened and presided over by the consuls and, in their absence, by the praetors. There were then two main types of Senate meetings, normal and extraordinary, with absentees being fined without cause.

According to the Roman system of government, the Senate was formally and essentially an advisory body of the acting chief magistrates. In reality, however, it was the supreme organ of the Roman state

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<sup>108</sup> See more details on the interpretations of Polybius in: **Bliznashki**, G. Op. cit., pp. 81-83.



and had extensive functions in all spheres of society. In order of importance, these main **functions of the Senate** are: 1) the observance of the legal order of the state, i.e. the constitutional order; 2) the modification of the system of government of the state and the conferral of unlimited power on the magistrates (incl. „introducing“ dictators, limiting the power of consuls and popular tribunes, etc.); 3) ensuring and controlling internal security; 4) confirming all elections of the various magistrates, the draft laws of the *comitia centuriata*, etc.; 5) declaring war and making peace (for the consideration of the *comitia centuriata*); 6) conducting the foreign policy of the country; 7) managing the finances of the State in their revenue and expenditure; 8) possessing, disposing of and controlling State property; 9) fixing the various expenses of all public officers (incl. consuls and military chiefs) and controlling their expenditure; 10) fixing and appropriating funds for all kinds of public activities carried on by consuls, ediles and magistrates, etc.<sup>109</sup>

All in all, the Roman Senate possessed a great deal of power, including supreme control over all matters relating to religion, the higher judiciary (mainly in the territories subject to the Roman state), etc. And although its decisions were not binding but recommendatory for the higher Roman magistrates, in practice the Roman Senate was the highest authority in the state government.

### 3) Consuls<sup>110</sup>

The genesis of this institution has its deep roots in royal power, according to **T. Mommsen** the difference is that „in place of a lifelong king, there appeared two yearlings, who were called warlords (*pratores*) or judges (*indices*) or simply colleagues (*consules*)“<sup>111</sup>. Thus, by the principle of collegiality, the supreme power is not vested in two officials jointly, but each consul exercises it independently in the manner of the king. In other words, consuls are almost what kings were before them – supreme rulers, judges and military leaders (including religious leaders), the quoted author concludes. At the same time, the power of these **two consuls** is dispersed, creating within it several auxiliary offices, which total six: **praetors** – people with authority and military powers, who are

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<sup>109</sup> See more detail on these functions in **Popov**, VI. Op. cit., pp. 525-526.

<sup>110</sup> In this case, we use this term as part of the so-called „magistracies“ (senior government positions) because it is more popular and well-known in various scholarly sources.

<sup>111</sup> **Mommsen**, T. Op. cit., p. 52.

second in rank and importance in the state hierarchy (after the consuls); **quaestors** – authorized to judge crimes against public order; **ediles** – possessing specific functions akin to those of the police; **treasurers** – dealing with finances in the state treasury; and **censors** – supervising different layers of the state. One last thing: the activities of the consuls were not unchecked, because they were monitored both by the Senate and by the popular tribunes, i.e. they were directly accountable to the Roman people, since there are also a number of known cases where some of the consuls were condemned after they fell from power.

#### 4) People's Tribune

This institution is specific in the Roman state system because through it **the people participate in the administration** of state affairs. It is not directly related to the managerial functions of the state, but through it real control is exercised over the state administration, since various decisions are influenced. In other words, it is an institution with a distinctive and very democratic status in the republican political system of Ancient Rome.

In this train of thought, it is particularly essential to highlight the great **democratic rights** that the people's tribunes have, who have literally become the citizens' advocates. For example, the plebeian tribunes, composed entirely of the people (not including patricians) and electing from among them a certain number of tribunes (by residence), form their own assemblies with the following rights and prerogatives: The right to inviolability of the tribunes by the authorities; the right to protest (veto) against decisions taken by the magistrates and to override their legal force, if any; the right to convene plebeian assemblies to raise, debate, and vote on important matters of national importance; and the essential right to have the decisions voted by the tribunes have the force of law (excepting only matters of declaring war or peace and the election of magistrates).

The aggregate manifestation of these rights in the real life of the Roman state essentially makes the plebeian tribunes the real pillars of popular power, because they de jure suspend and dismiss the decisions of both the legislative and the executive, which in turn ensures the balance of the different types of power. This is precisely the great significance of Roman democratism, inasmuch as such organs of state power

have hardly been known in human history since the decline of the ancient republic at the end of the old millennium (I century BC).<sup>112</sup>

One more important feature of Roman society must be noted, which concerns the structuring of the various social groups in the Republic. This has to do with the establishment of Roman slave-owning society, in which people differentiated among themselves not by their origins but by their property and the place they occupied in the social hierarchy. Thus, according to D. Popov merged the tops of the two key estates, the patricians and the plebeians, into a single dominant class of free Roman citizens, the *cives romani*, in opposition to the slave class. That is, the upper and wealthy stratum of the plebs united and merged with the surviving patrician families, together forming **the new noble class of the nobility** (from „nobilis“ – „noble“, „high-born“, „famous“), the members of which were also called „optimates“ (from „optimus“ – „best“).<sup>113</sup> Any citizen who has the appropriate financial status to be able to hold senior state positions can belong to the *nobilitas*, whose powerful economic basis is large landholding, and its political foundation – the strong landed aristocracy.<sup>114</sup> This – on the one hand. And second, there is another wealthy social group, composed mainly of craftsmen and merchants, who are very active in economic terms and unite in the so-called „cavalry“. This in turn formed such a specific class that shaped the merchant and moneyed aristocracy (and financial elite) of the time, actively participating in the business life of society.<sup>115</sup> In a word, a second, small class of citizens was formed as an independent class in the state, rich, famous and representative enough to be able to participate in the distribution of public goods and privileges.

Of course, the institutional structure of the Roman Republic also contained other state organs (magistracies)<sup>116</sup>, which were also important for its social development and which need not be dwelt on here.

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<sup>112</sup> See more about the people's tribunes in **Manolov**, G. Introduction... Op. cit., pp. 283-284.

<sup>113</sup> See **Popov**, D. Ancient Rome. History and Culture. Sofia: LIK, 2009, p. 39.

<sup>114</sup> See id.

<sup>115</sup> See id.

<sup>116</sup> Such are, for example: the extraordinary magistracy, with the office of the so-called „dictator“, which arose because of the need to concentrate all power in the hands of one person when there was great danger to the state (the dictatorship was established

To summarize, the main elements of the Roman polity in the context of the mixed constitution were three leading ones: **the people**, who manifested themselves through the popular assemblies and the tribunes of the plebs; **the Senate**, which housed the then aristocracy; and **the consuls**, who were elected for a limited period of time to act on behalf of the state. In this sense, the different elements also have their own purpose: the consuls embody the monarchical element, the Senate the aristocratic, and the people the democratic. That is to say, all the functions of the state are so evenly distributed among its elements that it is very difficult to determine exactly what the form of government is.<sup>117</sup> However, this does not change the reflective historical fact of the democratic components in the structure of the Roman Republic, and the even more indisputable fact of the existence of various privileges at the higher levels of state power.

Having examined the institutional features, it is time to analyse more specifically **the privileges used by the ruling elite in the Roman republican system** during the same period.

Privileges in the ancient republican Roman reality found their real manifestation in the hierarchical structure of positions in public authority, on the place in which the amount and quality of these privileges – salaries, pensions, land, tax collection, etc. – depended.<sup>118</sup> Moreover, the peculiarities of **political hierarchy** are one of the driving forces behind both the struggle between the leading classes in society and the rivalry between classes within classes. Over time, these classes took on the appearance of **the most prominent wealthy and noble social groups** and gradually emerged as the leading ones in the Roman state. This is because, according to J. Ortega y Gasset, the old families accumulated lasting wealth over generations, which ensured the creation of a typical aristocracy whose components were knowledge, wealth, and skill. Naturally, all this brings with it the necessary social supremacy (and „the plebeians circling around the noble lower social

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in 501 BC); **the chief of cavalry**, who was considered to be the dictator's assistant and was entirely subordinate to him militarily, etc. (See **Popov**, VI. Op. cit., pp. 538-539).

<sup>117</sup> See **Bliznashki**, G. Op. cit., p. 83.

<sup>118</sup> See **Semov**, M. Politics... Op. cit., p. 36.

strata, etc.<sup>119</sup>) of the wealthy class strata, who, having the right to participate in power, distribute both public goods and public resources and political privileges.

From such a point of view it should be pointed out that **privileges of a power-political nature** were, firstly, dependent on the high property censuses applied (mainly on land), and secondly, extended to the wealthiest patricians and plebeians, between whom there existed an acute political competition for the highest positions in the state hierarchy. In this sense, **the wealthy plebeians** were granted a crucial privilege, namely **the equalisation of their civil rights**, whereby they could actively participate in public and political life.<sup>120</sup> This is an essential political privilege of the rich plebeian overlords, for whose minority composition it has enormous political significance.

As in all ancient societies, so in republican Rome the first testimonial for most positions in politics was a considerable amount of wealth, or the **required property census**. This classical **political privilege** is given serious attention by the English classical civilization specialist Mary Beard, who points out that no one can run for election without passing a financial test that excludes most citizens. Without knowing exactly what the property census is, she concludes from circumstantial evidence that it (the census) is limited to the highest rung of the property ladder, the class of so-called „horsemen“.<sup>121</sup> And as far as the voting itself is concerned, the electoral system of the time entirely favoured the rich, because the property census covered all other wealthy and high-born classes (aristocratic, senatorial, nobles). Thus, for example, in the comitia centuriata each centurion has one vote, no matter how many people there are in it; horsemen have eighteen centurions (votes), engineers and musicians have two each, proletarians have one centurion, etc.<sup>122</sup> That is, the system in every way favors the rich classes, who always vote first and in fact predetermine the vote on all issues.

Of all the noble families in the Roman Republic, the 300 **senators** were held in special esteem as privileged in the state. They embodied the aristocratic element in the state structure and occupied a central

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<sup>119</sup> See **Ortega y Gasset**, J. *Europe and the Idea of Nation*. Sofia: Colibri, 2019, pp. 187-188.

<sup>120</sup> See **Popov**, V. *Op. cit.*, pp. 506-507.

<sup>121</sup> See **Beard**, M. *History of Ancient Rome*. Sofia: Iztok – Zapad, 2019, p. 156.

<sup>122</sup> See **Scott**, M. *Ancient Worlds. An Epic History of East and West*. Sofia: Bard, 2020, p. 64.

place in the system of government, which is why **their office was for life**. Furthermore, the status of senators is differentiated according to their elective office during their previous career. And another, they have the exclusive rights (privileges) to participate in both debates and votes<sup>123</sup> and in the overall business of the Senate.

The solid public prestige of the Roman **senators** is defined and associated with the concept of „dignity“, which is maintained by **large expenditures on representational needs**. For example, every senator must have a house in Rome, organize sumptuous receptions for guests, and create a proper retinue of service personnel (valets, cleaners, cooks, waiters, guards, etc.) to entertain his many guests at state expense.<sup>124</sup> Moreover, it was usually from **the senatorial gentry** (or *notabilitas*) **that the highest magistrates of the state were chosen**, such as consuls, censors, dictators, praetors, etc.,<sup>125</sup> which was another important right (and privilege) of the ranks of the Roman Republican Senate.

On the importance and spread of senatorial privileges additional data is presented by the Russian scholar **A. I. Kovler**, who in his study „Sketches on the History of Parliamentarism“ writes the following:

„The distinguishing feature of Senate privileges was that Senators had a special place, the *Senaculum*, on the slope of Capitol Hill, so that speakers at the foot of the Forum Hill had to deliver their speeches facing the *Senaculum*. Honorary senatorial seats were set aside for the games, the theater, and the circus. Twice a year (on September 14 and November 13) senators dined ceremoniously at the Capitol at the expense of the Treasury. It was especially chic to go to the Senate by carriage – this was also one of their privileges. Trips to the provinces were framed as official business, entitling one to an honorary escort. Senators **were relieved of the numerous and burdensome public duties in their home municipias**. Finally, mention must be made of the „right to masks“ – the right of senators and their descendants to display their busts („masks“) on ceremonial occasions, including funeral processes. But as not all could carve a marble bust, they often made do with a wax one, which in the great heat led to comic instances: Juvenal in one of

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<sup>123</sup> See **Bliznashki**, G. Op. cit., p. 89.

<sup>124</sup> See *ibid.*, pp. 89-90.

<sup>125</sup> See **Popov**, Vl. Op. cit., p. 631.

his satires speaks of the swelling shoulders, squat ears and fallen noses of the venerable senators.

It should be pointed out that the honours conferred on the senators imposed certain obligations on them. It is not by chance, therefore, that in the last years of the Republic a high property census was introduced for senators (800,000 sesterces), and the fact that they were not infrequently brought to trial for extortion in the provinces shows the source of their income...<sup>126</sup> (*emphasis mine* – G. M.).

The high social position of the senators is indicated by another actual fact: they **dress differently** from other Romans, have gold rings, and wear special tokens of the high dignity invariably accorded them by the state. This clothing consists of a peculiar tunic, specially embroidered with broad vertical crimson stripes; a senatorial toga (called the „toga pretexta“), which is a sign of their high public authority (and status), etc. Later, or towards the end of the Republic, senators were also assigned special seats during public games and performances.<sup>127</sup> That is to say, **the privileges of separate clothing and attire for the senators** were imposed in that distant time with money from the state treasury in order to keep the image of the then rulers always in shining shape.

In the Roman Senate Republic, wealth and power found vivid expression in the outward symbolism of the entitled elites, for there were sharp status distinctions in clothing, food, housing, and adornment. We have already stressed that **meat in the diet is the privilege of the rich**, the elite and a section of the middle classes. That is to say, in pre-industrial civilizations, products of external, non-local origin were available only to the elite and the middle classes. These were important social symbols of the high aristocracy in Ancient Rome, such as the chariots used in funeral processions, hunting, war and racing. Along with this, war chariots were particularly characteristic of warfare in the II and I millennia BC, and expensive protective gear, such as helmets, breast-plates, and shields, were also only available to the wealthy – the military aristocracy and middle-class fighters (horsemen, knights).<sup>128</sup> In this

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<sup>126</sup> Kovler, A. I. Essays on the History of Parliamentarism. – In: *Parliaments of the World*. Moscow: Higher School, Inter prax, 1991, p. 606.

<sup>127</sup> See *ibid.*, p. 524.

<sup>128</sup> See Katsarsky, Ivan. *Op. cit.*, p. 152.

sense, we can also speak of a **privileged elite in the military sphere (military privileges)** in ancient Roman society, insofar as only and only a certain social minority had the right to use expensive military accessories.

It may sound paradoxical that the Roman Senate Republic saw the development of a very specific but also real activity, such as **the „trading of votes“** by senators, which we believe to be a **vivid manifestation of political privilege** in ancient society. Reliable evidence of it is provided us by the social democrat **K. Kautsky**, who in his book „Foundations of Christianity“<sup>129</sup> analyzes in detail the political „vote trading“ in the Roman Republic, pointing out that every rich Roman and every rich family has numerous votes, which they manage in the interests of the clique to which they unconditionally belong.

Thus, several clans of wealthy families hold the government of the country in their hands and regularly force the election of their members to high government offices and, through this, to the Senate. In this case, democracy does not change things much, except that it also allows rich plebeian families to enter this circle, which was previously reserved only for the patricians.

Why is this so? Because the elected **consuls and praetors** have to spend their first year in Rome. In the second year, each of them takes over the government of a province and tries to compensate himself for the expenses his election costs him and, in addition, to make a profit for himself, since he receives no remuneration since the offices are „honorary“. On the other hand, the hope of gain, which may be obtained in the countryside by extortion and bribery, and sometimes by simple robbery, is the cause of a keen struggle for these offices, so that the various candidates are more and more in competition in their endeavour to win the favour of the people. The greater, therefore, become the advantages which the lumpenproletarians derive from their rights as citizens by selling their votes, the greater is the inducement for the peasants possessed of Roman citizenship to abandon their meagrely hindered existence in the country and to remove to Rome. This increased the number of eligible lumpenproletarians, and with it the claims on the candidates. All this brings things to a total negative and

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<sup>129</sup> See the detailed discussion of this privilege in **Kautsky**, K. Foundations of Christianity. Sofia: Hr. Botev, 1955, pp. 116-118, on whom we base this and the next few pages.



in 53 BC vote buying causes such a demand for money that the lending rate rises sharply and a monetary crisis occurs.

„The nobility (the serving aristocracy) had to pay a lot (T. Mommsen) because gladiatorial games, for example, cost 720,000 sesterces (150,000 marks). But it pays them willingly, because in this way it blocks the possibilities of a political career for people who do not possess wealth.“<sup>130</sup> And the nobility has to constantly pay up as new elections are held every year. So it pays not just out of ambition, but because it knows that in doing so it is buying permission for the extremely lucrative plunder of the provinces and, of course, making a very good deal to itself.

„Democracy“, i.e., **the domination of a few hundred thousand Roman citizens over the entire Roman Empire of 50 to 60 million inhabitants, contributed in a supreme degree to the accelerated plundering and squandering of the wealth of the provinces** (*emphasis mine – G. M.*), greatly increasing the number of participants in it. And it is not only the viceroys who seek to extract the maximum, but each of them brings with him a whole flock of „friends“ who have helped him in the election and come to steal and plunder under his patronage“<sup>131</sup>, concludes his analysis K. Kautsky. This is the main reason to believe that „vote trading“ is a specific variety (form) of political privilege in republican Rome, as it is only used by the ruling and wealthy minority (oligarchy) to secure high positions in power.<sup>132</sup>

In Ancient Rome, the **so-called „equites“**, or horsemen, who in the army were persons of considerable property (in the late republic this was the merchant-moneyed aristocracy, large farmers, etc.), enjoyed an exclusive **privileged status** along with the senators. And although towards the end of the Republic they fought battles against the privileges of the notables, they (the horsemen) themselves did not give them up at all. Due to the fact that this nobility was recognized as hereditary aristocracy, they were, for example, given not a few rights and positions in political and public life, such as members of the

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<sup>130</sup> See *ibid.*, p. 118.

<sup>131</sup> See *id.*

<sup>132</sup> The problem of „vote trading“ is discussed in detail and comprehensively in its historical and political science context in my book „The Price of Elections, or How Parties Buy Power“ (**Manolov, G.** The Price of Elections, or How Parties Buy Power. Plovdiv: Paisii Hilendarski, 2009).

judiciary, governors of provinces, financial agents, officers in the army, etc., and for some of these higher positions they were also given the corresponding representation expenses (clothing, food, etc.) similar to the senatorial nobility.

In addition to the privileges of a political nature which have been revealed, some should be mentioned which developed in the economic sphere of the Roman Republic. These „**economic privileges**“ found wide application among the wealthy and oligarchic classes, as the following more significant facts show: 1) in the case of **the horsemen** (at the end of the Republic) it was **the ransom system of Roman state finance**, whereby an individual could, by contract, in return for the payment of a fixed sum in advance, ransom from the state a given state property (imperial estates, mines, etc.), and collect the corresponding tax for one or more years,<sup>133</sup> of course, for his own benefit; and 2) under **the centuria**, not only **were they not required to pay their taxes** (i.e., they did not pay them), but they were regularly **exempted from military service**.<sup>134</sup> Or, we're talking here about only a few hundred wealthy nobles who, due to their powerful political and economic position, enjoy these privileges to the detriment of the state.

It is interesting to note one other privilege in the Roman Republic that did not directly affect the central institutions of government. It is the exclusive right of the old citizenship to hold all municipal offices, and thus to enjoy all **municipal privileges**,<sup>135</sup> which, together with enormous riches, are entirely accumulated in the hands of a few aristocrats. This is a new variation in the privileged position of empowered local personages, which adds further touches to the rich palette of various privileges of the ruling political elite (central and local).

From all that has been said so far about the evolution of privileges during this republican period, it can be concluded that their prevalence was permanently increasing (compared to the royal period) in spite of some small democratic orders in the social structure of Ancient Rome.

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<sup>133</sup> See **Berov**, L. Op. cit., p. 85.

<sup>134</sup> See **Morgan**, L. Ancient Society. Sofia: Mayska Roza, 1939, p. 334.

<sup>135</sup> See **Mommsen**, T. Op. cit., p. 81.

### 2.3. Imperial privileges in the Roman Empire

To clarify the issue of the nature of privileges in the imperial period, we will begin with a brief explanatory note, which is as follows: it is known that the empire as a type of state system in Ancient Rome was subdivided into two main types – early (I century BC – III century AD) and late (III – V centuries AD).<sup>136</sup> But we will here consider the spread and use of privileges by the political elite only in the early Roman Empire (the Principate period – 27 – 284) due to the fact that they (privileges) actually found too wide application in all pores of power compared to the late Roman Empire. Before that, however, let us briefly characterize what empires are as types of political regime (and system).

Among the archaic types of political system that emerged in antiquity, we should include **the empire**<sup>137</sup>, which was highly developed and widespread during this period. It is one of the longest-existing forms of government, having several main meaningful characteristics: 1) a state based on conquest and a government based on the army, i.e. Empires can be seen as a variety of military dictatorships; 2) multinational states in empires, where one of the constituent nations dominates the others; and 3) state empires in antiquity and in the Middle Ages, functioning as **one-man political regimes, resting on one man (lord, dictator, authority)**, collapsing after his death. Or, empires are fleeting entities that are most often born from the fusion of an exceptional personality and a new military technology with which other armies during the relevant historical time are superior<sup>138</sup> (e.g., Cyrus and the Persian cavalry; Genghis Khan and the steppe cavalry; Alexander the Great and the Macedonian phalanx, etc.).

And so the **beginning of the Roman Empire** (the early one) is taken to be **the establishment of the sole power of Octavian Augustus** after the end of the civil wars in Rome, and until then all the resulting events are directly related to the republican constitutional system. It was then

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<sup>136</sup> See **Popov**, VI. Op. cit., pp. 677; 734.

<sup>137</sup> *empire* (Latin *imperium* – power) – 1. A monarchical state of which the ruler is called emperor. 2. A period in the existence of a state during which it is ruled by emperors. 3. A colonial state which, as a metropolis, siphons off the natural wealth of the colonies it conquers (See **Dictionary** of Foreign Words in the Bulgarian Language... Op. cit., p. 296).

<sup>138</sup> See **Duverger**, M. Sociology... Op. cit., pp. 296-297.

that Octavian was recorded as the first senator, i.e. as princeps, and was given by the senate the title „Augustus“, meaning (and perceived as) „exalted“, „glorified“, „omnipotent“. And Octavian’s official title from this point became „Emperor Caesar Augustus, son of the Divine“. Through events that took place in **January 27 BC**, the end of the Roman Republic was finally established and, respectively, the beginning of the empire in its earliest form, also called „principate“, was laid.<sup>139</sup> And another specific feature: **the power of Octavian Augustus was a total monarchy (or monarchy), which, however, was hidden in a republican form of government, i.e. it was implemented within the limits of the then republican constitution (which has not yet been abolished).**

It is from such positions that we will henceforth interpret the functional characteristics of institutions and the normative framework of power and power relations in the early Roman Empire.

### **1) Emperor (princeps)**

Under the new system of the Roman state established by Octavian Augustus, the old republican institutions were fully preserved; the magistrates, senate and popular assemblies continued to exist. However, alongside the old republican magistrates a new magistrate called the „princeps“ or „emperor“ appeared. What are his functions? **The emperor<sup>140</sup> holds for life: first, authority over all troops, and over the government of all provinces where troops are held; and secondly, tribunate authority, from which follows a right of independence and inviolability. In fact, he derives his authority from the people and the Senate, who grant it to him by a special law passed at his coronation.** Moreover, the emperor governs his provinces through his own officials, and for their administration there is a separate imperial treasury (fiscus) into which the revenues of these provinces are received and from which the funds necessary for their administration are drawn. Here, however, the imperial dignity, being only a magistracy, is not in-

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<sup>139</sup> See *ibid.*, pp. 677-678.

<sup>140</sup> Issues of imperial power, state institutions and the legal framework of the early Roman Empire are examined in depth by Prof. Petko Venedikov, on whose opinions we rely here and on the following pages (See **Venedikov**, P. *A Short Course in Roman Law*. Third edition. Sofia: Prof. Petko Venedikov, 2018, pp. 18-22).

herited. And something else: the emperor takes measures in his lifetime to designate his heir, making him his co-governor, and he usually adopts his heir.

## **2) Senate and National Assembly**

What is different here is that the senators are appointed by the emperor, and the functions of **the Senate** are expanded because it governs through magistrates the provinces where no troops are kept and the state treasury (the so-called „aerarium“; separate from the imperial treasury). And further, the senate elected the magistrates, and gradually its decisions acquired the force of law, which was already accepted in the middle of the II century AD. **The National Assembly** continued to possess legislative power, but exercised it less and less frequently. For example, the last law passed by it that is known dates only from the end of the I century AD. Here, laws and plebiscites are still the source of statehood and law, because the legislative power of the popular assemblies has not been taken away, although there are rare votes on laws by the National Assembly. And another, in this period there is a new source of law, the *senatus consulta*, which are the decisions of the Senate having the force of law in the middle of the II century AD. These *senatus consulta* of the end of this era, voted on the proposal of the emperor, are denoted by the name of the emperor (*orationes principis*), since it (the proposal of the emperor) was never rejected by the Senate, nor was it seriously debated.

## **3) Magistrates and officials**

Republican magistracies continue to exist, only since the time of Emperor Tiberius they are elected not by the National Assembly, but now by the Senate. Some of them, mainly the consuls, lost their importance due to the dominance of the emperor in the state. That is to say, alongside the magistrates there now appeared imperial officials, by means of whom he exercised his functions. Such are, for example, the prefect of the praetorians (chief of the guard), the prefect of the capital (chief of the police in Rome), the prefect of food, and the imperial legates, through whom he commands the troops and governs his provinces. It is also noteworthy that, unlike magistrates, imperial officials received a salary and were appointed without term.

#### 4) Imperial Constitutions

By the middle of the II century it was accepted that the emperor had legislative power delegated to him by the people and that his decrees therefore had the force of law. In this context, imperial constitutions are of four types: **edicts** – which have effect only while he is on the throne, but unlike other edicts, imperial ones have much greater weight of authority; **mandates** – orders of the emperor to the administration, which have effect only while the emperor is on the throne; **decrees** – decisions of the emperor in cases in which he is the judge, which, however, have effect only for the case in which they are issued, the judge in the resolution of other similar cases taking into account what the emperor has already accepted; and **rescripts** – resolutions given by the emperor to applications, and they are binding only in the resolution of the case in which they are issued.<sup>141</sup>

It is quite logical to summarize that with such a structure of state institutions in the Roman Empire, power was characterized by pronounced authoritarian features, entirely associated with the sole monarch. In this sense, however, some essential features should be noted under Octavian Augustus, which, according to VI. Popov are also manifested in the empire, in the so-called „principate“ (on behalf of the magistracy, the princeps of the Senate), namely: one is that all the highest republican magistracies in Rome are held at the same time, which is inadmissible for a union in the classical republic; and the other is that the emperor holds for life all the highest state magistracies, despite the fact that according to the republican constitution they are mandated, with a term of one year.<sup>142</sup> Or, with such exclusive monarchical power of the emperor, there is a total combination of consular (executive) power for life with tribunician (controlling) and supreme military power, unlimited and uncontrolled by anyone or anything.<sup>143</sup> It is therefore perfectly natural to suppose that privileges of many kinds would also find a singular and conjoined application as an inevitable attribute of imperial power.

Against this backdrop of „totalitarian institutionalism“, let us now venture successively into the endless world of Roman **privilege**,

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<sup>141</sup> See *ibid.*, p. 20.

<sup>142</sup> See **Popov**, VI. Op. cit., p. 678.

<sup>143</sup> See *ibid.*, pp. 678-679.

beginning, of course, with the most visible and personal benefits of power – **imperial ones**. For, in the phrase of one of the eminent Roman rulers of the III century, Ulpian, two key maxims apply above all to Roman emperors: the first of these states that „what pleases the emperor has the force of law“, and the second that „the emperor is free from the laws“. <sup>144</sup> Moreover, as is well known, the imperial power has a sacred character, with many of the princes being deified after their death, while others still in their lifetime enjoy the status of a demigod like the kings of previous historical epochs (as Caligula is considered to have been). In other words, imperial privileges are a perfectly legitimate phenomenon, since they derive directly from power (direct privileges), have an institutional character, and their extent and manifestations depend solely on the will of the monarch.

There is hardly any doubt that for Roman emperors the throne was always the pinnacle of material success. For, according to K. Varnalis, once on top, they became absolute masters of the state treasury and uncontrolled by anyone robbers of the provinces. Moreover, they could confiscate the property of any Roman citizen. Their sole aim is personal well-being and the satisfaction in every possible way of their immense desires, permitted and not permitted. Shameless laziness – that is one of their greatest pleasures. To rule without worrying about anything. <sup>145</sup> This is their managerial, moral and life credo. In this sense, and on the basis of the power-institutional prerogatives outlined, we will codify the most characteristic **imperial privileges** as follows:

### **1) Deification of the Emperors**

Such a privilege was not new to political life in Ancient Rome, as it found application long before the rise of the Roman Empire, but here the main characteristic of imperial power – its „divinity“ – stands out in priority. For from the time of Augustus every emperor after his death was numbered among the gods, and in the eastern parts of the empire he received the Greek name Sotar, or Saviour. Moreover, the celebrated Emperor Caligula (12 – 41 AD), known by his title of „star of the people“, though he reigned only four years, commanded himself to be worshipped in Rome even in his lifetime, not as a demigod, but as a

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<sup>144</sup> Cited in: **Tasheva**, R. French absolutism. Foundations, theory, principles. Veliko Tarnovo: Faber, 2007, p. 56.

<sup>145</sup> See **Varnalis**, K. Dictators. Sofia: Fatherland Front, 1981, p. 197.

true god, inasmuch as he was deeply convinced of his divinity. In confirmation of this K. Kautsky quotes his words, „Just as those who herd sheep and oxen are themselves neither sheep nor oxen, but of a higher nature, so those who are placed to rule over men are not men like others, but gods“<sup>146</sup>. Later on, Julius Caesar was the first to dare to ask the Romans to be worshipped as a god, since he boasted of his divine origin, since his ancestress was Venus...<sup>147</sup> Or, this privilege is fundamental, because with its insertion into socio-political life, other doors are „opened“ – for emperors to acquire immense power benefits due to their personification with the Most High.

## **2) Cult of the Emperors**

Perhaps for some this is only a political phenomenon, not an imperial privilege, to which we would culturally object that in this case the cult of the emperor is a fundamental privilege insofar as it derives from his deification and as it is „instituted“ by the sovereign emperor for his person alone, and in his lifetime (no one else has such a „right“). Here is what the researcher M. Beard testifies on this occasion about Emperor Augustus: „One of his most remarkable and lasting innovations is that he flooded the Roman world with his portraits: his head on the small coins which people carry in their pockets; marble or bronze statues in natural or larger stature in public squares and temples; miniatures stamped or engraved on rings, gems and silver cutlery. The scale of this phenomenon was immeasurably greater than anything that had come before. No Roman of an earlier time has more than a few known portraits, and the authenticity of most of them is uncertain anyway (the temptation to name some principally anonymous sculptural head or to give more definite features to Cicero, Brutus and others often proves irresistible despite the lack of evidence). Even for Julius Caesar, apart from the coins, there are only two very dubious supposed portraits made in his lifetime. By comparison, all over Roman territories and beyond, from Spain to Turkey to the Sudan, there are some 250 statues

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<sup>146</sup> See **Kautsky**, K. Op. cit., pp. 148-149.

<sup>147</sup> See *ibid.*, p. 146.



depicting Augustus in many different incarnations, from heroic conqueror to pious priest<sup>148</sup>. It is obvious that the imperial cult was a peculiar but also highly characteristic political privilege for almost all the rulers of the Roman state of the time.

### **3) Personal Imperial Treasury**

An exclusive imperial privilege, called „fiscus“ (literally translated „money purse“), which treasury was much richer than the old state treasury (erratum). Into this personal treasury, of which Octavian Augustus was the founder, came the income of so rich a country as Egypt, which became his personal property; he also became governor of the provinces of Gaul, Illyria, Macedonia, and Syria, from which he appropriated funds; the army, which numbered 300,000 men, also remained in the hands of the emperor, etc.<sup>149</sup> That is to say, the emperors duplicated their own state treasury with their own personal one, thus appropriating and setting aside vast unaccountable financial resources for their personal wants, whims and affluent lives.

### **4) Merger of senior positions**

The introduction of this privilege is mainly due to Caesar, who, after assuming the title of „dictator“ (46 BC), established in society the principle of one and the same person holding several state offices simultaneously. Thus, for example, from LXVIII BC he was annually elected consul, permanently received the prerogatives of tribune, held the office of „censor“, became grand pontifex, etc. In the meantime he acquired the title „father of the fatherland“, and the title „emperor“ entered into the composition of his name, pointing to Caesar’s personal connection with the army.<sup>150</sup>

According to the historian D. Popov, during the reign of the „eternal“ dictator for life, the popular assemblies, which continued to meet by custom, lost their political significance, insofar as Caesar freely enjoyed the right of recommendation for the various offices. And as his preferences are voted by obedience, the actual election of individuals is replaced by their appointment. The senate was also reorganized and

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<sup>148</sup> Beard, M. Op. cit., p. 290.

<sup>149</sup> See Fedorova, E. B. The Emperors of Rome. Greatness and Decline. Sofia: Marin Drinov, 1997, p. 88.

<sup>150</sup> See Popov, D. Op. cit., 2009, pp. 167-168.

its membership increased to 900, many of whom were men of no aristocratic background, military commanders personally indebted to Caesar, and some even his freed slaves.<sup>151</sup> In fact, such a total intermingling and fusion of important high offices in the state as a concentration of power in the hands of the emperor was indeed a privilege of the highest (untouchable) nature, which was not common in the state structures of ancient societies.

### **5) Buying political office**

In ancient Roman political practice, this was one of the most common and famous imperial privileges. We will therefore give here an obvious example from the reign of Caesar (46 – 44 BC), who, in order to acquire a lot of money, borrowed huge sums, plundered the provinces, etc. He was no stranger to all sorts of financial machinations, including buying political offices in the state as a „basic“ imperial „right“ and privilege. Or, as K. Varnalis writes, Caesar „...squandered all these riches with the same ease with which he collected them: however, only for his political interests. Most of the offices he held he obtained for his money; in other words, he bought them. And when he was away from the capital as governor of a province, he bribed the Roman governors to protect him, in case any of his enemies should wish to do him harm by taking advantage of his absence. And he not only paid them, but made them sign a receipt that they had received money from him, and for what purpose they had received it, so that he might thus hold it in his hands“<sup>152</sup>. Incidentally, the purchase of posts, besides providing powerful political influence for the emperor, was a solid business mechanism for amassing untold funds, especially after their resale to others.

### **6) Tipping the Imperial Treasury**

We have already pointed out that in the imperial era under consideration it was normal practice to sell state and public offices. In these sales (even of scribal posts) the new prospective employee had to tip his head of office a considerable sum, since any appointment was made on the recommendation of a respectable patron. Thus, in the late empire, the highest dignitaries appointed by the emperor tipped... the imperial treasury. And from the beginning of the empire any dignitary

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<sup>151</sup> See *id.*

<sup>152</sup> See **Varnalis**, K. *Op. cit.*, p. 72.

which the emperor himself thought fit to appoint, whether consular or of ordinary rank, imposed on the person chosen the moral obligation of leaving a bequest to the sovereign and his benefactor, on pain of his will being revoked for ingratitude and his inheritance confiscated for the benefit of the imperial treasury.<sup>153</sup> Thus the princeps himself established an impeccable pattern of embezzlement of money for personal account, or, as it is aptly called, „the empire of the tip“ (Paul Veyne), which had scarcely an equal in those remote times.

### **7) Sale of government offices and property**

This privilege developed at the founding of the empire and was used by all emperors during their reigns. We cannot, however, omit to adduce at least one fact which is particularly significant and characteristic of the whole historical epoch in Ancient Rome. It concerns the Emperor **Vespasian** (69 – 79), who, according to the writings of Suetonius, „quite openly made transactions that were shameful even for a private person: he bought things only to be able to sell them afterwards at a high price. He did not hesitate to **sell public offices to the candidates** (*emphasis mine* – *G. M.*), amnesties to the defendants, innocent or guilty. It is believed that he purposely raised to higher offices his most cunning prosecutors, so that as soon as they became rich he would condemn them; it was said among the people that he used them as süñgeri<sup>154</sup>; if they were dry, he wet them; if he got them well soaked, he squeezed them“<sup>155</sup>. Obviously, this ruler works with a wide scope, displays enviable business skills, constantly invents newer and newer techniques for personal enrichment, part of which are his „entitled“ privileges as an element of state governance. Incidentally, the sale of public offices was a feature of life in the Roman Empire, and, following the example of the early men in it, a number of wealthy persons and high officials regularly took advantage of their privileged position.

### **8) Sole control of the tax system**

On the basis of the emperor’s total authority, he was placed in a privileged position regarding the collection of various types of taxes. In this connection, a whole host of officials working in the imperial provinces collected, through the city magistrates, the direct taxes paid by

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<sup>153</sup> See **Veyne**, Paul. A history of private life in the Roman Empire. Sofia, 2001, p. 84.

<sup>154</sup> *süñger* (Turkish) – sponge for wiping

<sup>155</sup> Cited in: **Fyodorova**, E. Op. cit., p. 172.

the provincial population, determined the items of revenue and expenditure, the salary and maintenance of the troops being included in the expenses, as well as the expenses connected with the management of the state lands (domains). But over time, the emperors found it necessary to extend their oversight to the collection of so-called „indirect taxes“ – the inheritance tax, the levy paid on exemptions from slavery and on public sales, and the tax on imports and exports. Initially, special overseers (controllers) were appointed for the affairs of the various persons and companies entering into contracts with the state. But later the state took into its own hands the collection of all these levies and administered them through officials appointed by the emperor. The distinction between state and imperial property became increasingly blurred, and the *fiscus*, or imperial treasury, became increasingly identified with the state treasury. The facts show that even in the senatorial provinces the management of the emperor’s private estates was handled by the same office that looked after the state domains.<sup>156</sup> That is, the overall concentration of the most important financial and economic levers (and resources) as a leading privilege was concentrated in the hands of the emperor.

### **9) Exclusive Imperial Landholding**

During the reign of the Roman Empire, all emperors paid due attention to its economic development. This was also the case with the evolution of the agricultural sector, where, however, the emperors’ ownership of the land was of leading importance. For they, by virtue of their high positions of power, actually won the right to be the largest landowners in the country. And, as historians have argued in a scholarly collection, imperial landownership spread strongly alongside private landholdings in all the provinces. But the bulk of imperial landownership was concentrated in the eastern and African provinces, while in Italy and the west the role of private landownership was much greater. For example, imperial property in each province consisted of vast *latifundia* – *saltuses*, which were not subordinate to the authorities in neighbouring towns and were administered by a special procuratorial official (territories seized from the authority of neighbouring towns by the municipals were called „*eximirani*“, that is, seized). Or, very often,

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<sup>156</sup> See **Rostovtzeff**, M. Op. cit. Vol. II, p. 247.

the large saltus with all its population is leased by a rich entrepreneur called a „conductor“ who is subject to the procurator. He (the conductor) directs the entire agricultural production, and the procurator receives only the finished product. But the conductors often abuse their position, arbitrarily increasing the payments to the columns and the number of days they have to work them. Thus, the procurators almost always take the side of the rich conductor against the interests of the disadvantaged columns. Along with the saltuses, there existed imperial latifundia worked only by slaves. Here the emperors are the greatest slave-holders in the empire, have the greatest number of slaves, and the question of scarcity of slave labour is never before them. Therefore, the use of slaves in imperial lands was much longer than in the lands of private landowners and slaveholders. Thus, imperial and private latifundia, as centralized slave holdings or decentralized holdings with colons, were the main form of land tenure in the II century AD.<sup>157</sup> Alongside these, other forms of land tenure and land management existed, but this did not at all negate the privileged right of the emperors to lead the development of agriculture in the empire, creating „imperial land tenure“. And by the way, this particular type of privilege is manifested throughout all imperial reigns in Rome, since it is, among other things, extremely lucrative.

#### **10) Right to trade in slaves**

As is well known, in those distant years slaves had almost no rights, which is why they were sold as „living goods“ in specially organised markets. Their price was subject to the law of supply and demand – the more goods there were, the cheaper they were for buyers. In this sense, the emperor is the biggest and most powerful slave trader, as he is an extremely rich, uncontrolled and omnipotent „businessman“. The proof of this is the deal of the great Caesar, who, after the capture of the fortress of the Aduatics, sold 53,000 slaves at once.<sup>158</sup> This privilege was extremely profitable due to the fact that the state had no power over the slaves, no right to punish them, sanction them, etc., because they were the property of the masters, which constituted a disgusting legal absurdity...

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<sup>157</sup> See **History** of Ancient Rome... Op. cit., pp. 284-285.

<sup>158</sup> See **Varnalis**, K. Op. cit., p. 320.

### **11) Bequests of property to the Emperor**

Already under the autocracy of Octavian Augustus a system of bounties was born, which poured like a cornucopia into the chambers of the imperial nobility. And this was not a sporadic phenomenon, for in this way the emperors amassed untold wealth, disposed of vast fortunes and seized numerous foreign possessions during their reigns. Here the behaviour of Augustus, whose immense wealth was continually increased by „the imputed bequests of a number of the nobles, who, for various reasons, granted him after their death part or even the whole of their estates“<sup>159</sup>. And this at a time when the budget of the state was not only getting thinner, but was almost equal to the emperor’s personal budget, without calculating the fact that the emperor had to control the spending of the treasury and, respectively, to see to the increase of its revenues. In practice, the system of bequests to the emperor from the nobility in the Roman state was a highly refined (and lucrative) mechanism for the privileged accumulation of money, property and wealth based on the princeps’ highest position in the state hierarchy.

### **12) Debt forgiveness**

This right and privilege of the emperors has a dual political character – positive and negative. Positive, because by the remission the respective debtors are wiped out; and negative, because the public treasury is deprived of funds which otherwise the State itself grants. For example, the Emperor Hadrian (117 – 138) showed unprecedented generosity in remitting to private debtors to the imperial treasury in Rome and throughout Italy all the incalculable sums which they had to pay (including the remission of huge sums of uncollected revenue to the provinces). And for the general comfort of the populace he orders all receipts for sums due to be burned, the property of the condemned going not to his personal but to the public treasury.<sup>160</sup> Of course, this only happens because the first man in the state has exclusive power and prerogatives in the governance of the country.

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<sup>159</sup> See **Popov**, D. Op. cit., 2009, p. 226.

<sup>160</sup> See **Fyodorova**, E. Op. cit., pp. 200-201.

### 13) Distribution of imperial privileges

The specificity of this privilege is reflected in the fact that it was directed and implemented by the emperor towards other social strata in Roman society. These layers were endowed with solid material support under the auspices of the emperor, as exemplified by the so-called „lumpenproletariat“ living in the great cities of the empire – Alexandria, Antioch, Rome, etc. According to some specialists, the Roman lumpenproletariat was a parasitic social stratum that did not work anywhere and lived mainly on the handouts of the state (the emperor), city authorities and private individuals. This is particularly evident in the provisioning of the lumpenproletariat in Rome, where in the II century AD some 150,000 – 200,000 people (men who had families) received once a month 5 modii of wheat, some butter and meat. **And when a new emperor ascended the throne, money was distributed.** Along with this, numerous gladiatorial fights and beast chases, sea battles, and a number of chariot races were held for the entertainment of this restless and boisterous crowd (which represented a large force). That is to say, this declassed mass wants „bread and circuses“ and is ready to support any emperor or adventurer who feeds and entertains it. And if, for any reason, the supply of the plebs should come under threat, it poses a real danger to the reigning emperor. All Roman emperors therefore carefully guarded the privileges of this class of the Roman population, and took all measures in their power to supply it with food and to arrange for its entertainment.<sup>161</sup> And as a further point of clarification: this privilege was manifested mainly in the II century AD and was primarily an imperial tribute, inasmuch as only the sole sovereign in the state could authorise such luxuries, naturally for the sake of consolidating his personal power.

### 14) Debt cancellation of senators and money allocation

A similar privileged extra existed under the Emperor Hadrian, which, however, applied to the notorious senatorial class. The peculiarity is that the privilege affects only the impoverished senators (through no fault of their own), to whom the emperor first forgives

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<sup>161</sup> See **History** of Ancient Rome... Op. cit., pp. 294-295.

(wipes out) and then reimburses the sums owed by them up to the extent of their social status (and in accordance with the number of their children), and to most of the nobility the allotted funds last almost for the rest of their lives.<sup>162</sup> This generosity indeed opened a shortcut for a wide range of high-ranking people (from the ruler's entourage) to climb to all sorts of honorary positions in the hierarchy of power.

### **15) Food for personal consumption (and food distribution to the poor)**

We have already mentioned that the imperial family and certain wealthy classes are privileged to receive the finest foodstuffs, some of which are free. We will therefore now turn our attention only to the fact of what the poor and the rich families consume as food, in order to illustrate the diametrical difference in the standard of living of the one and the other. For example, here is how people ate lunch in Ancient Rome (in the I and II centuries AD): in rich people's houses, lunch consisted of three courses, with a sort of hors d'oeuvre (salad, chilli, salted fish, boiled eggs) served at the beginning, and wine mixed with honey. The main part of the lunch consists of traditional porridges (spelt or beans) seasoned with sauces, fish (including sea predators – moren), boiled and roasted meat, poultry, and for dessert fruit (apples, pomegranates, melons), chestnuts and walnuts. During lunch, various reciters, musicians, singers, dancers, etc., appear before the guests lining up around the table. Conversely, the lunch of the common people at home or in the street inns consists of porridges seasoned with onion sauce, goat cheese and small salted fish. Sometimes they vary it with a piece of mutton or pork, drink cheap wine,<sup>163</sup> and that is it.

### **16) Invention of taxes by the emperor**

Under conditions of imperial omnipotence, in which institutions had little controlling importance in the Roman state, an absurd privilege such as the invention of taxes logically developed. It (the privilege) was introduced by Vespasian, who not only taxed the provinces heavily (and in some cases even doubled them), but also constantly perfected the „invention“ of new and new taxes, including the stratagem of obtaining revenue from the outlying places! Even his son Titus repeatedly

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<sup>162</sup> See **Fyodorova**, E. Op. cit., p. 200.

<sup>163</sup> See **History of Ancient Rome...** Op. cit., p. 306.



rebukes him for this unheard-of innovation, which is why Vespasian takes a coin from the first installment, squats it under his nose, and asks him haughtily if it smells. Hence the popular expression „money doesn't stink“<sup>164</sup>, which has become so beloved of generations of politicians and entrepreneurs over the centuries. One cannot help but „admire“ this imperial ingenuity, which is to the benefit of personal gratification (and greed) but to the detriment of the state.

As a matter of fact, we will point out that at the origin of the Roman Empire the tendency of giving food to the poor was imposed. This system of distributions, begun by Augustus, provided about 200,000 people each month with free grain and sometimes gifts. The emperor himself repeatedly granted the poor some money, in the order of 400 sesterces per man, paying great attention to amusements, entertainments, gladiatorial games, etc., paying tribute to the famous motto „bread and circuses“<sup>165</sup>. Of course, towards the end of the imperial period, the money abruptly stopped and the free „donations“ ceased, for this privilege, according to some estimates, required about 14 million bushels (towards 493 million liters) of grain per year.<sup>166</sup> Something almost unaffordable for the economic state of the country at the time, which is why this „food subsidy“ for the poor was dropped at the end of the imperial era.

### **17) Imperial mansions, palaces and residences**

Dozens of facts and proofs can be cited for this classic privilege as highly touted and mandatory attributes of power. And the point is not that such representative estates should not exist, but mainly that they have always been excessive, unnecessarily large and financially wasteful. The Roman emperors in general are an exception, and we shall therefore cite as an illustration the data set forth by M. Beard, of the lavish extent of the imperial estates.

As early as the end of the I century AD, emperors acquired super-luxurious mansions in the vicinity of the city (Rome), which surrounded it almost on all sides (complexes of palaces and pleasure grounds

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<sup>164</sup> See **Fyodorova**, E. Op. cit., p. 172.

<sup>165</sup> See **Popov**, D. Op. cit., 2009, p. 223.

<sup>166</sup> See **Blond**, Anthony. A scandalous history of the Roman emperors. Sofia: Bard, 2006, p. 267.

known as „horti“, or „gardens“), and their main residence or palace occupied almost the entire Palatine hill (hence the word „palace“). It now includes audience halls, formal dining rooms, reception rooms, study rooms, bathrooms, and living quarters for family, servants, and slaves, and just to the rear in symbolic proximity is a replica of the „hut of Romulus“ where Rome once began. The palace is thus not only visible on all sides with its multi-storey structure towering over the city, but also completely occupies the ground of the Palatine Hill, a preferred location for the homes of senators for centuries<sup>167</sup> – M. Beard concludes her description. In this sense, alongside the splendid palatial chambers, rooms and residences, there was a permanent increase in both administrative and support staff, without whom no Roman emperor would have felt like a true autocrat on the throne of power.

### **18) Privileged administrative and support staff**

To begin with, the more the imperial palaces multiply and expand, the more their specialized staff increases. Therefore, the service and administrative staff acquired increasing importance and a significant privileged status under the Emperor. For example, according to M. Beard, very few details are known of the administrative organization under the first Augustus, but it probably looks like an expanded version of the service of some important ruler of the previous century: a host of slaves and ex-slaves performing all sorts of functions, from cleaners to secretaries, with family and friends acting as advisers and confidants who were the first to learn of the emperor's plans. Such is the unmistakable impression of a large common tomb (the so-called „*columbarium*“, or „dove-house“) discovered in 1726 on the Appian Way. It originally contained the remains of more than a thousand slaves and former slaves of Livia, with small tablets recording their names and positions. What survives, however, gives the most general idea of the staff who served her: among them are five physicians and a medical manager, two midwives (presumably for the rest of the household), a painter, seven seamstresses (or cloth-makers), a sort of valet (*cap-sarius*), a supply clerk, and a eunuch (with unspecified functions). A staff such as any lady of the aristocracy might have, only in extremely

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<sup>167</sup> See Beard, M. Op. cit., p. 332.

enlarged proportions. And where all these people lived is somewhat of a mystery, as they could hardly fit in the Imperial couple's houses, and most likely had to be housed somewhere else.<sup>168</sup>

Thirty years later, only in the time of Claudius, there was already an administrative organization attached to the emperor that had a completely different scale and level of complexity. A number of departments or offices were then set up to be responsible for the various aspects of administration: separate offices for correspondence in Latin and in Greek, and other special offices for petitions to the emperor, for accounting, for the preparation and organisation of court cases to be decided by the emperor, and so on. The staff were mostly slaves, hundreds of slaves, managed by heads of departments (who were originally and in most cases former slaves – trusted administrators) whose loyalty to the emperor was more or less guaranteed. Later, however, when the enormous real power of these men acquired an infamous reputation among the traditional elite, the places of governors began to be filled by members of the equestrian gentry. For the senators did not at all like to be in the shadow of an influential stratum of the lowest, slave-owning origins, who indulged in more liberties (from their point of view) than their position entitled them to.<sup>169</sup> This testifies to the fact that a specific privileged layer (bureaucratic and servile) formed around the person of the emperor, who always touched upon one or other of the benefits of power (in varying degrees), although reliable data about it are hard to find even now.

### **19) Imperial revels, feasts and wastes (for a life of splendor)**

There can hardly be any doubt that this was one of the most fabulous, splendid and sumptuous imperial privileges in Ancient Rome. This is so because all those endless imperial gatherings (banquets and celebrations) were made with unaccountable state funds, for which none of the imperial retinue paid a single sesterce. We will therefore give a few striking examples of this so carefree and affluent life, starting with the notorious *gulials*, which were highly sought after (and attended) by various emperors and their influential servant cohorts.

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<sup>168</sup> See *ibid.*, pp. 332-333.

<sup>169</sup> See *id.*

The real picture of these lavish feasts has been successfully revealed by the great researcher of Roman culture **Prof. Romolo Staccioli**, who in his writings illuminates a number of little-known aspects of the interiors of the dozens of feasting gatherings in Ancient Rome. According to the scholar, banquets organised by influential people are known to be under the sign of luxury and with the aim of surprising guests with rare recipes and expensive dishes. Silver bowls and gold objects are part of the *couverture* on these (noble) tables. Plus, in the first room in the house, the atrium, the one with the big pool that collects rainwater, a slave is bound to wash your feet. And as he does so, you'll look around, discovering the busts of the senator's ancestors, placed so they can be seen from afar like large chess pieces. In another part you will notice a chest with a crate of metal bands and large rosettes, in which are enclosed the most valuable objects of the family, from the gold coins to the jewels of the senator's wife, and also the commercial contracts, which are perhaps more important than the jewels themselves. This „treasury“, placed prominently in the atrium, suggested to all the wealth of the owner of the house, and was guarded by a slave standing peacefully by the side. You'll also glimpse garlands, lamps, torches, bouquets of flowers and silent servants making sure everything goes well.<sup>170</sup> That is to say, this undisguised ostentation merely accompanies the forthcoming party, whose organisers are anxious to point out that these are not casual people, that they are highly influential, that they possess untold wealth, and, most importantly, that they are very close to the Emperor, who all too often honours them with his presence at these parvenu events.

Particularly revealing is the behavior of Emperor Vitellius (January 69 – December 70), who remains in history as a self-confessed reveller and godless glutton. This is attested by Suetonius, who argues for this character trait of the emperor as part of his privileged status.

„He (*Vitellius – my note, G. M.*) gave feasts three, and sometimes four times a day: morning breakfast, breakfast during the day, lunch, and a feast. And he dealt with all of them easily, for he took emetics every time. He entertained different hosts on the same day, and it cost

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<sup>170</sup> Cited in: **Angela**, Alberto. *Love and Sex in Ancient Rome*. Sofia: Colibri, 2015, pp. 309-310.

no one less than four hundred thousand sesterces. The most famous was the banquet given by his brother on his arrival in Rome: as the story goes, two thousand of the choicest fish and seven thousand birds were served. But even this he surpassed in the dedication of a dish which he himself called „the shield of Minerva, patroness of the city“, on account of its extraordinary size. In this dish were mingled the livers of scarlet fish, the brains of pheasants and peacocks, the tongues of flamingos, the milk of male moray eels. (...) But because his gluttony was not only insatiable but also obscene, he could not restrain himself even during a journey or a sacrifice: at the very altar he would snatch pieces of meat and sacrificial bread almost from the fire and begin to chew, and in the taverns on the way he would gorge himself on the still smoking viands or on the morsels from the previous day. (...) It is said that in the few months he was emperor, Vitellius ate two hundred million sesterces<sup>171</sup> – concludes Suetonius.

The gluttonous gastronomy of the Roman ruler Lucullus is notorious, who could spend a fortune on a single meal, and it wasn't long before others began to follow his ruinous and gluttonous example. With him, dinner began at four in the afternoon (the ninth hour) and was a long performance in three acts: *gustation*, or ordeal, *fercula*, meaning „dishes to be brought“ (from the kitchen), and *mensae secundae*, or desserts. Usually the canapés are arranged in the shape of the letter U and the guests are laid out on them; the open side is used by the servants for serving and un-serving; often the whole table is changed with the main course. The Romans use their fingers, knives, and spoons, but have no forks; they drink from silver or bronze goblets inlaid with precious stones if the owner is extremely wealthy; in rare cases the goblets may be of glass or crystal according to the taste and means of the host.<sup>172</sup>

In contrast to the more formal dinners, appetizing and light dishes are served first, such as chunks of sheep's brain, small liver sausages, poppy seeds in honey, cleaned snails, oysters, slices of goose liver, salted sturgeon, asparagus, leek onions, radishes, eggs... While

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<sup>171</sup> Cited in. **Fyodorova**, E. Op. cit., pp. 162-163.

<sup>172</sup> See **Blond**, Anthony. Op. cit., p. 276.

the main course can reach up to ten courses. When one Mucius Lentulus Niger welcomes Julius Caesar, he serves him ten first and ten second courses, as well as countless desserts. There are a number of different outlandish and extravagant dishes for the gluttonous and the competitive: grains of pork breast in tuna brine; camel's hooves (Cleopatra is said to be terribly fond of them); elephant trunks; parrot's heads; a ragout of nightingale brains; peacock brains; a pie made of the tongues of small birds (which is insanely expensive); not to mention *le pork a la Troyenne farci de becs-figues et d'huitres* (Trojan pork stuffed with snipe and oysters).<sup>173</sup> As if emperors were born with at least two bellies, not just one!

Just peachy! Great tastes for great emperors of great feasts!!! And if that's not a power privilege, what else could it be!?

The privileged opulence of the Roman emperors is also very indicative of a number of facts from the uneventful life of Antony (30s – 20s of the I century BC) and his faithful mistress, the Egyptian queen Cleopatra, who bore twins by him. Their „lavish exploits“ quickly „flew“ to Rome (they lived in Alexandria), becoming the subject of approving or spiteful tales. According to some writers, sensational accounts of the splendour in which the two lovers lived came about because fanciful stories of lavish feasts and of their notorious bet on who would organise the most expensive dinner were circulated. It is believed that Cleopatra wins the bash as she throws a „modest“ feast for 10 million sesterces, including the price of a famous pearl, which she dissolves in vinegar and drinks.<sup>174</sup> And this is just one of the many lavish displays of the profligate Roman elite.

All in all, as Paul Veyne rightly notes, feasting in Ancient Rome was a whole art, for it was a ceremony of courtesy and a pledge of polite manners. And yet, table manners seem to have been less artful and less strictly codified. In contrast, however, one dines with clients and friends of all ranks, although hierarchy is strictly adhered to in the allocation of beds at the table, around a circular table on one leg on which the platters are placed. Bed-less dining is not real even among the poor: seated eating is only done at ordinary meals (among ordinary people

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<sup>173</sup> See *ibid.*, p. 277.

<sup>174</sup> See **Beard**, M. Op. cit., p. 283.

the mother of the family, straight, serves the father seated at the table). Whereas the cuisine would strike us as now oriental, now medieval, for it is heavily spiced, weighed down with complicated sauces. The meat is boiled before it is stewed or roasted, although it is bled beforehand, and served candied. The range of preferred flavours runs sweet and sour. For drinking, there is a choice of wine tasting of Marsala sweet wine and ricin, as in present-day Greece, both mixed with water... For the delicate part of the dinner, the longest, is that in which drinking takes place; during the first half of the dinner people only eat without drinking; the second part, in which drinking takes place without eating, is the real feast (*commissatio*). This is really more than a feast – it is a small celebration where the protection of the Emperor's own person is at stake. As a sign of festivity, the fellow-feasters wear hats of flowers or wreaths and are perfumed, i.e. smeared with incense oil – feasts are greasy and glitzy and love-nights are like that too.<sup>175</sup> And not only that: traditionally, various gifts are given at all organised feasts, a striking example of which is the behaviour of the emperor Lucius Verus (161 – 169 AD). Once, during a feast in Rome, he invited only twelve people, each of whom received as gifts: a beautiful slave, live poultry and wild birds (of the animals, only those whose meat was eaten), precious crystal, gold and silver goblets (the number of which corresponded to the toasts), a chariot together with mules and muleteers, etc. And the feast itself costs only some paltry 6 million sesterces(!!!) from the orphan state treasury.<sup>176</sup> In other words, revels, drinking and feasting actually became an integral part of the lavish lifestyle of the emperors and at the same time one of the most striking privileges of their carefree existence.

There are reams of monstrous facts (and evidence) written about the famous and unrivalled imperial squandering, which are still unrivalled as an expression of the brazen arrogance of power. Therefore, we will cite here only two other obvious examples concerning the privileged status of emperors in Rome. First of all, there is the emperor Caligula (37 – 43 AD), known for his greedy extravagance, who squandered Tiberius' inheritance of 2 billion 700 million sesterces in less than a year.

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<sup>175</sup> See **Veyne**, Paul. Op. cit., pp. 159-160.

<sup>176</sup> See **Fyodorova**, E. Op. cit., p. 219.

Probably in compensation, he announced by edict that he would accept gifts on New Year's Day, and from 1 January he stood in the middle of the palace entrance to collect the mite which the crowds of people from all walks of life poured out before him with handfuls and chests full. And at last he is so seized with a passion for touching the money that he often spreads wide the huge piles of gold coins, walks barefoot on them, and rolls for a long time, prostrate with his whole body. And after he has exhausted his means and impoverished himself, he at once begins to plunder by means of thinly contrived charges, sales, and taxes. Furthermore, Caligula introduces an enormous amount of taxes, but he lays the full force of his frenzied cruelty on the Roman aristocracy. On top of that, he obliged the noble and wealthy to make him their co-heir in their wills, after which he declared them criminals, condemned them to death and seized their property.<sup>177</sup> Such a predatory attitude to power and all the personal benefits that flow from it would probably be the envy of the most ardent dictators in human history.

„Only when I lavish do I feel that I am an emperor“, Nero (54 – 68 AD), the other prominent Roman ruler who sat down at the dinner table and rose from it at midnight, was fond of saying. And he splashes out untold sums to satisfy his gastronomic whims, for example, for a dish made with honey, Nero spent „only“ 4 million sesterces!!!<sup>178</sup>

But the pinnacle of this insane waste is the imperial palace of Nero, built with state funds, which is best described by Suetonius:

„But nothing did as much damage to the empire as his construction (*of Nero – my note, G. M.*). He built his house from the Palatine to the Esquiline; at first he called it „the Passage“, and when he rebuilt it after the fire, the Golden. Of its size and splendour it would suffice to mention the following: it had an anteroom so large that it could contain a colossal statue of Nero, a hundred and twenty steps high; it was so wide that the triple porticoes were a thousand steps long; inside it was a lake as large as the sea, surrounded by buildings which looked like whole cities; and besides this a varied field landscape – fields and vineyards, pastures and forests, full of many and various wild and domestic

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<sup>177</sup> See *ibid.*, pp. 125-126.

<sup>178</sup> See **Varnalis**, K. *Op. cit.*, p. 166.



animals. The rest of the house was all in gilt and ornamented with precious stones and pearl shells; in the dining-rooms the ceilings were tiled with ivory, movable, and with openings to sprinkle flowers and incense from above; the main dining-room was circular, and revolved night and day as the world revolves; in the baths flowed the waters of the sea and the river Albula. Such a home was so much to his taste that after its completion, when it was consecrated, he said that at last he was going to live like a man<sup>179</sup>. Naturally, the Italian people paid for this fabulous „little house“, for the whole empire was being „overrun“ by taxes and confiscations of rich men’s property, and because Nero was totally emptying both the state treasury and his own coffers.<sup>180</sup> It even went so far as to have the emperor kill off the wealthiest citizens one by one and seize everything they had for his own nefarious purposes...

We will not overlook another „wasteful“ feature of this privilege, which is the celebration of military victories in the Roman Empire. No state funds were spared for them, as was the case in 101 when the Emperor Trajan won the war with the Dacians, a waste which is represented by the historian D. Popov as follows: „The triumph celebrated in honour of the victor is distinguished by splendour and extravagance. The celebrations lasted four months, accompanied by lavish games and spectacles in the circus and in the Coliseum, where 10,000 pairs of gladiators fought in the arenas and as many wild exotic animals were slaughtered. To perpetuate the glory of his celebration, the princeps orders the creation of a new, large forum. In the centre of its small square rises a forty-metre-high column encased in a spiral marble relief of scenes depicting episodes from the war with the Dacians. Its top is crowned with the statue of the victor“<sup>181</sup>.

We have deliberately given more attention to this wasteful lifestyle and behaviour because, apart from being the privilege of a select few, it is totally motivated by a one-man unchecked power for which there were no brakes blocking the absurd waste of the people’s steam.

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<sup>179</sup> Cited in: **Fyodorova**, E. Op. cit., p. 154.

<sup>180</sup> See **Varnalis**, K. Op. cit., p. 167.

<sup>181</sup> See **Popov**, D. Op. cit., 2009, p. 249.

## 20) Sexual privileges (for lustfulness and pleasures)

Perhaps for many readers the wording of this privilege of the emperors will sound paradoxical, due to the trivial fact that this is a personal matter and a strictly intimate part of each person's life. Without denying this, however, we hasten to point out that in the terms of the Roman Empire, the sex life of princes was turned into a tempting privilege, enjoyed especially by the first men of the day, the emperors, and on a scale that would have been the envy of the most famous Don Juan in all human history. And here, of course, the issue mainly boils down to the fact that almost all Roman emperors and grandees used power to coerce, seduce and humiliate members of the fairer sex, whether they were foreign women, famous prostitutes or poor (but beautiful) slave girls. In our view, therefore, we can speak without embarrassment of this kind of privilege – sexual privilege – as it found daily application among emperors and their attendant retinues.

Dozens of volumes and pages have been written on the subject of the sexual adventures of the emperors of the Roman Empire, revealing the lustful ways of various chieftains of the time. In this case, we will not moralize with angry reproaches against the emperors (as most authors do), but simply expose the vulgarity of this privilege insofar as it stems from the „right“ of the princeps in the state to „dispose“ as he pleases of the sex lives of the people.

According to experts on the debauched life of Ancient Rome, the sexual „exploits“ of various emperors (and their cronies) were most rampant during the lavish feasts in the palaces of the rulers. There, at the notorious dinners and voluptuous orgies, prostitutes were regularly invited, who, according to Prof. Staccioli were young and attractive women with very refined manners, trained as geishas to be pleasant ladies to keep the guests company. They come to create a more pleasant atmosphere with some sensuality, merriment and lively conversations, all spiced up with insistent glances, meaningful smiles and then hugs and passionate kisses. Appropriate make-up, short and above all transparent dresses or those that expressively emphasize luscious female forms. Naturally, these girls can also sing, dance, play or play the flute. There is no shortage of the famous *puellae Gaditanae* dancers of Gades (now Cadiz), who, at the mere sound of their castanets, become extremely good at their supple and exhilarating dances, „swaying their

buttocks to the ground“ (Juvenal).<sup>182</sup> These girls are very good at their job and literally seduce the guests. As the dinner progresses, the atmosphere becomes electrified with eroticism and with an unexpected ending in advance that we could easily guess. It can even go from simple oral sex to quick intercourse, and even to real collective orgies, which are no exception. Moreover, besides the girls supplied by the „agencies“, there are also those who work independently. They are usually freed slave girls who can make small rooms available for these delicate encounters. They are surnamely called *amicae* (girlfriends)...<sup>183</sup> So the gentle feminine creatures not only diversify the permanent feasts and orgies, but also contribute immensely to satisfy the sexual urge of the emperors. In support of this, however, let us illustrate by a few examples the unbridled use of this privilege by several famous Roman emperors.

We'll start first with **Caesar** (46 – 44 BC), who was a great seducer of women (preferably married women), and to such a pathological degree that his legionaries, when riding in triumph through Rome, sang, „Lock up your wives at home, for we bring you a bald adulterer“. But they also readily tell of his alleged homosexual relationship with the king of Bithynia when he was sent to those parts on a military mission. And another curious thing about Caesar: it needs to be said explicitly that he went through all the „categories“ of love – heterosexual, married three times, cheated and was cheated on, had mistresses and concubines, etc. Among his conquests, however, one must recall Cleopatra, Enoia – the wife of the king of Mauretania, Tertulla – the wife of Marcus Crassus, Postumia – the wife of Servius Sulpicius, Mutizia – the wife of Gnaeus Pompey, the wife of Aulus Gabinius, and who knows how many more...<sup>184</sup> But that's not all, because Caesar's perverse temper also shows real pandering tendencies (to win judges to his cause), for which we will quote M. T. Cicero, as otherwise, it is not to be believed. „He invited them to his house: promised, guaranteed, and gave away. What dirty work, good gods! As the dearest reward, certain judges received nights with certain women and meetings with certain youths of noble families. „It's not the time to complain about money

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<sup>182</sup> Cf. cited in **Angela**, Alberto. Op. cit., p. 311.

<sup>183</sup> See *ibid.*, p. 312.

<sup>184</sup> See *ibid.*, p. 313.

when the prize is the main thing! Do you want this crude man's wife? Take her! Do you want that rich man's wife? I'll bring her to your bed too! If you don't want to fornicate, find me guilty in court. The beauty you want will come to you, and I warrant that the promise will be fulfilled before the sentence is pronounced." To give away adulteries is worse than to commit them: far from willingly, the mothers of families resolved on such a step. Such things have happened, and do happen, and licentiousness in cities has sometimes abated from severity and fear, but never of itself."<sup>185</sup>

The next no less tempted by adultery was the emperor **Tiberius** (14 – 37 AD), who in his villa on the island of Capri organized real orgies, bringing „flocks of girls and homosexuals (...) he made them join in a threefold chain and have sex with each other in front of him to revive their fading sexuality“ (according to Suetonius). And the rooms of the villa are filled with erotic statues and paintings inspired by the Kama Sutra. And to make it a quality service, in the gardens the emperor keeps boys and girls disguised as satyrs and nymphs prostituting themselves... But the climax of the perversion is that at the end he bathes with children whom he calls „fish“, taught to „stimulate“ him in different ways between his legs while he swims!!!<sup>186</sup> As is often said: no comment!

An extremely unscrupulous pervert in his sexual desires is **Caligula** (38 – 41 AD), who has no inhibitions at all: he commits incest with his sisters, has sex with his guests' wives, recites poems to everyone about the sexual qualities (and shortcomings) of his guests, etc. But perhaps the most incredible of all is this: in his own palace the emperor opened a „model“ brothel, with only free Roman women and young men of the aristocracy as „inmates“. And to top it all off, Caligula sends slave heralds into the town squares to invite the pariah elders and rich sons to visit the Emperor's „establishment“! Even the officials of the brothel record the names of the customers in a register, and this register is a kind of „Golden Book“ because those princes who are recorded in it enjoy the favour and friendship of the emperor.<sup>187</sup>

Utterly shameless are the ugly sexual adventures of **Nero** (54 – 68 AD), about whom Suetonius writes that „besides pederasty with

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<sup>185</sup> Cited in: **Fyodorova**, E. Op. cit., p. 50.

<sup>186</sup> See **Angela**, Alberto. Op. cit., p. 314.

<sup>187</sup> See consistently: *ibid.*, pp. 314-315; and **Varnalis**, K. Op. cit., p. 119.

free boys and intercourse with married women, he also raped the Vestal Virgin Rubria“. He even devised an erotic game: „covered with the skin of a wild animal, he emerged from a cage and attacked men and women tied to stakes, impaling himself on their genitals. Then he would go and have sex with the freed slave, Doriphorus, playing the role of wife and moaning as such. (...) After having the testicles of the boy Sporus cut off, he tried to turn him into a woman and took him to a solemn ceremony with lots of dowry and a red veil like at big weddings, holding him by his side as if he were his wife...“<sup>188</sup>.

Disgusting, sickening, perverted!!!

But the „great“ Nero has another weakness, which concerns the games, competitions and performances in the Eternal City, for which state funds are never spared.

„In number, novelty and budget“, writes Barry Strauss, „Nero’s games and performances surpassed anything Rome had seen before. There were subsidised refreshments, and the audience also received gifts – often extravagant, such as jewellery, horses, slaves and houses. (...) Nero’s new games combined music, „athletics and equestrian events (...) They were called Neronia – how else!“ Furthermore, the emperor „...was famous for the lavish festivities he organized for the people...“ annually. „The festivities included costumed banquets on boats in artificial lakes in Rome, performances by the emperor, a large turnout of noble men and women, and an abundance of roses...and prostitutes“<sup>189</sup>. Apparently, here again the emperor’s avowed affinity for the fairer sex „wins“ first place among all his other thirsts...

Finally, we will end with the „exploits in bed“ of Emperor **Commodus** (161 – 192), who indulged his sexual fantasies to such an extent that he made his own harem with 300 women (and girls) and 300 boys,<sup>190</sup> probably to have sexual emancipation and gender equality.

It is more than obvious that this has nothing to do with normal sexual relations between people, because it stems from and is fed by

<sup>188</sup> See **Angela**, Alberto. Op. cit., p. 315.

<sup>189</sup> **Strauss**, Barry. Ten Caesars. Roman emperors from Augustus to Constantine. Sofia: Ciela, pp. 102-103.

<sup>190</sup> See **Montefiore**, S. S., John Bew, M. Frampton. Monsters: History’s most evil men and women. Sofia: Kragozor, 2009, p. 42.

totalitarian imperial power. Paul Veyne is quite right when he says that such sexual relations are far from being some ordinary prostitution, because they become mercenary, where the ladies seek mercenary adultery while the men seek dowry.<sup>191</sup> That is to say, among other things, this type of imperial privilege can be defined as a kind of „political sexual commerce“ which the princes privatize for their own perversions, lust, pleasure and enjoyment.

### **21) Official and personal security (bodyguards)**

It is known that the first bodyguards in history were the **so-called „praetorians“** who guarded the emperor and his palace.<sup>192</sup> This is a very special privilege, because this is how the personal guards of the rulers (emperors) or soldiers, who are the backbone of the violent and coercive power, are usually called. And the very name „praetorian“ comes from the tent (praetoris) of the commander-in-chief and the place where it was erected in the camp of the troops in Ancient Rome. Hence the word „praetorians“ as the name of the imperial guard whose purpose was to protect the private and public life (and activities) of the emperor. It will be noted here that the Praetorian Guard was created by Octavian Augustus, initially consisting of 9 cohorts of 1000 soldiers each. They (the cohorts) were mixed, comprising 2 units – cavalry (300 men) and infantry (700 men), with 3 of the cohorts stationed in Rome itself and the rest in its surroundings. Praetorians are the only ones who can carry arms and serve as guards around the emperor’s palace, whom they accompany when he leaves the city to participate in various public festivities, religious ceremonies, etc. Along with this, the praetorians gradually participated in the emperor’s military campaigns. And one more thing: out of 9 cohorts, 3 were stationed in Rome and served for the Emperor’s personal security and for internal needs as police.

It is particularly interesting that the praetorians have many **privileges**, confirmed by the emperor: they serve not 20 – 25 years, as the

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<sup>191</sup> See **Veyne**, Paul. Op. cit., p. 124.

<sup>192</sup> The statement about this privilege of the emperors is made on: <https://www.dw.com/bg/%D0%BF%D1%80%D0%B5%D1%82%D0%BE%D1%80%D0%B8%D0%B0%D0%BD%D1%86%D0%B8%D1%82%D0%B5%D0%BF%D1%8A%D1%80%D0%B2%D0%B8%D1%82%D0%B5%D1%82%D0%B5%D0%BB%D0%BE%D1%85%D1%80%D0%B0%D0%BD%D0%B8%D1%82%D0%B5%D0%BB%D0%B8%D0%B2%D0%B8%D1%81%D1%82%D0%BE%D1%80%D0%B8%D1%BF%D1%82%D0%B0/a-40259891>.

regular Roman soldiers, but about 15 years; their pay is 3 to 4 times higher than that of the regular legionaries; sometimes they receive large sums of money – on the occasion of the round anniversaries of the emperor, on the birthday of his successor, on the occasion of his coming of age, in connection with the victories achieved by the Romans, etc.

The Praetorian Guard is well equipped and enjoys other privileges: only Praetorians are allowed to use „imperial purple“, i.e. a purple toga, when giving guard at the imperial palace; their arms are richly decorated with gold and silver, their ceremonial helmet is adorned with a splendid crest, etc. Moreover, there are special barracks for them in Rome, and coins are even minted in their honour.

Imperial bodyguards also receive generous rewards. Caligula, for example, granted each guardsman 5,000 denarii – double what they received under Tiberius. After Caligula is assassinated by the Praetorian conspirators and after they proclaim Claudius emperor, he promises each Praetorian 15,000 sesterces (4,000 denarii). But to raise such a sum was unrealistic and the next emperor, Pertinax, reduced the rate to 12,000 sesterces. The disgruntled Praetorians then kill him by cutting off his head and spreading it around Rome, even though only three months before they had placed him on the imperial throne themselves. Eventually the rates began to rise again, and by 193 it all began to look very much like a bidding war: Sulpitian, father-in-law of the murdered Emperor Pertinax, offered each Guardsman 20,000 sesterces, but Didius Julianus outbid him with an offer of 25,000 sesterces (an unprecedentedly large sum at the time, roughly equivalent to a soldier's wages for several years). Over the next two months, however, Julian was unable to repay the praetorians, so no one was found to defend him when the Senate deposed him, favouring one of his rivals, the general Lucius Septimius Severus.

However, over time, this security army committed great excesses, because its omnipotence went so far as to depose and install various emperors. All these outrages were only put to an end in the IV century by the Emperor Constantine the Great,<sup>193</sup> who disbanded the Praetorian Guard and demolished its barracks in Rome as a „constant nest of commotions and debauchery“, undermining the prestige of the

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<sup>193</sup> See *id.*

state. This, however, does not at all detract from the primary purpose of the Praetorians as an important privileged stratum of the empire, which for centuries had provided for the personal (and official) security of monarchs, also provided nutritious food for them, ensured the „propriety“ (and discretion) of palace orgies, catered to the whims of their families, etc., and generally took care of everything the god-chosen vicegerents of power in the empire dreamed of.

### **22) Privileges in the field of spiritual culture**

It goes without saying that in the imperial era the achievements of the various arts in Rome – literature, science, philosophy, architecture, music, etc. – were elevated to a high pedestal by the authorities. However, these spiritual achievements were enjoyed primarily by the emperor and the old nobility of the family, insofar as on all specific occasions in the imperial palace (celebrations, festivities, victories) representatives of the elite Roman intelligentsia (poets, writers, philosophers, scientists, etc.) took part. On the one hand, they are privileged persons because they are close to the emperors (some of them), while, on the other hand, they are called upon to impose a specific political influence on the people to preserve the cult of the imperial personality. This is the essence of such a privilege of power, inasmuch as no one but the emperor can enjoy the high specimens of ancient Roman culture.

### **23) Privileges regarding the afterlife**

It would be curious to note that this privilege took on new sweeping dimensions in the Roman Empire because it linked the princes to their eternal „immortality“. In this case, only the personality of the emperors was deified, since it was believed that it inevitably continued its life in the afterworld. In this sense, both the emperors and the noble people in their state built costly family tombs, mausoleums and pyramids during their lifetimes. This is far and away not a tribute to the memory of statesmen, but rather a compulsive parvenu display of the omnipotence of leaders that continues in the other more perfect life, with the Almighty. Because of this, the tradition of burying wealthy Romans in special sarcophagi decorated with various bas-reliefs (especially from the early II century onwards) was consistently enforced. According to researchers, they contain almost nothing funerary, because they represent separate legends from mythology, even their style is



even less funerary than the subject itself. Even in many cases the decoration of these sarcophagi speaks of something quite other than the death of the famous deceased.<sup>194</sup> Nevertheless, the publicity of imperial tombs in the Roman Empire did not lose any of its significance, since almost all princesses were buried with grand processions in elaborate tombs and with state honours. So, for example, with the Emperor Augustus, buried in Rome in a huge circular mausoleum; with Vespasian, to whom a magnificent (mourning) marble temple was built on the Forum; with Titus, in whose honour an imposing triumphal arch was erected; with Trajan, whose ashes were buried in a golden urn in the plinth of the column bearing his name, etc.<sup>195</sup> Or, it may be inferred that this imperial privilege in the Roman Empire was a kind of historical bridge between earthly and unearthly life, perpetuating for ever the immortality of sole rulers.

From the analysis of the genesis and nature of imperial privileges, it should be summarized that they found direct application in all spheres of society and met with almost no resistance from the population due to the totalitarian nature of imperial power. This – on the one hand. And secondly, however, these benefits of power would not have lasted long at all over the centuries if they had not had the solid class support of the wealthy classes in Ancient Rome. For not only were they important power-holders with their wealth, but they were also the subsequent consumers of privileges obtained with the favour of the princeps. Thus, **a secondary privileged system was created for the wealthy classes and estates** in the Roman Empire, through which it „siphoned off“ hundreds of state resources for personal gain and benefit in an identical manner (as that of the emperors).

We have to recall again that **the ruling class** in the II – I centuries BC was divided into **two privileged classes** – nobility and horsemen. The first, **the notables**, or senate, nobility, was formed by the union of the first patrician and the richest plebeian families. The economic mainstay of the wealth of this nobility was large landholding, which is why only representatives from this milieu filled government offices and held high and responsible positions. In fact, the nobility directs and manages

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<sup>194</sup> See **Veyne**, Paul. Op. cit., p. 195.

<sup>195</sup> See **Fyodorova**, E. Op. cit., pp. 94; 174; 178; 193.

all political affairs, but it is gradually closing in on itself more and more, and it is extremely difficult and even impossible for any „new person“ to participate in its composition. And the second favored class, **the horsemen**, represents the merchant-monarchical aristocracy, their representatives usually being engaged in financial transactions (possessing economic power and wealth), international trade, usurious contracts, military supplies, tax redemption, etc.<sup>196</sup> That is to say, these two estates actually are and **constitute the political (senators) and economic (horsemen) oligarchy**, which, besides being a solid pillar of imperial power, are to the greatest extent the beneficiaries of one or another privilege in the Roman Empire.

Let's start with the key privilege of the political oligarchy – the imposed **censure for participation in the activities of the Roman Senate**. Here, as before, the lowest census for a senator is 1 million sesterces. They occupied the highest positions in the central government apparatus and in the army, and governed the provinces. And, of course, the foundation of the senators' economic well-being was large-scale latifundial landownership, both in Italy and in the provinces, with numerous slaves and colons, their own artisan workshops. But as the imperial power in Rome was not handed down from father to son, but at the election of the emperor, and usually from among the senatorial aristocracy, any senator could become emperor. However, when the emperor felt insecure on the throne, he viewed the senators as his rivals and pursued a policy of persecution and repression against them. Nevertheless, the senatorial class as a whole was the strongest bulwark of Roman imperial power. This censure was not the only one, however, for as early as 180 BC a special law was passed specifying the procedure for passage through the magistracies. Only those who had already held lower offices – quaestors, ediles – could be elected consuls and praetors. A corresponding age limit was also introduced: for ediles and quaestors – 28 years, for praetors – 40, and for consuls – 43 years. And the holder of a higher office must have passed through military service. Of course, this law prevents young people and popular among the people from obtaining high office, and the elevation of candidates began to depend entirely

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<sup>196</sup> See **Popov**, D. Op. cit., 2009, pp. 138-139.

on the Senate aristocracy, whose position gradually strengthened.<sup>197</sup> Thus, **through the property and educational censuses, the right of the wealthy classes to permanently participate in the power and political life of Roman society was objectively regulated.**

The equestrians, or economic oligarchy, constituted the second estate in Roman society after the senators. Many provincial slaveholders, the middle command in the Roman army and the imperial bureaucracy aspired to fall into the equestrian stratum. Thus, in the II century AD, horsemanship became a clerical profession; horsemen occupied high positions in imperial offices, in the central and provincial administration, and in the army. There were especially many horsemen in positions connected with the collection of taxes, with the leasing of imperial saltus and mines. And the highest offices available to the horseman are commander of the Praetorian Guard (Praetorian Prefect) and governor of the province of Egypt (Prefect of Egypt). In addition, the senatorial nobility is manned by horsemen. And another thing, the horsemen in the service of the imperial apparatus receive a large salary – 100 – 300,000 sesterces, and carry the honorary title of „distinguished“. Another thing, the horsemen have a property of 400,000 to 1 million sesterces, and many of them are engaged in wholesale trade, have latifundia and large handicraft workshops.<sup>198</sup>

To these two upper classes in Roman society we will add the so-called „municipal aristocracy“, that is, the wealthy citizens scattered throughout the empire. They were the owners of medium-sized slaveholding estates and artisan workshops, engaged in agriculture, crafts and trade. From them are elected the officials of the city government. Usually the municipal aristocracy included people with a fortune of over 100,000 sesterces.<sup>199</sup> This aristocracy was also a firm support of the Roman imperial dominion and zealously supported the princeps in all his undertakings. In other words, a high property census was a leading political privilege, as it not only placed a barrier to participation in institutions of power, but also provided significant income to the ruling elite (and oligarchy).

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<sup>197</sup> See **History of Ancient Rome...** Op. cit., p. 296.

<sup>198</sup> See id.

<sup>199</sup> See id.

Historical sources testify that, thanks to the censorship, the cited wealthy classes actually benefited from **the „trade in votes“** in elections as one of **the most tempting privileges**, which subsequently brought them a lot of property, money and wealth. For this reason the election of magistrates, and especially of consuls and praetors, is always very stormy. On this occasion, we would add the following to what has been said before about the „trade in votes“. There are several candidates for each office who, together with their supporters, campaign among prominent politicians and financiers, and cajole ordinary citizens into voting for them. Then there are special instructions for the candidates on how to attract the attention of the people, why they should be friendly, when they meet on the street address even poor citizens by name (for this purpose a specially trained slave nomenclature goes with him who suggests to his master the names of those he meets), etc. Since bribing voters is officially forbidden and prosecuted by law, candidates resort to indirect bribes. With their own funds they organise feasts for many thousands of citizens, arrange gladiatorial games, build some public edifice, distribute gifts, etc. Many of them not only squander their fortunes, but also resort to loans from usurers, and at election time the interest usually rises, as the money available does not suffice. A turbulent political life was waged, but in this intense struggle things were often decided in favour of the more generous, promising new lands, alms and gladiatorial combat, rather than the one who championed the interests of Roman citizenship or the Roman state.<sup>200</sup> This – on the one hand. On the other, however, a very negative political electoral process is totally unfolding in Ancient Rome, which is quite costly, as a brazen buying and selling of votes is unfolding, first to secure the necessary (illegal) support, and second to „invest“ in advance in the future privileges of the respective state offices. It even goes to the point of absurdities in promoting such a practice, because – according to T. Mommsen – a special prohibition order was issued against the buying of voters in 159.<sup>201</sup> This is precisely why „trade in votes“ is a special kind of privilege for the ruling elite, because it is a sure „launching pad“ to all the other benefits derived from taking power.

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<sup>200</sup> See *ibid.*, p. 187.

<sup>201</sup> See **Mommsen**, T. *Op. cit.*, p. 353.

The next significant privilege of the senior rulers in the Roman Empire was related to **the extremely high salaries (wages)** they received. Here are just two striking examples: Firstly, senators occupying senior government posts received a huge salary of 600,000 sesterces (and bore the honorary title of „saint“); and secondly, the salary of legionaries, set by Augustus at 225 denarii, was more than doubled (to 500 denarii) by the emperor Septimius Severus, and during military campaigns increased twofold, plus the monetary gifts received (after victories over enemies, on the occasion of imperial jubilees, etc.).<sup>202</sup> Or, to put it another way, high state office itself brings too many and varied benefits, the main one, however, being the unreasonably large amount of salary paid.

As a logical reflex of the battle for high state positions in the election campaign and immediately after their occupation, **the privilege of „selling positions“** appears. It is „consumed“ by the innumerable second-ranking officials – consuls, praetors, tribuni, warlords, provincial governors, etc., who, without any shame or embarrassment, carry out all sorts of gestures of buying and selling these or those posts. The examples here are innumerable, and we shall therefore adduce only one which is indicative of the whole epoch under consideration. The tribune Sulpicius (a contemporary of the emperor Sulla (138 – 78 BC) regularly set up a stall in the marketplace where he openly sold public offices and various titles, counting the money received at each sale. During his lifetime, this same Sulpicius succeeded in passing a law forbidding senators to have a debt greater than 3000 drachmas. But when he himself died, he left a colossal debt of 3 million drachmas! So the debts he made were also a kind of „burglary“.<sup>203</sup> Or, such a privilege that actually brings multiple financial dividends, but goes against every possible principle.

It should be unequivocally noted that the wealthy nobility in Ancient Rome were very inventive and cunning, as in the case of the emperor's obtaining the privilege (the emperor's boon) of **„the right to tax one's own estates“**. Once claimed, this right allowed wealthy landlords to organize a market on their property, to levy taxes on transactions, to operate mines and quarries, to make brick and pottery workshops, to employ agricultural laborers during the dead agricultural season, etc.,<sup>204</sup>

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<sup>202</sup> See **History** of Ancient Rome... Op. cit., p. 296; 338.

<sup>203</sup> See **Varnalis**, K. Op. cit., p. 25.

<sup>204</sup> See **Veyne**, Paul. Op. cit., p. 130.

in general anything from which a lot of money could be made, but only with the permission of the princeps. That is to say, an undisguised economic privilege for the wealthy Roman elite that found mass application in the social life of the time and led to their fabulous enrichment.

One other interesting nuance of the economic privileges of the wealthy classes is **the tax redemption** of the equestrian class. The peculiarity of this lucrative operation stems from the fact that the Romans had no financial administration of their own, and therefore collected taxes with the help of private individuals, the „ransomers“, or „publicans“. The usurers paid the full value of the tax into the state treasury and then, through their own men, collected the tax due from the inhabitants of the provinces. In collecting the taxes, they not only recover the amount paid in, but also have huge surpluses. Thus the governors of the provinces receive large bribes and look down on the abuses of the ransom-gatherers, giving them troops to help them and suppressing the discontent of the provincial inhabitants. But this ransom system of tax collection quickly ruined and exhausted the provinces. And the most far-sighted representatives of the Roman nobility soon realized that this evil was weakening the whole state. This led to friction and struggles between the senate and the equestrians, but by and large the two estates were friendly and equally interested in plundering the provinces. Therefore, in the I century BC, the horsemen’s nobility merged with the senate nobility (they became allied, with many senators, with the help of henchmen, involved in the financial operations of the horsemen, and the richest horsemen were included in the senate and in the important judicial committees to investigate the abuses of the viceroys). In this way, the equestrians are now not only a financial but also a landed aristocracy,<sup>205</sup> which further strengthens their financial and economic power.

It is an open secret that all the wealthy nobles in Ancient Rome, headed by the emperor, carried out **the sale of slaves**, which was an extremely profitable business in the state. Then the wealthy and the noble, and of course those who held the power, did not consider the slave a person at all, but a mere faceless species. Because the slave – K. Varnalis points out – has absolutely no human rights: cannot marry,

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<sup>205</sup> See **Popov**, D. Op. cit., 2009, pp. 139-140; **History** of Ancient Rome... Op. cit., p. 296.

cannot own any property, etc. The master has the right of life and death over the slave: he can whip his slaves whenever he pleases, imprison them, sell them, or kill them, without giving any account to anyone (or answering to the law).<sup>206</sup> This is the main reason why slaves have become a kind of „human property“ (M. Beard), to be sold in markets, in improvised auctions, during wars, etc., from which sales a lot of money can be made by the noble classes (including to fill the state budget with funds). This is so because by the crudest estimates there were probably somewhere around 1.5 – 2 million slaves in Italy in the mid-I century BC, or around 20% of the total population, which is a solid foundation for the slave trade. And that’s not all. Slaves were used en masse as all sorts of service (and support) personnel in the houses of the rich, as exemplified by the Roman thinker M. T. Cicero. In his own letters he mentions using little more than 20 slaves: 6 – 7 errand boys, a few secretaries, scribes and „readers“ (who read books or documents aloud for their master’s convenience), as well as an attendant, a laborer, a cook, a servant and one or two accountants. In practice, however, his household was certainly much larger. For the servicing of twenty estates implies a staff of at least 200, even if some of the houses are mere huts and others remain unused for months: there are gardens to maintain, repairs to make, ovens to service, guards to organise, not to mention the cultivation of the fields on the farms in operation. The fact that Cicero pays no attention to most slaves shows how invisible they are to the master,<sup>207</sup> even to a man like him, with brilliant erudition, rhetoric and authority. That is to say, because of the master’s exclusive rights over slaves (and their total disenfranchisement), a sort of „state within the state“ was created in which not the state but the wealthy slave owner had full rights over their life, liberty, and death, which actually explains the rampant slave trade in Rome.

There is every reason for pointing out that in the Roman Empire there existed a very peculiar variety of **the privilege** of „trading in votes“, such as we may call „**the organization of various kinds of games**“ for the spectacular entertainment of the populace. Such were the gladiatorial games, the fighting of beasts, the popular feasts, etc.,

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<sup>206</sup> See **Varnalis**, K. Op. cit., p. 320.

<sup>207</sup> Cited in: **Beard**, M. Op. cit., p. 268.

which were rightly organised by high officials, and paid for by the ediles, quaestors and praetors out of the state budget. Of course, this privilege has a dual purpose, insofar as: first, it is organized by the government (as their sole right), whereby they advance to „bribe“ the voters and the crowd; and second, the games are used to make money (by the organizers), since they are an expensive pleasure. According to public records from the middle of the I century BC, for example, 760,000 sesterces were allocated for the Roman games; 600,000 for the Plebeian games; 380,000 sesterces for the Apollonian games, etc.,<sup>208</sup> i.e. the whopping sum of 1 million and 740,000 sesterces of state money, which, however, was usually not enough and so those in charge of the games added their own funds.

In a curious letter of aedile Caelius Rufus to his teacher Cicero, it is unequivocally emphasized that the governors of the provinces had such rights as the consuls and praetors in Rome did not have, and that they disposed as they saw fit, for they issued „decrees“ even though they sometimes contradicted those which were valid in Rome itself. So the governors of the provinces not only taxed their subjects (as they saw fit) but also provided everything necessary for the games, battles and spectacles. This is borne out by the fact that it is not someone else but the provincial governors themselves who send their friends many wild beasts. And so great is the number of beasts sent that in some provinces of East Asia they disappear altogether. Suffice it to note that in 27 beast-fights arranged by Augustus 3500 wild beasts from Africa were sacrificed, and that in one beast-fight alone arranged by Julius Caesar some 500 to 600 lions and 410 other African wild animals were brought into the arena. And at the opening of the Colosseum, some 5,000 beasts were displayed in one day alone!<sup>209</sup> Similarly, the famous gladiatorial games are one of the most attractive folk spectacles and an inexhaustible source of privileged funds for a number of high-ranking personalities.

All in all, the Roman rulers were constantly competing with each other over who would be able to withstand the most dazzling spectacles and who would give away the most food, drink and money, either as an aedile, as a triumphant commander or as a great emperor. And

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<sup>208</sup> See **History** of Ancient Rome... Op. cit., p. 229.

<sup>209</sup> See **Varnalis**, K. Op. cit., p. 279.



so they serve up the fiercest beast fights and gladiatorial games to the people, because they want to thrill them and with bloodshed<sup>210</sup> as a demonstration of their power and privileged status.

Among the rich arsenal of privileges for the ruling elite and the wealthy classes in the Roman Empire, we can single out a number of others that also bear the hallmarks of this extremely interesting era. Such are, for example, **the military privileges** (introduced by Octavian Augustus) related to the special pay of the troops, the veterans' rewards and the extraordinary expenses of the army, for which a separate state treasury was created,<sup>211</sup> some privileges of religious leaders, etc. In fact, this numerous arsenal of different kinds of privileges which developed in Ancient Rome during the historical period under consideration is shown graphically in a schematic (*see Diagram No. 2*), from which it becomes even clearer what their distribution was.

By the way, it would not be fair if we did not point out that Roman emperors sometimes took care of their subjects by „bestowing“ them with certain privileges. For example, in CXXIII BC, the prominent commander and politician Gaius Sempronius Gracchus pushed through **the so-called „Bread Law“ to sell bread at low prices to poor Roman citizens; under Julius Caesar, 320,000 people received free bread, as did the Black Sammons for the poor** (while for the Roman elite, the bread was white and much better quality), etc.<sup>212</sup> In addition to free bread, the Roman population was given grain, flour, and on special occasions money. Suetonius writes about this, who says that after his triumph Caesar gave a grand lunch to 22,000 tables, with the Romans eating pheasants, morenas, oysters and heaps of other delicacies, watering them with expensive Falernian and Chios wine; to the veteran legionaries he (Caesar) gave 24,000 sesterces; to the populace, 10 meri (krini) of wheat per head, 10 lb of olive oil and 300 sesterces per person.<sup>213</sup> And in the time of Augustus 200,000 people received about 1 kg. of bread per family; from 60 to 100 denarii per person for the poor

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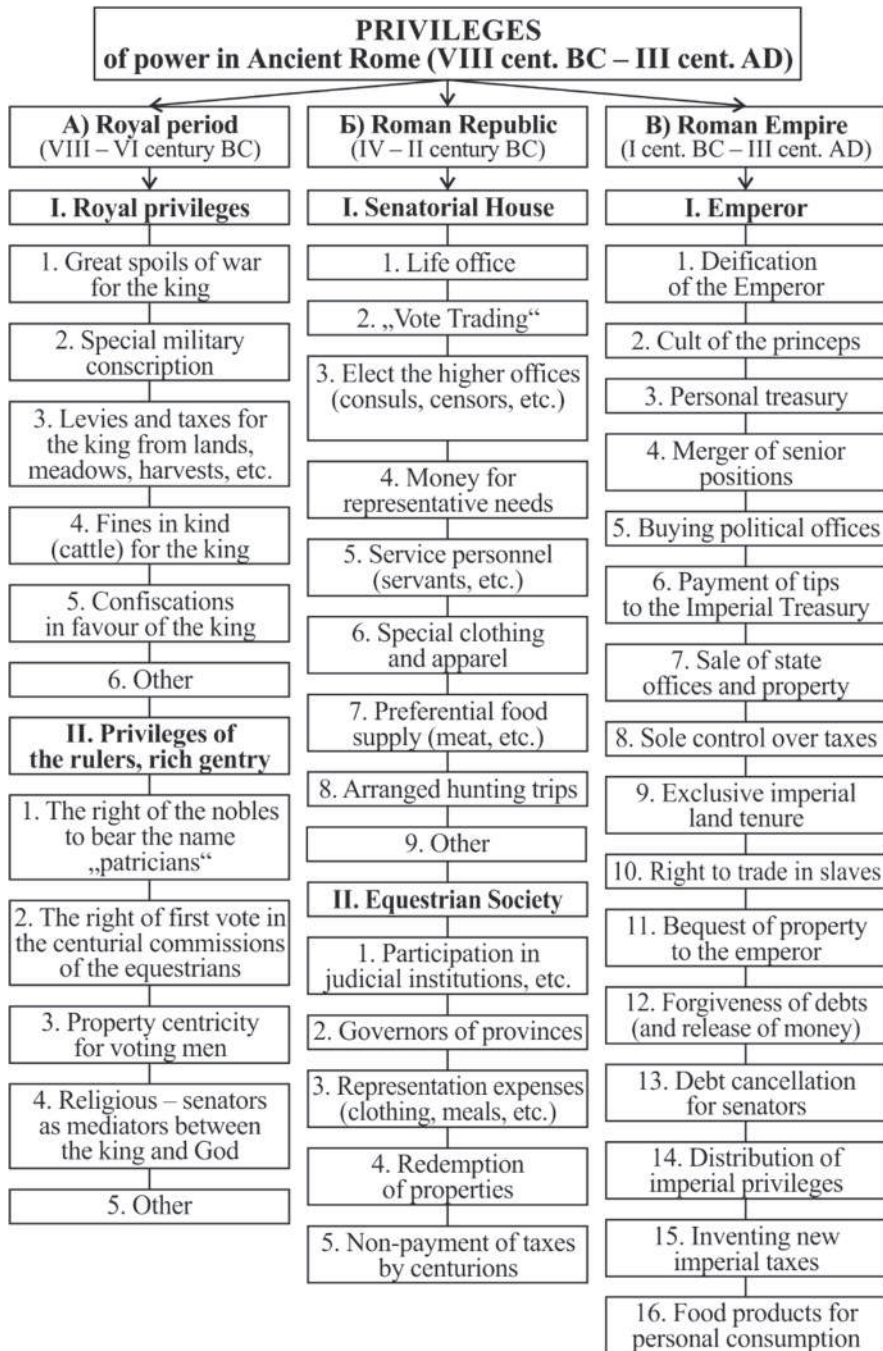
<sup>210</sup> See *ibid.*, p. 280.

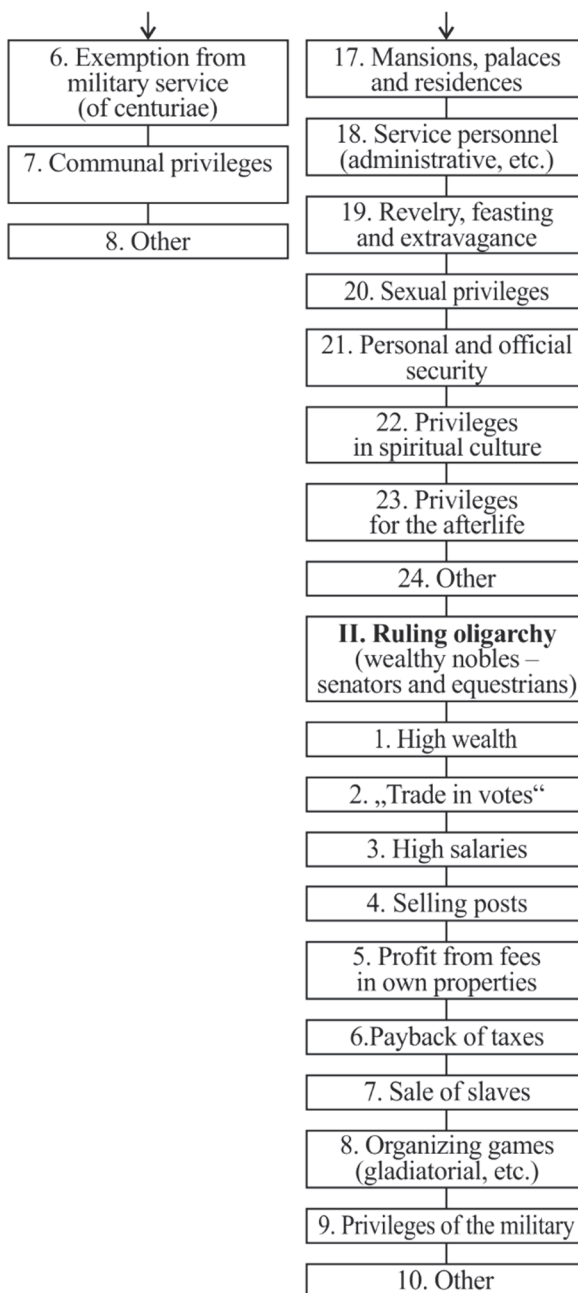
<sup>211</sup> See **Gibbon**, Ed. *The Decline and Fall of the Roman Empire*. Vol. 1. Sofia: NI, 1999, p. 90.

<sup>212</sup> See **Pokrovskaya**, Anna. *Ancient Rome. How the Romans Lived*. Sofia: Paritet, year – not applicable, p. 130.

<sup>213</sup> See *id.*

**Diagram No. 2.**





citizens, or 130 million in all, etc.<sup>214</sup> Hence, by the way, the popular expression „the people want bread and circuses“ (Juvenal), inasmuch as the people to a considerable extent want food and entertainment, and the politicians take pleasure in corrupting the plebs, thus „buying“ their support.<sup>215</sup> Naturally, these assiduous imperial concerns do not in the least excuse the extremely dissolute, dissolute and profligate life of the Roman elite, and its ever-increasing privileges.

An apt summary of this hyper-expensive lifestyle and the myriad privileges of the emperors and their wealthy entourages is given by K. Varnalis, who closely intertwines the nature of state power (of the princeps) with the role of money in the then Roman Empire. „This money“, he writes, „was not used for productive events, but became banking and entrepreneurial capital. It never returned to the province from which it had come. The money of Sulla, of Lucullus, Pompeii, Crassus, Caesar, Antony, Octavian, of all these „great men“ and of the thousands of other „little men“, of the conquerors, of the provincial governors, of the tax collectors and of the entrepreneurs, did not go to the cultivation of the land, nor for production (artisanal), but were converted into capital, into money that begat other money, or else were spent for non-productive purposes – building palaces, entertaining and buying and selling the consciences of rulers and ruled. Money was splashed to bribe various rulers to make economic concessions to the rich or to pretend not to see their abuses, plunder and fraud; money was splashed to buy the votes of the crowd – giving away stolen money, grain, meat and wine – so as to elect the most profligate rulers, who pounced like predators on the public treasury, or else took over the government of the various provinces, which would mean absolute power over their unfortunate inhabitants and plunder of everything! For (...) the governors of the provinces – proconsuls and praetors with all their greedy band of servants! – had the right to make laws without asking anyone and without being bound that their laws should conform to the laws of Rome“<sup>216</sup>.

Money, privilege, waste! – this was the „trademark“ of the Roman Empire, which later, along with the general social decline of the state, logically led to its historical collapse.

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<sup>214</sup> See *id.*

<sup>215</sup> See *ibid.*, pp. 129-130.

<sup>216</sup> See **Varnalis**, K. *Op. cit.*, pp. 307-308.

And so, after the evidence and factual material presented so far in the analysis of privileges, it is our turn to draw some general fundamental conclusions about their manifestation **in Ancient Rome** during the historical era under consideration (VIII century BC – III century AD).

First of all, it is essential to point out that, **in the course of the overall evolution of Roman society in antiquity, a distinctly progressive tendency of increasing (and expanding) privileges can be observed in the development of privileges, regardless of the power characteristics and historical vicissitudes of the time.** This development is also valid for the three historical periods under consideration (royal, republican and imperial) because the different types of privilege permanently grew according to the functional characteristics of political power. In fact, it can be said without hesitation that **while ancient Roman power basically evolved in an „arithmetical progression“ (sole, authoritarian, to some extent with the exception of republican), privileges evolved in a „geometrical progression“, and this in all social spheres (vertical and horizontal).** The main evidence of this is the several-fold increase in the number of privileges of the Roman princes in the empire compared to the royal period, when they were much fewer in quantity and manner of use.

During the historical period under study, another significant feature of **privilege emerges, which develops along the legitimacy-illegitimacy axis and finds expression in two directions:** one is a direct consequence of the actions related to **the legitimation of the privileges** of the ruling elite at all higher and some middle levels; while the second is sporadic in nature, because it is related to **the abolition of certain privileges**, usually under the pressure of public discontent (e.g. the law of Gracchus abolishing the service of senators as civil jurors;<sup>217</sup> That is to say, there was still a legislative will, albeit partial, to limit the extent of privileges, which, however, did not even lead to their minimization in Roman society at all.

The widespread application of the various types of privilege was also greatly facilitated by **the well-established political rights** in the Roman state, which were originally **enjoyed only by Roman citizens** (most Roman citizens had no civil rights). Such rights were not granted

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<sup>217</sup> See Mommsen, T. Op. cit., p. 367; and *History of Ancient Rome...* Op. cit., pp. 267-268.

to all citizens in the state until 212 AD, when the constitution of the emperor Caracalla granted them Roman citizenship, consisting of a host of rights and duties, some of which were the right to vote, the right to be elected as a magistrate, etc.<sup>218</sup> It is this belated legislation that is another important reason why Roman leaders (kings and emperors) and the ruling classes (senators and equestrians) enjoyed all sorts of benefits of power unchecked for centuries (with no one to control and sanction them).

In this context, we will highlight something else essential. Throughout the historical development of Ancient Rome (in all three periods) there is an **interplay between the rights (regulated) and the privileges (unregulated) of both the wealthy classes and the poor strata of the population in the state**. That is to say, the natural boundaries between them (rights and privileges) are actually blurred, which is why privileges are considered by their users as something perfectly legitimate, and even as a precious gift from the Almighty. It is no coincidence that M. T. Cicero points out that regulations should not be made for individual private persons, since this is a special privilege which is entirely contrary to the law, the main point of which is to be just and binding on all<sup>219</sup> in society.

Compared to the years of the royal period and the Roman Republic, **the privileges of the princeps in the Roman Empire marked the greatest growth (31 in total), covered all social spheres and brought exceptional material benefits to the entire imperial family**. A kind of privileged system of „everything for the emperor“ was practically created, which began from the conception of the princeps, included absolutely his entire conscious life, and even continued after his death in the afterworld... And as the apotheosis of the sole imperial power in the Roman state, this privileged system has almost no analogue (in scale, scope, spread) in subsequent human history. To put it another way, emperors are true champions at inventing, implementing, and exploiting all sorts of privileges (for their own personal gain).

In the historical period under consideration, the system of **privileges** adopted also had another important specificity, concerning the **so-**

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<sup>218</sup> See **Dunant**, J.-F., P. Pichon. Op. cit., p. 64.

<sup>219</sup> See **Cicero**, M. T. Op. cit., p. 204.

called „**slaves of the state**“, such as the numerous servants in the magistrates' and priests' offices (scribes, librarians, readers, archivists, stenographers, etc.). Similarly with the overseers, locksmiths and executioners, who were also slaves and whose social situation was not at all comparable to that of the slaves in the galleries of the mines and quarries. This category of people, which is closer in income to the **so-called „middle class**“, is provided with (receives) the key privilege of being granted property for their personal management (plots of land, domestic animals, various workshops and shops, etc.).<sup>220</sup> Thus they approach in privileges the **so-called „slave intelligentsia**“ (teachers, grammarians, literati, poets, orators, doctors, actors, singers, dancers),<sup>221</sup> which, in addition to their professional pursuits, permanently serve the princeps, the ruling elite and the wealthy classes. This is the third hierarchical level (after the emperor and the rich) in the scale of privileges of the Roman social strata, whose representatives, although at a much lower level, **always receive various material and monetary benefits** due to their servile skulking around and on the sidelines of power (unlike all other slaves).

To this third level we will add the indisputable fact concerning an **internal category of court personnel and freed slaves** who, through the privileges awarded to them (given to them by „right“ by the emperor), earned huge sums from abuse and extortion. This is excellently revealed by the scholar Friedländer, who presents the vicious nature of imperial Rome as follows: „The wealth that flowed to them (*courtiers and freed slaves – my note, G. M.*) thanks to their privileged position was the main source of power. In an age when the fortunes of freed slaves were proverbial, few of them could measure up to these imperial servants. Narcissus possessed 400 million sesterces (87 million marks), the largest fortune known to us from antiquity; Pallas 300 million (65 and 1/4 million marks). Callistus, Epaphroditus, Doriphorus, and others possessed no less colossal sums. When the emperor Claudius once complained of a lack of money in the imperial treasury, it was said in Rome that he would have had it in abundance if two of his freed slaves (Narcissus and Pallas) would have taken him into their company“<sup>222</sup>. In short, in Ancient Rome, as early as the Roman Empire, the privileges

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<sup>220</sup> See **Popov**, D. 2009, pp. 111-112.

<sup>221</sup> See *ibid.*, p. 113.

<sup>222</sup> Cited in: **Kautsky**, K. *Op. cit.*, p. 181.

used by the imperial layers listed above were only a small fraction of the dozens of schemes for total enrichment and personal gain.

And this last conclusion is self-evident, for **throughout the long history of Rome (and in the three periods under consideration) the many kinds of privilege have always been part and parcel of the great divide between haves and have-nots, wealthy and non-wealthy, rich and poor.** Or, as M. Beard, the division is between the paltry minority of people with considerable wealth, great comfort and superfluous splendour, and the vast majority of the population, who at best possess modest savings, and at worst have neither property, employment nor home.<sup>223</sup> In this sense, the above differentiation lies at the heart of the division of the population in the Roman Empire, in which there were three income groups (according to W. Scheidel and St. Friesen): the wealthy oligarchy, 1.5% of the population, or the patrician class, controlling between 15 and 25% of the total income of the empire; the middle-income people, or the equestrian class, who are between 6 and 12% of the population and receive between 2.4 and 10 times more than the others; and the plebs and slaves, who are at the level of the most basic needs of subsistence, representing about 90% of all other people<sup>224</sup> in the ancient social order.

As a final chord to all that has been said so far about **the many political and other privileges in Ancient Rome**, we note that: first, over time they actually **became both an unshakable pillar of power and a solid way of deriving material benefits**; and second, they **have long become a symbol of the immorality of political power, because privileges, among other social causes (authoritarian power, oligarchic rule, thieving elites, economic catastrophes, military defeats, mass poverty, etc.) inevitably led to the decline of the Roman state** (the early empire) in the first centuries of the modern era.

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So, from the analysis of the genesis, nature and types of privileges in the different state entities in the Ancient World, several important final generalizations arise concerning the period under study in

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<sup>223</sup> See **Beard**, M. Op. cit., p. 357.

<sup>224</sup> The data are quoted from: **Prodanov**, V. System cycles and the future of history: where is the world going? Sofia: Zaharii Stoyanov, 2017, p. 398.



Antiquity (XXX century BC – III century AD), and, of course, to what their influence was on the evolution of power and political systems.

In the first place, it should certainly be pointed out that, from a historical point of view, **the evolution of privilege in antiquity as a process logically proceeds through a gradual zigzag movement that unfolds along the line of patrimonial – hereditary – unregulated – regulated privileges in different societies (communities, poleis, states).** This historical process is valid for all social formations and political systems throughout the ages, starting with archaic statehood in the ancient world (Mesopotamia, Sumer, Akkad, China, India, etc.), moving through the classical communities in Ancient Greece (city-states, Hellenic democracy) and ending with the late imperial state in Ancient Rome (the royal period, the Roman Republic, the Roman Empire). That is to say, during the period from the VIII century BC to the III century AD, a comprehensive system of benefits derived from power was formed, which, regardless of its particularities, inevitably manifested itself in all ancient political regimes – oligarchic, democratic, aristocratic, imperial, etc.

Secondly, it should be explicitly emphasized that this **dizzying development of privilege in antiquity was entirely motivated by notions of the content and meaning of power, and by all those who exercise it – the various political subjects.** The point is that power was conceived only as an absolute divine right and creation, which is why only God's vicegerents in the person of kings and emperors could actually exercise it in ancient societies. Through such an understanding of the nature of power, different demands are also made on people as to who has the right (and who can) participate in its structures. For this reason, **a high property requirement was introduced as the most important privilege** for any candidate for the highest institutions of power (and at the same time a barrier for illiterate people). In this case, we are faced with a violation of the principle of mutual benefit, which, instead of fairly taking into account the different interests of individuals, totally ignores them at the expense of the rich ruling elites. This is why, for example, the privileges of caste (in India) and aristocratic (in Greece) elites are usually very unjust because they lack human control, resulting in the objective creation of closed (privileged) social classes.<sup>225</sup> In

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<sup>225</sup> See Rawls, John. Op. cit., p. 129.

fact, power in antiquity during the period under consideration acquired a pronounced unipersonal character, around which **political and plutocratic oligarchies (minorities)** were quickly built up, **which**, on the one hand, determined their own privileges and, on the other hand, possessed and plundered local natural (and other) wealth.

Third, one should not ignore, as is usually the case, another essential circumstance of a politico-power nature: **with the passage of historical time, and especially with the development of democratic regimes in ancient Athens and the Roman Republic, there are clear beginnings of the formation and legitimation of so-called „representative privileges“ of power (food, security, transport) for the needs of state institutions.** On the one hand, this is a positive political fact, but on the other hand, it carries more negative charges because these privileges are entirely oligarchic due to the lack of effective legislation and control by the states themselves (something normal for this archaic historical era).

Fourth, it is particularly significant to note that **there is some variation in the use and scope of privilege across different types of political system**, without seriously distorting the incremental nature of its development. For example, the privileges in Hellenic democracy and in the Roman republic are much fewer in number than those in one-man dictatorships, such as the Roman empire undoubtedly was – they total 34 in number, of which the princeps alone enjoys 24. Here we can note a contradictory tendency, characterized by the „shrinking“ or „increasing“ of one or another ancient privilege depending on what type of political regime it was (democratic or imperial).

Fifth, another important circumstance in the evolution of privilege should be brought out, which starts from its „historical origins“, namely: **from the most archaic patrilineal communities in antiquity to the last „social days“ of the early Roman Empire, various types of privilege, albeit in ebb and flow, consistently appeared and developed in all social spheres – political, economic, spiritual, military, religious, etc.** This „feeding“ of privileges to other social spheres (and domains) is not at all accidental, however, because it is done with the help and resources of political power. Moreover, all too often some privileged benefits cannot even be classified more concretely, since power-political privileges are usually intertwined with economic privileges and vice

versa. It can even be said that even back then, in antiquity, this system of privileges was „conceived“, which is constantly unfolding in societies before the following historical epochs.

Sixthly, in contrast to the notion of arbitrary imposition of **privileges** by the authorities in the ancient world, **two essential trends in their development can be revealed: In the former, some of the privileges are legitimized in important legal acts, such as the Laws of Hammurabi in Babylon and Assyria (XVIII century BC) and the Laws of Manu in India (VI – V centuries BC); while in the second trend there is the reverse process – the withdrawal of existing privileges, again through legal clauses, as happens in the Law of the 12 Tables in Rome (V century BC).** Of course, these tendencies permanently come into confrontation and „compete“, where, however, almost always the second of them is the loser due to the strong polarization in society between the rich minority and the poor majority. In this sense, a significant amount of privilege is unregulated because it is unchecked by the sole holders of power – kings, emperors, principes, etc.

Seventh, we will sketch the next feature of the „being“ of **power privileges in antiquity**, which is particularly manifest **in democratic political regimes**. It has to do with the nature of the democratic orders imposed through the direct participation of the people in power through elections, through the enhancement of the role of institutions, and through the importance of laws in the state. This was the case in **Ancient Greece** with the reforms of Solon under Athenian polis democracy, where the number of people from the non-rich classes in government increased, the privileges of the family aristocracy were reduced, etc.; and in **Ancient Rome** (first during the royal period and then during the republic), where adult male citizens had the active right to vote on laws (and in the election of magistrates) and respectively to be elected as public officials (passive suffrage) on the basis of laws passed in 139 and 137 BC, etc.<sup>226</sup> That is to say, in contrast to tyrannical and authoritarian regimes in antiquity, democratic systems are marked by a visible expansion of citizens' rights and **a narrowing of the scope of government privileges** (without radically changing their application in society).

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<sup>226</sup> See **Cholov**, R. Op. cit., pp. 20; 175.

Eighth, we will recall in passing that in almost all ancient societies, and especially in Egypt, Athens and Rome, the polis states of the time sometimes **granted free aid and food to the poor in the form of privileges**. Such is, for example, the so-called „Grain Law“ of 133 – 132 AD, according to which every poor Roman citizen (proletarian) and his family were entitled to free maintenance at the expense of the state by filling out a „Certificate of Poverty“. <sup>227</sup> But this was done sporadically – during crises and wars, and of course for one purpose only – to cover up the mistakes of the authorities and to justify the privileges of the oligarchic overlords. In this context, we would also add that state privileges (funds) were also granted to the military, <sup>228</sup> to educators, cultural figures, etc., to stimulate certain social strata and officials who worked for the benefit of the state.

Ninth, it would be a serious omission if we did not also reflect a striking **political symbiosis between privilege and corruption in all the state systems of antiquity (communities, poleis, states), whose hallmarks we find in the „trading of votes“, the inflated remunerations of the oligarchy, the lavish use of state funds, the buying and selling of offices (and posts), „political tips“, etc.** Already in antiquity this symbiosis literally became a kind of „natural“ regularity, according to which whole „oligarchic cohorts“ permanently plundered the state table, amicably gravitating around various kings and emperors.

Finally, we will conclude our analysis of privilege in antiquity with an indisputable and time-honoured historical fact. **Irrespective of the extent, scope and spread of the types of privilege and their specific (nuanced) manifestations in the socio-political life of states in antiquity, they absolutely always carried the „virus of inequality“ between one class, class and stratum and another.** Or, according to John Rawls, there is a vivid „...marked inequality between the upper and lower classes both in the means of life and in the rights and privileges of organizational power. The culture of the poorer classes is impoverished, while that of the managerial (...) elite is reliably based on serving national

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<sup>227</sup> See *ibid.*, p. 176.

<sup>228</sup> For example, legionnaires were entitled to certain payments upon retirement to the reserve, for which they received 3,000 denarii and a plot of land if they had completed the full 25 years of service (See **Pokrovskaya**, Anna. *Op. cit.*, p. 79).

goals of power and wealth<sup>229</sup>. That is to say, privilege in antiquity was a major generator for „producing“ huge social inequalities, resulting in the rich getting richer and the poor getting poorer. However, in order to overcome these drastic inequalities in society, it is also **necessary to have an adequate „culture of privilege“**, i.e. to devise such governance mechanisms that will actually curb the unbridled aspirations of the elite to unleash new and new benefits of power. And whether such a culture is really possible, the history of human development in the centuries and ages to come will tell us.

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It is delusional to think that later, and especially in the era of the **late Roman Empire**, privileges lost their place and importance in the political life of society. On the contrary, they retained both their essential characteristics and their serious extent of diffusion in the empire in spite of the scanty evidence of them to be found here and there. This is already evident under the Emperor Diocletian (284 – 305), who, although he carried out reforms in the administration of the Roman state, retained the privileged status of senior civil servants close to him. Then, or during the period of the late republic, under Diocletian, according to Vl. Popov in the so-called „dominate“ the remnants of the principate were finally abolished, with power and state administration already beginning to be exercised as an open-ended empire. Thus, all persons in the state, regardless of their social position, were to treat the emperor as lord and god and, respectively, to bow and kiss the end of his toga upon meeting him (similar to the practice in eastern despotic kingdoms).<sup>230</sup> In this way the Roman elite, once, declared their loyalty to the power (and privileges) of the emperor, and secondly, preserved and increased their official and personal gains. Yet, Diocletian opened a new page in the history of the empire, because according to most experts (and scholars) of this era, he returned competence and stability to the throne, reformed the bureaucracy and the currency, etc.<sup>231</sup> That is to say, he successfully fought the main weakness of all empires – their unmanageable size, in

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<sup>229</sup> See **Rawls**, John. Op. cit., p. 134.

<sup>230</sup> See **Popov**, Vl. Op. cit., p. 734.

<sup>231</sup> See **Jenkins**, S. A Short History of Europe. Sofia: Ciela, 2019, p. 63.

this case the capital, Rome, had long been living off the backs of the provinces, and so duly divided the empire into two, East and West (the East being headed by him and the West by the general Maximilian).<sup>232</sup>

The process of reforming the state in the late Roman Empire continued under Emperor **Constantine I (306 – 337)**, who formed around himself a high council of dignitaries appointed by him personally. This council was called the „Sacred Consistory“ in accordance with the place of each member in the discussion of particular matters (since no one could sit in the presence of the emperor). Furthermore, the officials in the state government are structured into **six hierarchical grades**: the so-called „noble men“ (the highest grade), „radiant“, „honorable“, „luminary“, „perfect“ and „remarkable“.<sup>233</sup> What is distinctive about this hierarchy is that the first five categories apply only to senators from the upper echelons of Roman society, and therefore they have **the privileges of not paying taxes, of being fed by the state, of being sued personally by the emperor for violations of laws, of being allowed to enter the palace, etc.**<sup>234</sup> In other words, the reform measures of Constantine I did not profoundly affect the privileged status of the Roman emperor and his state grandees, which is evident from the legal framework of the state.

The preservation and granting of privileges is also referred to in the Latin texts of the **imperial constitutions** issued by Constantine's chancery, which regulated **the official statuses and honorary degrees** in his **administration**. These are just 20 of the higher offices of state directly serving the princeps, such as: *comes*, or „a companion who accompanies the nobles“; *comes rerum privatarum*, „in charge of the imperial estate“; *consul*, „one who looks after someone and advises him“; *magister*, „a person who can do more than others, i.e., who has great ability, influence, and power over other people“; *magistratus* – „a person holding a public office with definite authority“; *minister* – „a servant, attendant, attendant“ or „a senior civil servant“, etc.<sup>235</sup> These sen-

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<sup>232</sup> See *ibid.*, pp. 63-64.

<sup>233</sup> See **Popov**, VI. Op. cit., p. 743.

<sup>234</sup> See *ibid.*, p. 744.

<sup>235</sup> See **Imperial Constitutions** issued in Serdica. Malina Novkirishna-Stoyanova et al. Sofia: St. Kl. Ohridski, 2012, pp. 259-272.

ior officials enjoyed a full set of privileges (no payment of taxes, sustenance from the state, etc.), plus some additional perks for consuls, for example (including former ones), who were „graced“ with a whole series of additional benefits after their term of office expired – special nominations for governors of provinces, proconsul status, precedence for speaking over younger magistrates, etc.<sup>236</sup> And all this was only possible thanks to the imperial command (and favour), on the basis of which political power was to a considerable extent based.

Another component of the privileged status of the high-ranking Roman elite was the fact that **persons of the upper class were not held accountable (under certain conditions) when they committed crimes.** This right (privilege) is regulated in a special constitution, which is part of Title One of Book IX of the Theodosian Code (4.12.316), which explicitly states that the existing privileges for persons of the higher orders apply to all civil and fiscal matters (except criminal ones).<sup>237</sup> That is to say, these high-ranking Roman personages have, in effect, the „privileged permission“ to commit civil crimes (frauds, fiscal offences, disguised thefts, etc.) because the law prohibits legal proceedings against them.

It should be made clear that in Constantine’s constitution in the Theodosian Code the provision refers only to the *clarissimus* – excluding the privilege of reporting to the emperor the act committed by him, as well as the privilege of the person concerned being tried according to his residence. The Code of Justinian therefore expressly specifies that the provision applies only to persons of the third rank. This explicit clarification leads to the conclusion that persons who have the highest rank of state, *illustris*, are not liable to any criminal liability under the general rules. According to the constitution, therefore, the bringing to criminal responsibility of persons of the highest rank was possible only after the prior sanction of the emperor, to whom the act and the person of the offender were reported.<sup>238</sup> Or, it can be concluded that this privilege affects a very small contingent of higher state subjects (only of the third rank), which in turn is in line with other normative provisions that somewhat limit the inflated privileges of the other (and regulated) hierarchical ranks in the state.

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<sup>236</sup> See *ibid.*, p. 262.

<sup>237</sup> See *ibid.*, p. 95.

<sup>238</sup> See *ibid.*, p. 96.

It is interesting to note that by the Constitution of 10.06.311 Emperor Licinius granted certain **privileges to the legionaries and veterans serving in the military units** under his command. These privileges were essentially two groups of concessions, tax and administrative. For example, at the beginning of the body of the constitution, lines 10 – 18, the granting of special tax privileges is announced, affecting both soldiers in regular service and veterans, both of whom are exempt from paying tax. Here is what these privileges are: active soldiers receive, during their service, tax relief for 5 capita, i.e. for themselves and four other persons (without specifying in the text who these persons may be); the same conditions apply to veterans who have received an honorable discharge after 24 years of service; for persons discharged early, i.e., after only 20 years in the military, the tax benefits are less – for only two persons, and it is explicitly specified that this refers to the veteran and his wife; as well as for legionnaires who left the army due to being wounded in battle (even after less than 20 years of service), who are also entitled to tax relief, but again only for themselves and their wife.<sup>239</sup>

According to Lyuba Radulova, additional light on the question of the tax exemption of legionaries and veterans is shed by a similar imperial constitution of 325, by which Constantine reduced the privileges granted by Licinius. It makes it clear that the tax privileges applied to the soldier's immediate family – his wife, his parents and possibly his children. In the event that the legionary or veteran has no living relatives, he is able to deduct the tax benefits that would have been due to them from his peculium tax payments. However, he is prohibited from transferring them to others or using them to reduce the tax on someone else's property. This – on the one thing. And another thing, it is obvious that the text in Licinius' constitution, combined with the information contained in Constantine's constitution of 325, leaves no doubt as to which persons could enjoy the privileges granted.<sup>240</sup> In this sense, we will conclude that the tax privileges of legionaries and veterans should not be interpreted only as benefits for the military elite, because they also had a pronounced social orientation, insofar as they also supported the warriors of the Roman state for life. This is confirmed by a

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<sup>239</sup> See *ibid.*, p. 237.

<sup>240</sup> See *ibid.*, p. 238.



letter of Licinius,<sup>241</sup> in which he orders that military personnel, veterans and their families be exempted from being subjected to the established census. Something which indeed distinguished itself from all other privileges of power in that archaic time.

**The privileged position** of the Roman political elites is further developed in the constitution of Emperor Constantine (5.02.330) as part of Title Two of Book XVI of the Theodosian Code, which is devoted to **the status, privileges, immunities and duties of bishops, churches and clergy**. It clearly manifests the establishment of the clergy as a separate social stratum with a certain legal status. This was in line with the new politico-religious orientation in the empire, and as early as 321 (according to some authors from 326) the granting of various privileges to persons professing the Catholic faith (professing Christianity in this era) began – judicial and tax immunity, exemption from public obligations, a special procedure for wills, privileges in the case of donations, inheritance, etc.<sup>242</sup> And one more thing, in this case the emperor granted a kind of immunity to all categories of clergy, but he specifically defined it with regard to some higher offices – the lectors (readers) of the Holy Scriptures and the hypodiacons. Thus the general category of „clerici“ includes both Catholics and Donatists who oppose heretics. In this sense, the constitution is relevant as common to all persons associated with the state-recognized Christian confession, which is essential to note.

There is another interpretation of this constitution, and it is systematically placed in relation to the fiscal privileges of the clergy and the difficulties that arise from this. Thus, if persons of clerical rank, or even of the lowest rank in the church, are called upon to serve on the town councils (*curiae*) and to take charge of the taxes of the municipality concerned, they are not only dispensed with, but their privileges as clerics are allowed to be inherited by other persons, notwithstanding that there is no express regulation to this effect. In this way, the revenue for the *moncipia* is sharply reduced, but the interests of the *fiscus* are also affected. And the interpretation is to the effect that the em-

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<sup>241</sup> See *ibid.*, p. 240.

<sup>242</sup> See *ibid.*, p. 189.

peror recalls the practice, established for the eastern provinces, of exempting only clerics at all levels from serving on city councils, but that the provision is not to be interpreted expansively for other persons. Further, it was expressly decreed that call to curial duties should be only exceptionally and very rarely, since clerics should not be subject to the general rules.<sup>243</sup> Thus, the various kinds of privileges for the higher Roman clergy and institutions, which usually remained in the shadows compared to the many benefits of the political elite in the state, were consistently imposed.

Of course, in the late Roman Empire one can also find many other political and other privileges, which in most cases directly served the government and its high-ranking representatives. And yet, first, we cannot deny the undeniable fact that at the end of its collapse (of the empire) these kinds of privileges were in most cases legally regulated; and second, this does not at all detract from their unjust character, as the facts, examples, and evidence of the unbridled extent of privileges in the medieval period unquestionably show.

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<sup>243</sup> See *ibid.*, p. 189-190.

## Chapter Three

### MEDIEVAL POLITICAL PRIVILEGES (V – XVIII CENTURIES)

Each historical era has its own distinctive features and characteristics that distinguish it from previous times and years. This also applies to the history of the Middle Ages, which begins its chronology from the end of the ancient period and the beginning of new feudal social relations. It was then that the foundations were laid for medieval statehood, for the future absolute monarchies, for early market relations and for the elevated spiritual culture that traced the path of development of European (and other) civilisations. All of this had a profound impact on the social processes that took place in the course of world history, which largely influenced the periodization of the entire medieval era.

It is known from historical scholarship that the Middle Ages are differentiated into three main periods – the Early Middle Ages, the Classical Middle Ages and the Late Middle Ages.<sup>1</sup>

The period of the Early Middle Ages (late V to late XI centuries) began with the fall of the Western Roman Empire and the decline of slaveholding societies, with the parallel formation of new feudal lordships. There was a small civilian population and little development of crafts and trade. During this period, the knighthood was successively established and the feudal hierarchy established. As a result, feudal states were formed in most of Europe, whose individual political communities were linked into larger alliances by contractual relations of seigniori and vassalage. Alongside this, in a number of countries, tribes

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<sup>1</sup> The question of the periodization of the Middle Ages has different interpretations by the many schools of history. In this case, we accept the one mentioned above as one of the most popular and generally accepted, which fully corresponds to the objectives of our study (See in detail: **Nikolov**, Yordan. History of the Middle Ages. Sofia: Hr. Botev, 1994, pp. 99-261; **History** of the Medieval World. Ascending Middle Ages. Second revised and supplemented edition. Sofia: Prof. Marin Drinov, 2000, pp. 5-15; **History** of the Middle Ages. Sofia: Science and Art, 1955, pp. 7-14; **History** of the Middle Ages. Vol. I. Sofia: Science and Art, 1974, p. 9; **Gagova**, Kr. Western Europe in the Middle Ages. Sofia: Polis, 2014, p. 7, etc.).

and tribal alliances gradually began to form into nation-states. Yet, during this period, the Catholic Church unceremoniously imposed its Church-Christian ideology on much of Western and Central Europe.

The second period, or that of the Classical Middle Ages (XI – XV centuries), historically dates from the beginning of the Crusades to the Great Geographical Discoveries. Here the development of social relations inevitably led to the division of labour and the differentiation of urban commercial and industrial labour from agricultural labour, with crafts and trade continually reviving. Cities (free cities and city republics) were established and the urban population grew considerably. And so the characteristic feudal fragmentation towards the end of the XV century was replaced in some places by the formation of large states with absolute royal authority. A process of nation-formation emerged and began, while major peasant uprisings shook western Europe. Plus, the internal market grew and relations between feudal lords and serfs intensified, leading to the strengthening of monarchies.

And the third period, which is known as the Late Middle Ages, covers the XVI and the first half of the XVIII centuries. It is characterised by the intensified decomposition of feudalism and the emergence of capitalism. This period is distinguished by the so-called „initial accumulation of capital“ and the development of manufactory production, where trade was very lively. Or, it is the beginning of colonial conquests in the new lands, which is why in England, France and Spain, for example, absolute monarchies are stabilized. Church-Christian ideology had already weakened considerably and was being replaced by humanism, the new ideology of the Renaissance.<sup>2</sup> This was a period in which the so-called „bourgeois revolutions“ found rapid development in the Netherlands and England, and a little later in France, and which, with its progressive ideas that were ahead of their time, finally consigned the rotten feudal socio-political system to the dustbin of history.

It is a generally acknowledged truth – points out **Acad. Vasil Gyuzelev** – that **between Antiquity and the Middle Ages there is a partial continuity in spatial-territorial terms in the field of political ideas and governance, in the inheritance of Christian religious universalism and its organization, in the preservation and partial adoption of the**

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<sup>2</sup> See id.

**ancient Greek and Roman spiritual heritage.** Moreover, **the medieval period also formed several extremely important characteristics of the national community, such as: a common language shared by the majority of those belonging to it; a common religion, a unified church, a specific folk and domestic culture; a common political and ethnic destiny, which to a large extent determined the common historical consciousness.**<sup>3</sup> Alongside this, in the bowels of medieval society were conceived the first embryonic forms of capitalist development, which rested on the triad of artisan – scientist – merchant,<sup>4</sup> thanks to which capitalist society itself later crystallized.

Another commonly recognized feature of **feudal monarchical systems** in Western Europe is that **political and economic power is based on the principle of heredity – the heredity of the feudal lords (aristocracy) and the heredity of the king.** Or, the heredity of feudal estates constitutes the core of the feudal system, which became established in the X and early XI centuries in France, in the XI century in Germany and northern Italy, in the XII century in England<sup>5</sup> and so successively almost throughout the European continent.

So, accepting this historical periodization of the Middle Ages in Europe and its common features, let us try from now on to examine in more depth the various manifestations, modifications and peculiarities of the social privileges of the time, tracing their political evolution in the exercise of power and power relations.

### **1. DEVELOPMENT OF PRIVILEGES IN THE EARLY MIDDLE AGES (V – XI CENTURIES)**

We shall begin our elucidation of the question of early medieval privileges on the European continent with a brief introductory note. It is of a historical nature and concerns the emergence and development of the barbarian states in Europe, Asia and North Africa, the dating of which is divided into two main chronological periods: one beginning in the III – IV centuries and ending around the VII – VIII centuries. The

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<sup>3</sup> Gyuzelev, V. Anthology of the Middle Ages. Sofia: Klasika & Stil, 2004, p. 8.

<sup>4</sup> See *ibid.*, p. 24.

<sup>5</sup> See **Yankov**, G. Comparative Political Systems. Historical and contemporary political systems. Sofia: UNWE, 2021, p. 87.

other begins in the VIII – IX centuries and ends around the XIV century. According to the historian Y. Nikolov, the barbarian states helped both to destroy the old world and to actually form the medieval one. Indeed, they were not yet states in the true sense of the term (because their apparatus of political domination was poorly developed), which was, however, a characteristic feature of development throughout both Europe and Asia.<sup>6</sup> That is to say, the barbarian states had a significant impact on the transition from antiquity to the Middle Ages, as a break was made in the minds of the people, finding expression in the transformation of religious systems<sup>7</sup> (even though some authors underestimate this role and these states). In this sense, the young barbarian states – empires, khaganates, kingdoms, tribal alliances, etc. – left their deep imprint on history. And as a result of their social activism, the projections of the future development of Europe, Asia and North Africa have been practically mapped out. For the creation of a new system of values has begun, which is to determine the main directions of social dynamics as development.<sup>8</sup> Together with this, the preconditions for the genesis of early feudal state systems are being prepared, as well as the reasons for the formation of nationalities as ethnosocial organisms. That is to say, the emergence of such a fundamental historical phenomenon as the early medieval civilization<sup>9</sup>, and of the accompanying early feudal imperial states, ruling nobles, privileged rulers, etc, is inevitable.

In the establishment of European feudal relations, another important factor of an economic nature should be noted: they (the relations) did not arise immediately after the fall of the Western Roman Empire in the V century, because they were not the result of the further development of earlier semi-feudal forms of exploitation in the bowels of the decaying empire. For midway between the demise of that empire (V century) and the consolidation of feudal relations in Europe by the IX – X centuries, there was a prolonged transitional period of symbiosis between the embryonic beginnings of feudalism in the Roman Empire and the free peasantry with the already established war-tribal

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<sup>6</sup> See **Nikolov**, Y. Op. cit., pp. 31; 97.

<sup>7</sup> See id., p. 98.

<sup>8</sup> See id.

<sup>9</sup> See id.

aristocracy (after the invasion from the east and north of the „barbarian peoples“).<sup>10</sup> This was an essential economic factor in the development of the future monarchical feudal states, including the acquisition by the elite of a considerable variety of different kinds of privileges. For even then, according to Prof. L. Berov, stood out such basic elements of the later feudal system as: the supreme ownership of the royal (imperial) power over the land as the backbone of the hierarchical structure of the ruling class; the distribution of conditional landholdings in exchange for the fulfilment of certain military or administrative obligations to the central authority; the cultivation of these landholdings on an angary basis by semi-free or dependent rural communalists or their granting to tenants in exchange for the surrender of part of the harvest, etc.<sup>11</sup> In other words, it is a question of the economic basis of the future privileges of feudal elites, which, together with the imperial foundation of power, permanently established forward in time a new and extremely rich system of privileges in feudal society.

### 1.1. Privileged elites in the Byzantine Empire

The history of Byzantium dates back to 330, when the Roman Emperor Constantine the First moved the capital of the huge state to a new city, which he called initially New Rome, later known as Constantinople. This city arose on the site of the Greek colony of Byzantium, which word the Romans pronounced as „Byzantium“, hence the name of the new Roman state. Subsequently, throughout the years of its existence, the Byzantine Empire was called *Imperium Romanum*, or Roman Empire.<sup>12</sup> Thus, for many centuries during the Middle Ages, the Byzantine Empire existed with its own institutional structure and a particular specific imperial power. According to the famous Byzantologist **George Ostrogorsky, the emperor was not only the supreme commander of the army, supreme judge and sole legislator, but also the protector of the Church and the Orthodox faith.** As such, God’s chosen one is not only lord and master, but also a living embodiment of the Christian kingdom entrusted to him by God. He, as if detached from the

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<sup>10</sup> See **Berov**, L. Op. cit., p. 99.

<sup>11</sup> See *ibid.*, pp. 97-98.

<sup>12</sup> See **Pokrovskaya**, Anna. Op. cit., p. 235.

earthly-human sphere, is in direct relationship with God and becomes the object of an exclusive politico-religious cult. Gradually, this cult was demonstrated in the form of remarkable ceremonial acts in the imperial court involving the church and the entire palace society – a cult that found expression in every image representing the Christ-loving ruler, in every object surrounding his sacred person, in every word addressed by him to the public or vice versa.<sup>13</sup> Thus his subjects become his servants, and at every sight of his countenance they salute him (even the highest) and throw themselves on the ground before him. These lavish moments in Byzantine court ceremonies, and the imperial omnipotence manifested through them, have their roots in Roman-Hellenistic development.<sup>14</sup> Out of this (prepared by Eastern elements of development) grew the splendour characteristic of the Byzantine court, as well as certain forms of life reminiscent of the East in the Byzantine Empire, which were direct borrowings from the East.<sup>15</sup> That is to say, the emperor acquired an extraordinary amount of power in his hands, which naturally had its objective historical grounds, stemming from the political traditions of the recent past.

The enormous power of the emperor – emphasizes **Prof. D. Angelov** – is entirely due to the fact that he „...for more than three centuries performed simultaneously a number of functions inherited from the Roman Republic, namely the functions of the holder of the imperium, of the tribune, of the aedile, of the pontifex maximus, which empowered him to be first in all branches of government. Thus he gradually rose to the position of an all-powerful monarch, placed above the laws and at the same time the source of laws.“<sup>16</sup>

The emperor's power was, of course, due not so much to the existence of theoretical-legal justifications as to the fact that in the IV century he represented one of the richest owners in the state because he possessed extensive domains (*fundi patrimoniales*). Moreover, he

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<sup>13</sup> See **Ostrogorsky**, G. *History of the Byzantine State*. Sofia: Prozoretz, year – not applicable, pp. 71-72.

<sup>14</sup> See *id.*

<sup>15</sup> See *id.*

<sup>16</sup> **Angelov**, D. *History of Byzantium*. Part I. 395 – 867. 4th edition. Sofia: Science and Art, 1968, p. 51.



had his own personal treasury and earned too much from customs duties and monopolies in internal and external trade, which enabled him to have a strong army.<sup>17</sup>

It is particularly important to emphasize that **in Byzantium the imperial power was not hereditary as a rule, but elective. The new emperor was elected by the army, the senate and the people.** Here, however, the participation of the people, already in the age of the principate, was quite formal – it was mainly confined to the fact that the decision on the election, which was framed in a senate edict, was read before the National Assembly in Rome and sent by acclamation. Or, in the IV century, the participation of the people in the election of an emperor was irrelevant, and only from the middle of the V century did a greater role in the election begin to be played by some of the people of Constantinople<sup>18</sup> as a result of the evolution of society. And the fact that the emperor was elected made it possible for the ruling class always to place its own representatives on the throne. Therefore, fierce struggles often took place around the election, highlighting the contradictions between the dominant layers. Moreover, in more than one case the army has a decisive say, especially the capital's guard, which the pretender to the throne struggles to win over in various ways, thus guaranteeing him power.

The supreme sovereign, the emperor, is granted the sole right to make laws according to his own will, in accordance with the famous formula of the Roman jurist Ulpian of the early III century: „Whatever the princeps has decreed has the force of law“. He was entrusted with the supreme command of the army and on several occasions we see him personally directing hostilities in the empire's frequent wars. He has the decisive and final word in important court cases. His prerogatives in matters relating to religion and the church are also great. On his initiative church councils were convened, and with his intervention measures were taken to strengthen religious unity and to persecute and punish heretics and pagans. He was also a firm defender of the Christian faith, one of the main duties of the ruler, glorified by the Church as the most faithful guardian of Orthodoxy.<sup>19</sup>

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<sup>17</sup> See id.

<sup>18</sup> See id.

<sup>19</sup> See **Angelov, D.** Political History of Byzantium. Sofia: Polis, 2013, pp. 44-45.

The imperial power is considered to be indivisible, but in practice it is possible for the emperor to appoint his own assistant and assistant, or a kind of co-emperor. Often this co-emperor is the son of the reigning ruler, who thus seeks to establish hereditary power for himself,<sup>20</sup> a fact which in later times became quite commonplace in society.

However, the Byzantine ruler was by no means an absolute monarch according to Hans-Georg Beck. This stems from the term „autocrat“, whose interpretation is nothing more than the Greek equivalent of the Latin „emperor“. In this sense, there is no reason to call the Byzantine monarchy a „theocracy“ outside the ideology created by the rulers themselves, especially if one considers the fact that such a concept cannot be used at all in terms of constitutional law.<sup>21</sup> This remark of H.-G. Beck is entirely justified insofar as the imperial power in Byzantium could hardly then be defined as the equivalent of the absolute monarchy in the Late Middle Ages.

Along with the emperor, a second power, institutional and constitutional factor in the Roman Empire in the IV century was **the Senate** (*Senatus, δούγνητος*), which is known to have been all-powerful during the period of the Roman Republic, and to have retained its role during the early years of the principate. A number of provinces were under its authority, and power in the empire was in fact divided between it and the princeps – in other words, there was a kind of dual power (diarchy). However, even during the early dominate period its importance declined markedly, and the process of depersonalization and weakening of the Senate continued into the IV century. Thus the distinction between senatorial and imperial provinces disappeared, and the whole territory was placed under the immediate control of the emperor and his administration, while the legislative functions of the senate were almost completely terminated. It was convened only to hear the emperor's proposals and to adopt them without discussion.<sup>22</sup> It will only be recalled here that the Senate was composed of representatives of the old Roman senatorial aristocracy, some of whom settled in Constantinople after 330. It also included, by right, senior imperial dignitaries of

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<sup>20</sup> See **Angelov**, D. History of Byzantium... Op. cit., p. 51.

<sup>21</sup> See **Beck**, Hans-Georg. The Byzantine Millennium. Sofia: Prozoretz, 2017, p. 44.

<sup>22</sup> See **Angelov**, D. History of Byzantium... Op. cit., p. 52.

the rank of *illustres*, *spectabiles* and *clarissimi*. **The members of the Senate were in turn divided into three main categories – consulars, praetorians and quaestories. By the middle of the IV century the number of senators was about 2,000.** However, only a minority of them actively participated in the Senate, while the rest usually lived in their wealthy mansions around the countryside and spent their days in idleness. Estimates put **the number of active senators at no more than 600.**<sup>23</sup> Plus, the emperor (with his subsidiary body, the Senate) governed the vast empire through a whole network of dignitaries, and the bureaucratic apparatus grew steadily, becoming more and more centralised in line with the gradual consolidation of imperial power. These senior dignitaries were: the Master of the Offices (first minister in the state), the Quaestor, the custodians of the state and personal treasure of the emperor (two men), two senior military officers, the prefect of the city (Constantinople), etc.<sup>24</sup> All of them, it is implied, are appointed by the emperor, are under his direct authority, and are directly connected with his private life (participation in state affairs, security, orgies, etc.).

In this respect, a successful summary of **the most characteristic features of the Byzantine institutional system** has been made by the Bulgarian historian **Ivan Bozhilov**, who identifies them in the following order: first, it is **the strong centralism**, which is a function of the imperial doctrine; second, it is the categorical **distinction between the central and provincial administration** of the empire, as well as the early establishment of separate specialized units (offices) in the central administration; and thirdly, the administrative system is **the relationship between the two authorities – civil and military**. Or, if the separation of powers was a characteristic feature of the early period, this principle began to crack during the reign of Justinian I (527 – 565), was seriously threatened under Maurice (582 – 602), was abandoned altogether under Heraclius I (610 – 641), and the unification of the two powers was finally imposed during the Syrian dynasty (VIII century). Thus the combination of civil and military powers in one person – above all in the provincial structures – remained an enduring feature of Byzantine administration for centuries in spite of the profound crises that gripped

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<sup>23</sup> See *ibid.*, pp. 52-53.

<sup>24</sup> See *ibid.*, pp. 53-54.

Byzantium.<sup>25</sup> Moreover, thanks to the strong centralization of imperial power, all favorable circumstances (political, economic, administrative, etc.) were created for the formation of wealthy ruling classes whose representatives amicably „circled“ around the next ruler, becoming almost unchangeable governing elites. Such are, for example, the high dignitaries around the emperor, the high-ranking ministerial personages, the large farmers and merchants, various aristocratic circles, the military and church princes, etc. That is to say, it was the upper echelon of the so-called „ruling class“ (and elites),<sup>26</sup> who, through the emperor's favour and control, exercised power in an orderly manner, possessing many political and other privileges. In fact, the members of the various minority groups and layers actually also represent the leading ruling elites (the imperial dignitaries, the aristocracy, the military, the church people), who are most empowered and privileged by the all-powerful princeps (emperor, basileus), which is why we proceed to examine the privileged status of these oligarchic estates.

### **1) The privileges of the emperors in Byzantium**

There can hardly be any doubt that under the imperial structure of the Byzantine state the greatest share of the existing privileges belonged to the imperial personage. This derives entirely from the exclusive imperial power, the political grounds for which are to be found in

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<sup>25</sup> See **Bozhilov**, Ivan. *The Byzantine World*. Sofia: Anubis, p. 163.

<sup>26</sup> It is necessary to clarify that the political (dominant) class in the Byzantine Empire comprised a small part of the population, and mainly that part of it which possessed both money and administrative power. This is so because the „dominant class in Byzantium – its composition was not homogeneous and equivalent (senators, provincial landed aristocracy, military aristocracy, metropolitan bureaucracy) – possessed two main traits – money and the resulting power (offices in state institutions). It was open – both easy to get into (unregulated!) and easy to get out. There was no legal definition of its nature; access was not legally restricted and not bound by any procedures. Belonging to the aristocracy was not legally regulated, but was an offspring of public consciousness. (...) The lack of vertical ties in Byzantine society is explained by the fact that access to all positions in the central and provincial administration, as well as to court titles, was not by inheritance but by merit, (...), i.e. a society in which merit prevailed, meaning that humble origins were no barrier to a career – the person in question might have been the offspring of extreme poverty and at the same time achieved fame in power and, of course, money. Examples are hardly necessary. Suffice it to note the position at the top, i.e. the imperial throne, which at various times was occupied by people of the lowest origins: Justin I, Basil I, Roman I, Michael IV, Michael V – a practice which found its end in the last decades of the XI century“ (Ibid., p. 254).

various archaic sources from the history of the empire, such as the so-called „Epanagogi isagogi: The Basileus“, which literally states:

„1. A basileus is the lawful authority, the common good of all subjects; he does not punish with partiality, nor reward undeservedly; a true judge, he awards just rewards.

2. The mission of the basileus is to preserve and protect by his valour **the present goods** (*understand „privileges“ – my addition, G. M.*); to restore by vigilant diligence **the lost goods**; to acquire by his wisdom, just victories, and good experience **the lacking goods**.

3. The work of a basileus is to do good; that is why he is called an euergetes. When he departs from charity, he alters, according to what once was, the imperial temper.

4. A basileus is subject to the duty of defending and upholding, first of all, the precepts of the Holy Scriptures, then the decisions taken by the seven sacred Ecumenical Councils, and also the accepted Roman laws.

5. The basileus must be pre-eminent in Orthodoxy and piety; he must be resplendent in his zeal in God, also in everything concerning the Holy Trinity, and the ordinances of the economy, according to the flesh of our Lord Jesus Christ: the unity of the divine in three persons, and the hypostatic union of the two natures in the one person of Christ...<sup>27</sup>. Or, it could be argued that imperial privileges are genetically „encoded“ in the notion of absolute imperial power, even though the term „privileges“ itself is not used in the document, but speaks of goods.

The so-called „**Justinian legislation**“, which explicitly regulated **the powers of the ruler of the state**, also played a major role in the lasting establishment of the privileges of the emperors. These were the laws of the Emperor Justinian (527 – 565), known as the „Novellae“, by which he justified both legally and religiously the strong authority of the autocrat. „The emperor is proclaimed – writes D. Angelov – as a „divinely ordained“ „animated law“ sent from heaven to rule and judge“ (...) based on „the famous formula that what the princeps decides has the force of law“<sup>28</sup>. Such is the fundamental legal basis on

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<sup>27</sup> Cited by: Ibid., pp. 593-594.

<sup>28</sup> See Angelov, D. History of Byzantium... Op. cit., p. 132.

which the political power and privileged status of the emperor, his family and the micro-social strata (court dignitaries, state officials and court aristocracy) gravitating around them.

Like their Roman predecessors, the princes in Byzantium possessed an exclusive privilege, which was **the personal treasury of the emperor** (the sekelle). This treasury had a dual purpose because, in addition to being fed by the state finances, it had to meet the constant financial needs of the state. Thus, on the one hand, the vassal emperor regularly increased his personal holdings and, on the other hand, he continuously distributed money (from his personal treasury) to the financially strapped prefectures, of course, at high interest rates (this happened before, and especially in the VII century, under the emperor Heraclius).<sup>29</sup> That is to say, there was an **extremely „lucrative privileged scheme, which was dislocated at the „entrance and exit“ of the state financial system and which brought significant income to the emperor and his cronies in the palace.**

Another privilege, which we will call **„imperial nomenclature“**, played a huge role in the effective implementation of the above scheme. This exclusive right (and privilege) of the emperor consisted in his personally drawing up privileged lists of senior positions in the state whose holders were very close to the ruler. The state was thus totally controlled by the basileus, and „the state apparatus was increasingly run in the form of a family enterprise“ (H.-G. Beck). This privilege is very significant, for its use in the Byzantine Empire goes far and beyond its chronicling, inasmuch as it is universally applied in future socio-political systems.

Here we will only point out in passing the important **imperial privilege of „giving away land“** to the wealthy classes, and especially to the large landowners, by which the ruler simultaneously strengthened both his personal power and the development of the economy (agriculture), and which we will discuss in detail in the following.

For many researchers, the emperor's palace in Constantinople represented the main organ of central government, with numerous senior officials from a variety of offices, which is undoubtedly the case. But in our view, moreover, **the imperial palace is also a special kind of privilege**, in which only the autocrat disposes, and we shall therefore

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<sup>29</sup> See **Ostrogorsky**, G. Op. cit., p. 155.

consider its purpose from this point of view. And one more important thing: only privileged people appointed by the emperor (civil servants and service personnel) work in the imperial palace (and chancellery), which automatically makes them beneficiaries of some or other benefits (privileges). In this sense, in addition to the emperor's own privileges, which he rightfully has, he personally determines what the respective benefits of the senior management staff in the palace and its service cohort should be.

A separate and specific department formed the so-called „**Imperial Chancellery**“<sup>30</sup>. In it legislative decrees (novellae), administrative orders (edicts), charters (chrisovuli, prostagmus, sigils, letters to foreign rulers) were drawn up, on which the emperor signed. There was also a **special clerk whose duty was confined to handing the inkstand to the ruler when he signed**. This clerk is very close to the emperor, and sometimes simultaneously performs the office of logothete of the dromos. In addition, the imperial office is headed by the so-called „**first secretary**“ (**proto-secretary**), who is one of the emperor's most trusted persons and is in frequent contact with him, and a large number of secretaries and scribes, his subordinates, are employed to draw up the documents. To this we will add the office of the **so-called „receiver of petitions“**, to whose bureau came complaints and petitions, either from the natives or from people from other parts of the empire.

In the magnificent palace of Constantinople there are also a large number of officials directly connected with **the privileges of palace life and with the personality of the emperor**. To one of them is entrusted the arrangement of the palace festivities and ceremonies, others watch over the ruler's security or look after his daily life, others his health, others his food and clothing, and so on and so forth. Thus, for example, in the arrangement of palace festivities and ceremonies, usually connected with religious liturgies, embassy receptions, and sumptuous banquets, two dignitaries play the greatest part, the presbyter and the head of the palace ceremonial. Here the one in charge of petitions is one of the emperor's most trusted men, sometimes standing in for him

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<sup>30</sup> In the next few pages the functions, responsibilities and privileges of the emperor and his various dignitaries (and their titles) are presented according to the analysis of Prof. D. Angelov (See **Angelov**, D. History of Byzantium. Part II. 867 – 1204. 4th edition. Sofia: Science and Art, 1974, pp. 46-53).

when he is out of the capital, and he also takes a large part in the appointment of senior dignitaries. He is regarded as the head of the whole palace staff of officials who serve the emperor and form his immediate retinue, and is, of course, one of the richest men in the empire. There are other prominent dignitaries in the palace, such as the royal procurator and the rector, this office having been introduced probably in the reign of Leo VI. together with the high title of „basiliopater.“

A number of other officials are tasked with watching over the personal safety of the emperor and the security of the palace, the most important of which are: the parakimomenos, who is a kind of personal adjutant to the ruler and sleeps in close proximity to his bedroom (usually a eunuch); the grand papias, who is the chief gatekeeper of the palace and holds the keys; his assistant, or so-called „second“, and others.<sup>31</sup>

There are several guard units in the palace to guard the building and the ruler, one of which is made up of so-called „manglavites“, headed by an officer called a „protomanglavit“ or „primikur“. Another division of the guard bears the name of „heteria“, and is commanded by the so-called „great heterarch“, who, like the papias, opens and closes the doors of the palace. And to the personal guard of the emperor belong the so-called. „imperial spatarii“, „imperial mandators“ and „candidates“, whose duties are: to the imperial spatarii – to carry during ceremonies at the head of a procession the personal arms of the emperor (the shield, the sword, the banner, the spear), to the mandators – to carry orders and orders from the palace to other offices or to individual high dignitaries.

There are special servants in the imperial retinue who are charged with looking after the imperial wardrobe and assisting the ruler during the constant changing of robes for the solemn festivities. Among them are the so-called „vestitors“ – those in charge of clothing, etc., with the general head of the imperial wardrobe being the pro-vestiarios (sometimes carrying out other orders and regulations of the emperor).

In organizing palace banquets, the most important palace officials are the head of the table, the butler, and the butler: the former acts as host and supervises the servants who keep and arrange the utensils at

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<sup>31</sup> See *ibid.*, p. 47.



the royal table; the latter, or butler, has much the same function; and the third (the artoclin) invites the guests to the palace luncheons and designates everyone's place. And one more curious thing: in order to obtain an appointment in the palace, the palace officials (the guards, the clerks in the offices, the maids in the imperial bedchamber, etc.) have to pay a certain fee, but once in office, they receive quite large salaries (the highest salaries go to those who enter the imperial guard).

In stately Byzantium, **titles were conferred** by the emperor at ceremonies in the palace, usually on major feasts. While the appointment of state officials, civil and military, was done by issuing a special written order, the receipt of the title of nobility was done by presenting an honorary gift, given personally by the emperor himself (for example, some of the honored persons received necklaces, others – various kinds of sceptres, others – purple tunics, etc.).<sup>32</sup>

According to historical sources and in accordance with the rules established in the IX – X centuries, there is a strictly established **gradation of honorary titles**, which are 18 in total, the most important of which is „Caesar“. It was usually given to the closest relatives of the emperor (and only to one person), and its conferment took place at a special church ceremony. The ruler bestows the honoured person with a crown of honour, which has no cross unlike the imperial one. Second in order comes the title of „nobilisim“, whose holder receives as a gift from the emperor a purple tunic decorated with gold. In third place comes the curopalate (he is a court marshal), this dignity being awarded to a person of the imperial family or to foreign rulers as an honorary title.

It is important to point out that after these three titles, which are only given to certain individuals, others follow that can be worn by more people. Here the first in rank is the title of „court lady“, which is given to women who are in close kinship with the imperial family. Then follow, in order, the titles of „magister“, „proconsul“ („antipat“), „patrician“. And people with no family ties to the emperor and his family could also become masters, with a number of senior dignitaries holding this title. Even more common is the title „proconsul“, which is usually given to major state dignitaries. However, there are also proconsuls who do not hold any office. And the third dignity, patrician, was conferred on almost

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<sup>32</sup> See *ibid.*, p. 48.

every high dignitary of state, both proconsuls and patricians being provided with an imperial charter written on parchment when they received the title (magistrates and patricians entered the Senate).<sup>33</sup>

Finally, after them comes a third category of title-bearers – protospatharii, spatharokandidatos and spatarii: the former receive as an honorary gift a narrow necklace adorned with precious stones; the latter a necklace, lowered, however, to the chest; and the third, the spatarocandidates, wear a sabre. These titles were given chiefly to clerks, and to many eunuchs, palace servants, etc. And another, between the rank of the spatarocandidates and the protospatarii, is the rank of the ipatis (consuls). Such a title was bestowed on a large number of officials, even on the heads of the civil offices in the capital and on their chartuarii and notarii. Along with this, the most inferior titles were „strator“, „candidate“, „mandator“, „vestitor“, „siciarius“, and „stratilat of the theme“, many of these being given to officials in the imperial palace.<sup>34</sup>

One of the most prominent imperial privileges is that **each person awarded a title is required to pay a certain amount of money upon receiving it, the amount of which depends on the importance of the title and the privileges attached to it.** For example, while the lesser title-bearers pay a few nomisms (24, 36, etc.), the higher ones (the patrician, the magister, the curopalate, the nobilissimus, the caesar) have to give very large sums. That is why the patrician pays a total of over 10 litres of gold (i.e. 720 nomismi, which is a huge fee), the magister double (i.e. over 1140 nomismi) and the kuropalate quadruple (i.e. over 2280 nomismi). Such a sum must be given by both the nobilissimus and the caesar.<sup>35</sup> In fact, these privileges were much in demand, for they also amounted to the obtaining of lucrative offices in the governing apparatus, as well as rather large annual donations from the emperor during palace and religious festivals.<sup>36</sup>

Depending on the Emperor's dictates, the fees paid upon receiving the titles went to the benefit of the officials in the Imperial Palace.

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<sup>33</sup> See *ibid.*, p. 49.

<sup>34</sup> See *id.*

<sup>35</sup> See *id.*

<sup>36</sup> See **Angelov**, D. *Political history...* *Op. cit.*, p. 146.

In this case, the prepositus received the most money from the new titleholders, and it is not surprising that in this situation he became one of the richest men in the empire. Another part of the fees is taken by the grand papias, the deuterus, the proto-asecrite, the cathepan, the domestique of the royal people, etc. Certain sums also go to the servants of the cuuclinium (the kitonites, the heralds, etc.). Thus **the privilege of „distributing titles“ constituted an important additional income for the people of the palace, and especially for those of them who held the most important offices of leadership in it, such as the presbyter, the grand papias, etc.**

The peculiarity of these privileges is that, in return for the large sums of money that must be expended to acquire titles, the new titleholders are then provided with even greater privileges, rising high up the social ladder. Some of them are even drawn into the service of the palace, and begin to enjoy the benefits and honours allotted to courtiers. Others entered the rank of senators and in that capacity began to receive regular annual salaries („horns“). Still others took senior military and civilian posts in the capital or in the countryside, which again involved the receipt of large salaries. But the most favoured of all were the kuropalat, the nobilisim and the caesar, because they were lavishly bestowed by the emperor with large sums of money and with favours of all kinds as his relatives and intimates.<sup>37</sup>

Along with the regular **high annual salaries** given **to the holders of high titles** in their capacity as servants or simply as persons close to the ruler, there was the practice of **their** occasionally **receiving** on the occasion of church or palace festivals **extraordinary monetary gifts as an expression of high favour**. Such gifts were distributed, for example, at the coronation of the ruler, at Easter and on other occasions, and it was specified exactly how they were to be distributed, so that the individual titled persons were divided into appropriate categories. These categories also included various civil and military dignitaries, who also received monetary gifts **from the emperor** during the feast.<sup>38</sup>

Among the many imperial privileges that the king bestowed (regulated and unregulated), we will single out one more, directly related to

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<sup>37</sup> See **Angelov**, D. Op. cit. Part II. 867 – 1204. 1974, p. 50.

<sup>38</sup> See id.

his palace and his private life. We are talking about all those people close to him, appearing as **privileged servants of the emperor** and dealing primarily with the dignified political and private life of the ruler. Among this huge cohort of countless servile imperial lackeys (dignitaries, servants, guards, servants, etc.), the so-called „**head of the palace bedroom**“, who took care of the peaceful sleep and rest of the entire royal family, gained great importance in the IV century. This privileged person was usually a eunuch originating in the eastern provinces (Syria, Asia Minor, etc.),<sup>39</sup> through whom great influence was sometimes exerted over the actual management of whole sectors of society (including the management of financial affairs). Essentially, this prominent chief exercised three important functions as his rights (and privileges, namely: responsibility for the palace bedroom, participation in political life, and management of financial affairs (naturally, according to the Emperor's dictates).

One of the most widespread **privileges** and at the same time a severe plague of the Byzantine society (inherited from the Roman Empire) was the massive **buying of positions**. This practice continued in full force under Justinian and the taking of the so-called „suffragium“ („bribe“), which constituted a real bribe and was a universal phenomenon. In a number of novellae, therefore, the emperor draws attention to this vice and to its harmful influences, and attempts to make some improvements. Thus, in 535, a novella was issued explicitly prohibiting suffragism and establishing the exact amount of the „sinitia“, that is, of the fees paid in connection with holding office. Along with this, an extensive novella was issued in the same year, giving a number of injunctions to the governors of the provinces and ordering them to treat the population well, to abstain from iniquities, to prevent rich landowners from occupying the estates of small proprietors, etc.<sup>40</sup> Of course, these injunctions did not play their part, as the privileged classes concerned totally defended their privileges, because this one in particular brought them extremely good incomes (and with the vocal and tacit approval of the authorities).

In the historical memory of the Byzantine state one can also notice another imperial **privilege** (and right), which refers to **financial relief** in society. This right was used by Empress Irene (797 – 802), who

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<sup>39</sup> See *id.* Part I. 4th edition. Sofia: Science and Art, 1968, pp. 54-55.

<sup>40</sup> See *ibid.*, p. 133.

unconditionally abolished the city tax (on the inhabitants of Constantinople), considerably reduced import and export duties, limited taxes on monasteries, etc., which, on the one hand, met with overwhelming support from the population,<sup>41</sup> but, on the other hand, increased the total chaos of her rule, because it turned its back on the needs of the state budget, reducing the power of the state. Subsequently, however, the empress's successor, Nikephoros I (802 – 811), quickly restored the old privileged financial order by: abolishing the enacted tax exemptions, imposing a levy on them of 8 and 1/3%; introducing a new tax – the household tax,<sup>42</sup> etc. Moreover, certain ecclesiastical estates were given by Nikephoros to the imperial domain, and without the tax obligations for the reduced territories being lowered. Obviously, it should be assumed that this measure was a return of the donations to the Empress Irene. For the collection of inheritance taxes and land payments also became stricter, with people who suddenly said goodbye to poverty and became wealthy being treated as lucky ones who had found treasure. Even slaves bought outside the customs border of Abydos, and especially in the Dodecanese area, are taxed at about a 10% surcharge. Moreover, the emperor, by enacting a prohibition of interest for his subjects, and thus restricting the collection of interest in the state, compelled the rich ship-owners of Constantinople to borrow from the state 12 lb. of gold and to interest it at 16.66 per cent.<sup>43</sup> And while the collection of interest was contrary to medieval sense of morality, interest prohibitions such as those under Nikephoros (and later under Basil I) were all too rare in medieval Byzantium. Here, the needs of a highly developed Byzantine monetary economy broke the dictates of morality so that credit transactions in Byzantium were widespread at all times. In any case, however, the interest prohibition of Nikephoros, who was an exceptionally sober statesman, was not born of ideal intentions: by excluding private initiative and making the loan business a monopoly right of the state and setting an unusually high rate of interest, he opened **a new source of enrichment for the state treasury**<sup>44</sup>

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<sup>41</sup> See **Ostrogorsky**, G. Op. cit., p. 255.

<sup>42</sup> See *ibid.*, p. 263.

<sup>43</sup> See *ibid.*, p. 264.

<sup>44</sup> See *ibid.*, p. 265.

(*emphasis mine – G. M.*), as well as perhaps for his own personal enrichment... Or, to put it another way, these imperial rights in the face of financial-tax relief and the interest-rate game can also be defined as a classic form of political privilege, since there is almost no record of how the relevant cash receipts were distributed – how much – to the state treasury, how much – to the emperor's personal treasury, how much – for the royal feasts, and so on.

Another curious fact is another special imperial privilege, which is the so-called „**donation percentage**“ for the ruler, which obliged the gifted rich people to return to him certain amounts of the donations (made by the emperor), although they (the donations) were diverted absolutely illegally from the state treasury. And the facts here are staggering: the amount collected in this process amounts to about 2 million gold coins!<sup>45</sup> This, however, **besides being a privilege, can quite rightly be defined in terms of a „double robbery of the state“ by the emperor, because first he gives large sums of public money (as a kind of privilege) to the ruling oligarchy, and then he takes a considerable part of this state resource for himself (as a „donation percentage“).**

The next very specific, but nevertheless essential political privilege of the emperors, which is undoubtedly **the great imperial palace**, where they actually realized their state activity and, respectively, the imperial family lived, deserves special attention. This palace, situated in the south-east of Constantinople, is the centre of the fantasy and extravagance of a splendid life, which has never been surpassed in magnificence in the history of the world.<sup>46</sup> We will therefore reveal in a little more detail what this unique palace is all about, where hundreds of important political decisions were made and thousands of feasts and revels were organised by the high imperial dignitaries.

„The Great Palace – writes **T. Tomov** – looked more like the Forbidden City in Beijing than the Kremlin or Versailles. It was enlarged and changed after Constantine the Great by almost every subsequent emperor to become an architectural ensemble of palaces with parade halls, church buildings, barracks of the guards and arsenals, baths, living quarters surrounded by gardens and fountains. In its temples and chapels

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<sup>45</sup> See **Beck**, H.-G. Op. cit., p. 293.

<sup>46</sup> See **Tomov**, T. Byzantium. Known and Unknown. Sofia: New Bulgarian University, 2014, p. 109.

were kept the most precious relics connected with the Passion of Christ – the Crown of Thorns, the Spear with which the Saviour was pierced, and the Mushroom, as well as St. John of God. Mandillion of Edessa. In their processions, described in the „Book of Ceremonies“ by Constantine VII, emperors and empresses always left the palace and returned to it again. It was here that foreign rulers and envoys were received and here that Byzantine dignitaries and their wives presented themselves to the emperor according to the established hierarchical order...

The Grand Palace was entered through the so-called „Halka“, or Bronze Doors. It was actually a rectangular hall with colonnades and arcades, above which towered a dome. The walls were decorated with multicolored mosaics and marbles depicting the victories of Justinian I, and in the center of the marble floor was the so-called „porphyry navel“ – a symbol of the center of the Byzantine capital.“ That is, Halka was a real museum: there were statues of emperors, imperial relatives, generals...

In the northern part, not far from Halka, and to the east of the Piazza Augustaeon was a ceremonial hall called the Magnaura. From the IX century it was one of the most important reception places for the Byzantine vassals. Here was the so-called „Throne of Solomon“, which could be raised and lowered by means of a hidden mechanism. When the foreign envoys fell prostrate at the emperor’s feet, the throne suddenly rose upwards and the Byzantine vassal seemed to ascend to heaven...

The throne was located in a konha, a shell, vaulted room reminiscent of the altar apse of Christian temples. At its foot lay two gilded lions that could thump their tails, open their mouths and move their tongues, uttering a fearsome roar. Mechanical birds sang on a gilded bronze tree. In front of the conchah was a long room, the nave, separated by columns from the side passages and lit by seven candlesticks (candelabras) hanging on copper chains. Silken fabrics hung on the walls, the floor was covered with Persian carpets, and two silver organs filled the nave with music...

The Magnaura and its surrounding buildings, including the Senate built by Constantine I (usually called by the Byzantines „synclites“), were surrounded by gardens and terraces decorated with statues of emperors.

On the opposite south-west corner of the Great Palace, by the sea itself, was a palace called „Bucoleon“. (...) The palace consisted of two rooms, an upper and a lower, the remains of which are still preserved today. A marble staircase led from the port to the palace, and a double breakwater protected it from waves and winds...

Near the Bucoleon, on a high terrace, special guards, dieters, lit a fire in a high tower called „Pharos“ like the Lighthouse of Alexandria. It served not only for navigation, but also for transmitting light and smoke signals. Next to it was the church of St. Virgin of the Pharos was located next to it.

The Porphyry (or Bagrene) Palace was a square building in plan, crowned with a pyramid and lined inside with porphyry slabs, which gave the palace its name. It was built 750 years ago by Emperor Constantine V Copronymus. The Porphyry Palace had a special purpose: here the empresses gave birth to their children, who were given the nickname Porphyrogenet (Born in the purple). Thus a new title was introduced as a way of ensuring the dynastic status of imperial power. Porphyrogenetes were only those children who were born after their father occupied the imperial throne. Children born before then were not entitled to bear the epithet Porphyrogenitus.

The western palaces in the central part were called „Daphne“. Built during the reign of Emperor Constantine I, Daphne was an entire system of buildings, porticoes, terraces and parks. A series of passage-ways connected Daphne with Halka and the guard quarters. On this avenue was the ceremonial dining hall, the Tribunal of the 19 Lodges, where those invited to dine reclined at table in the ancient manner, though according to custom the Byzantines preferred to eat seated. **The Emperor dined at a golden table and his food was served to him in golden dishes** (*emphasis mine – G. M.*).

Close to the Tribunal were a number of administrative premises: the Sakela, where part of the Treasury was kept, meeting and reception rooms.

From Daphne a special staircase led to the Imperial Lodge on the Hippodrome. Near Daphne was a high tower called the „Kentenarium“ – it closed the entrance of the Hippodrome to the Grand Palace.



To the south of Daphne was the Chrysotricline (Golden Hall), which had served as the centre of palace life since the time of Constantine VII Porphyrogennetos. It was a large octagonal room with a dome cut by 16 windows. In front of the entrance, closed with silver doors, there was a vestibule called the „Tripkton“. Built in the late VII century by Emperor Justinian II, the building had a concha (as in the Magnaura) in which the imperial throne was placed, and on its vault was a mosaic depicting Christ seated on a throne. In his book *On Ceremonies*, Constantine VII notes, „the Emperor’s throne is in the Chrysotricline of the palace“. Emperor Theophilus had a special cabinet made for the Chrysotricline, in which the crowns and other imperial treasures were kept. The cabinet was made of pure gold, had five islet-shaped turrets and was therefore called the „Pentapyrgion“.<sup>47</sup>

We have deliberately cited at length the vast „lavish variety“ of buildings and premises of the imperial palace (without ignoring its architectural merits and splendour) because it can be defined as the main centre of power in which the emperor determines and distributes one or other privileges for himself, the ruling classes and the respective oligarchic minorities. Or, to put it more generally, the magnificent **imperial palace was a classic emanation of the so-called „direct privileges“ of the autocrat** (food, clothing, servants, guards, hunting, etc.), by which the palace was given the relatively complete character of all material benefits in the overall system of Byzantine privileges of the time. This – on the one hand. On the other hand, however, it is important to emphasize that with the personal favor of the vassileus almost the entire ruling elite of the Byzantine Empire constantly „acquired“ much more privileges, benefits and advantages than the representatives of previous political systems (and regimes).

## **2) The privileges of senators**

As is well known, the second state institution in the empire after the emperor’s was the Senate, which consisted of senior civil dignitaries, members of the aristocracy and clerics holding high titles (but not holding any particular office). And although the Senate has limited

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<sup>47</sup> Tomov, T. Op. cit., p. 109-116.

functions insofar as it is the emperor's chief deliberative body (on domestic and foreign policy),<sup>48</sup> its members possess a number of specific privileges as they take an active part in the political life of the state.

According to D. Angelov, the majority of **the senators were large landowners**, some of them occupying prominent administrative positions, others participating in the work of the Senate. But participation in the Senate is not necessarily a condition for belonging to the senatorial rank. In this case, they are **exempted from a number of obligations to the state** that lie on the backs of the rest of the population. Along with this, they have special privileges **in judging, and appear not before the ordinary courts, but only before higher magistrates**, such as the Praetorian Prefect and the Master of the Offices. In crimes for which ordinary subjects were subject to capital punishment, senators were punished only by fines.<sup>49</sup>

The next privilege of the senators was that they were **exempt from all taxes except land taxes**, and until the middle of the V century they also paid a special tax (*gleba*, or *follis*). Plus, they annually gave the emperor a so-called „crown tax“ („*aurum oblativium*“), which was a continuation of the custom of bestowing the emperor with a golden crown<sup>50</sup> as sole ruler of the state.

All members of the senatorial class usually lived in the capital and in the major cities of the empire. And in the extant numerous accounts of contemporaries their splendid and affluent life, their costly robes, their numerous servants, their solemn processions to the palace, etc., are unmistakably revealed. Not only this, but many senators owned beautiful and comfortable villas in the vicinity of the cities, and in the city itself they owned workshops (ergasteries) which brought them considerable income, etc.<sup>51</sup>

By the IV century, the number of senators was already considerable, because according to the law and practice in force at that time, those dignitaries who possessed the high-ranking titles could also become senators, and persons without such titles could also be declared

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<sup>48</sup> See **Angelov**, D. Op. cit. Part II. 1974, p. 39.

<sup>49</sup> See id. Part I. 1968, p. 35.

<sup>50</sup> See id.

<sup>51</sup> See id.

members of the senatorial rank (by special order of the emperor, as a manifestation of his favour). Thus, by the middle of the IV century, the number of senators reached up to 200, the most influential of whom were those with the high ranking titles, classified as „senior senators“,<sup>52</sup> which entitled them to a number of various political privileges.

In this context, the senators played a major role in the life of the Byzantine palace, as well as in the numerous church and other celebrations held in the capital. They are privileged and always move with the emperor, welcoming and acclaiming him in certain places. **The senators** take a particularly active part in celebrations that are personal to the ruler (birth of a heir to the throne, marriage of the emperor's daughter, etc.). Plus they attend the games on the Hippodrome, as well as the ceremonial distribution of high titles, which the emperor does in his palace.<sup>53</sup>

Let us note that as a privileged nobility, senators **often received gifts from the ruler in money or in expensive robes**. This was done on various occasions (the coronation of a new emperor or empress, the birth of a heir to the throne, major church festivals such as Easter, Orthodoxy Sunday, etc.). Senators were also given **a regular annual salary**, making them some of the richest people in the empire,<sup>54</sup> even though most of them came from old rich aristocratic families.

The „distribution“ of senatorial privileges by the emperors proceeded in ebb and flow. For example, in the words of H.-G. Beck, it initially seems that **senators, as well as the church, were exempt from taxes** when participating in economic transactions, although Justinian I abolished this privilege and forbade senior imperial officials from acquiring real estate in the capital. But by the early X century at the latest, this prohibition was entirely forgotten. For by this time the takeover from within of the economically powerful middle class by the upper social strata was in full swing. Plus, the right to collect tax revenues, apart from agricultural land, was quietly bought up, above all by buying houses which were subsequently rented out; rents were taken from bakers and apothecaries, shares in a public bath or perfume workshops were bought, etc. That is to say, **the privilege of buying expensive**

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<sup>52</sup> See *ibid.*, pp. 35-36.

<sup>53</sup> See **Angelov**, D. *Op. cit.* Part II. 1974, c. 39-40.

<sup>54</sup> See *id.*

**goods cheaply** according to the rules for personal use only (silk cloth, perfumed oils, etc.) is used to accumulate large quantities, which are then resold at market prices<sup>55</sup> to accumulate easy and high profits.

To the privileges of the senators discussed so far, we should add several new ones that the emperor bestowed on them: **the high pensions, the imperial endowments, and the state offices**,<sup>56</sup> on the basis of which the government strengthened its position, since these were personal tributes from the basileus to the ruling elite. Or, to put it another way, senators in the Byzantine Empire received so many political privileges from the emperor (along the vertical and horizontal lines of power) that even if they opposed a policy of his, they too rarely opposed it, lest they lose the material benefits they received.

### **3) The privileges of government and administration**

It is well known that Byzantium inherited from the Roman Empire a well-developed system of state government, which was continuously improved with the needs of the time. As early as the VI century, Emperor Justinian I introduced the requirement for the administration to adhere to a policy of „clean hands“, which aimed to improve its performance and refrain from bribery. At the same time, during the so-called „Middle Byzantine period“ (VI – IX centuries), the old institutions began to disappear, being replaced by a new structure of central government of the state. Or, in modern parlance, **a government (central government of the empire)** emerged, carried out by the heads of several key departments directly subordinate to the emperor.<sup>57</sup> This higher administration was headed by ministers (logothetes) who enforced the will of the emperor throughout the empire through their departments (logothesias) and who emerged after the dying out of the archaic offices in the previous empire (the Roman) as new modern institutions (for their time). Thus, among the elite of power in Byzantium, the logothetes of the private treasury, of finance, of the military service, etc., successively appeared as the principal representatives, each of them having a numerous clerical apparatus distributed in separate „bureaus“,<sup>58</sup> which ensured the full functioning of the entire administration, central and local.

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<sup>55</sup> See **Beck**, H.-G. Op. cit., p. 298.

<sup>56</sup> See *ibid.*, p. 293.

<sup>57</sup> See **Tomov**, T. Op. cit., p. 153.

<sup>58</sup> See **Bozhilov**, Ivan. Op. cit., p. 164.

No less important is the manner in which the state officials (senior and middle) were appointed, and especially **the privileged mechanism** by which they received a number of **honorary titles** for faithful and loyal service to the emperor. This mechanism has been thoroughly revealed by Prof. G. Ostrogorsky, who argues that the posts are occupied after the proclamation of the corresponding document, and the titles are obtained through the bestowal of honorary distinctions, which in turn (the titles) are nothing but former posts (which have lost their former meaning with time).<sup>59</sup>

We have already mentioned that the Byzantine titles were subdivided into 18 ranks (according to Philotheus' Clethroligion), with the three highest titles – „Caesar“, „Nobilisim“ and „Curopalate“ – given rarely and as a rule only to members of the imperial family. In addition, 8 other honorary titles beginning with „patrician“ were reserved for eunuchs only, and in fact patrician eunuchs took precedence over other patricians and antipathians. There are, however, a number of palace posts which are, of course, held by those close to the emperor (such as the rector, the master of ceremonies, the head of the stables, etc.)<sup>60</sup> and, accordingly, also receive various titles and honours.

It is important to note that in unfolding the mechanism for the distribution of different kinds of titles, **a twofold „privileged“ feature** is noticeable, which we have marked before, namely: **on the one hand, all those entitled to receive the respective titles by the ruling elites pay certain sums for them to the state; on the other hand, however, after the large means of acquiring the titles, their bearers or titleholders are awarded a host of political privileges and, respectively, a meteoric rise in the heights of the social hierarchy.** In this sense, political and personal interest are mutual, for just as the emperor benefits from the sales of titles, so do individuals from the ruling elites enjoy a variety of power privileges.

It goes without saying that the acquisition of titles by Byzantine officials quite naturally conferred a number of material advantages, such as **the high salaries of officials** (e.g. patrakii – 12 pounds of gold per year and festive clothing, magister – 24 pounds and two sets of

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<sup>59</sup> See **Ostrogorsky**, G. Op. cit., p. 334.

<sup>60</sup> See *ibid.*, p. 335.

clothing). In addition, they were given gifts on coronation days, on church festivals and on certain other occasions,<sup>61</sup> which was considered a perfectly common practice and a kind of „reward“ for the selfless service of the ruler.

Another substantial proof of the high privileged salaries is the undeniable fact that the numerous imperial **administration** in the capital and in the provinces was placed in different material situations. For example, the senior civil and military functionaries, who came most often from the senatorial class, received annually huge, almost fabulous sums, beyond the means of the ordinary worker to take for a lifetime. There is evidence of this, chiefly in sources of the VI century, in which it is stated that the governor of the province of Africa receives annually 100 litres of gold (i.e. 7,200 nomisms), while a labourer in the capital is compelled to content himself daily with 3 to 4 folles, or at most 1 kerathion. This would mean that for a year of continuous work he could receive about 300 kerations, or 12 – 13 nomisms, i.e. a salary more than 450 times less than the amount received by the Governor of Africa!!<sup>62</sup> Naturally, considerably smaller sums were fixed for inferior dignitaries, such as the assistants of the provincial governor. It is known, however, for example, that all the 400 clerks who form the auxiliary staff of the Prefect of Africa receive a total of 85 litres of gold, while he himself takes 100. These low salaries of the clerks are the cause of the great corruption among the administration, the frequent abuses, the violence, the bribes, etc. That is to say, the corruption among the officialdom is a veritable plague, against which individual emperors vainly attempt to take some measures,<sup>63</sup> which in most cases are utterly unsuccessful.

The next material encouragement of the high officials is even more solid, for they receive a certain **additional remuneration, the „horns“**, by which they are entitled to a special financial transaction (annually) bringing them a specific income, namely, the investment of capital, which has the price of an honorary title, against which an annual annuity is received, etc.<sup>64</sup> Thanks to this privilege, civil servants

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<sup>61</sup> See **Tomov**, T. Op. cit., p. 149.

<sup>62</sup> See **Angelov**, D. Op. cit. Part I. 1968, c. 55.

<sup>63</sup> See id.

<sup>64</sup> See **Bozhilov**, Ivan. Op. cit., p. 161.

were included in the hierarchical rank table of the empire, on which this decent additional financial income naturally depended.

In the state administration of Byzantium **various positions** were always **traded**, but especially from the X century onwards the lower titles were literally bought „like fruit in the market“ (T. Tomov). A price list was established, and if the recipient wished to have the corresponding insignia and diploma solemnly conferred on him, the amount seriously increased. Thus the person awarded a title receives precisely established rights and occupies a certain position,<sup>65</sup> of which the officials are extremely pleased.

In general, the sale of offices, long practiced in Byzantium, aroused in the officials an undisguised desire to recover on the backs of the population all the money they had spent to buy the office. Corruption and violation of official duty were therefore common phenomena among them. Many, even the highest, engage in various speculations, enriching themselves at the expense of the taxpayers of the empire. And the collection of levies is often done in a burdensome form for individuals, although the central government prescribes that officials refrain from excessive embarrassment and observe absolute honesty (and rules).<sup>66</sup> And one more thing, under Justinian's reign the fees taken for obtaining from the administration this or that office are of two kinds: one bears the name of „customary gifts“ and is distributed among the officials by the imperial chancery, which prepares the diplomas for the new appointees; while the other is a „formal bribe“ paid to persons on whom an official's appointment depends. Both these fees are directly called the „gold tax“, which is taken quite openly, without any embarrassment or scruple whatsoever.<sup>67</sup> Later Justinian banned the second kind of fees, retaining the „customary“ ones, which, however, did not significantly reduce corruption, because both extortions were a steady source of personal income (coming from the privileged administrative position of the officials). This is why the trading of posts in the empire is so very popular as a specific kind of privilege „fed“ from the high corridors of power.

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<sup>65</sup> See **Tomov**, T. Op. cit., p. 148.

<sup>66</sup> See **Beck**, H.-G. Op. cit., p. 293.

<sup>67</sup> See **Mutafchiev**, P. Lectures on the History of Byzantium. Sofia: Damyan Yakov, 2014, p. 146.

Directly related to the issue of **political privileges** is the question of **the pensions received by the rulers** in Byzantium. These pensions of the elite were much larger and sufficiently voluminous in monetary terms insofar as they were charged to the privileged people in the empire. There is even a precedent in 491 for Emperor Anastasius to abolish quite a few pensions totaling between 1400 and 5000 pounds of gold annually, roughly equivalent to 100,000 – 300,000 gold coins.<sup>68</sup> And although there is no more detailed data on the pensions of the individual members of the ruling class (according to their positions), it can be said that this was one of the most lucrative privileges of the elite of the time, as they were exorbitantly inflated (compared to all other pensions). Or, to summarize in other words, the different types of privileges were strictly differentiated by offices and ranks, by hierarchies and titles, and by salaries and pensions, so that in the Byzantine Empire the emperor-ruler stood out vividly in terms of representation (and income) first, then the oligarchic-managerial elites, and finally all other social groups and strata.

#### **4) The privileges of the aristocracy**

In the structure of the Byzantine socio-political pyramid, after its absolute apex – the emperor, invariably ranks the ruling stratum of the aristocracy, which also possesses a huge set of privileges as part of the ruling elite. This stratum is caught up in the „battle“ for more personal material gains from power and participates without scruple in their acquisition. Its composition includes old and new aristocrats, but there are also those who are entirely titled nobles, i.e. those who, once they have received their titles of nobility as high rulers, retain them even after the person is out of office. There are, moreover, perfectly parasitical aristocratic classes, who work nowhere, live on the backs of the people, and, enjoying the support of the emperor,<sup>69</sup> **acquire** some privilege or other. In this sense, most **aristocratic titles** were obtained by their owners **through purchase**, as a privileged form of consolidating the power of the aristocratic class.

The fact that the titles were obtained by paying large sums of money clearly shows that the Byzantine aristocracy in the IX – X centuries was not yet a closed class. For it could change its composition and

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<sup>68</sup> See **Beck**, H.-G. Op. cit., p. 293.

<sup>69</sup> See **Angelov**, D. Op. cit. Part II. 1974, pp. 50-51.



include new people who managed to rise in the social hierarchy and reach the upper circles thanks to the wealth at their disposal and the high offices that its representatives held. Yet, despite the possibility of changing the composition of the aristocratic elite and of incorporating new elements into it, there already existed in the Byzantine Empire (during the period under consideration) individual families that were proud of their long-standing noble origins and regarded their membership of the aristocracy as a perfectly natural and hereditary phenomenon.<sup>70</sup> Naturally, people with such noble origins are always highly valued, and are often entrusted with high offices of state. But then the number of such families was still very small, for gradually after the VII to XI centuries the old slave-owning aristocracy was almost entirely destroyed and a new, feudal aristocracy was just being created. This new aristocracy did its best to prove as old as possible the roots of its noble origin, going all the way back to Roman times.<sup>71</sup> This fusion into one of the old and new aristocracies in the empire practically also formed the ruling privileged elite in the state.

It is logical to note another nuance of privilege in the Byzantine Empire, in which **rulers bestowed noble titles** on a significant number of leading men of **the wealthy class**, which in effect meant bestowing some modest court ranks (of the dozens that existed). These privileges were subsequently abolished (by the Komnenian dynasty) by the elegant trick that there was a need for a new re-ordering of the palace ranks by means of the falling out of the old hierarchical ranks.<sup>72</sup> Such a stratagem, however, did not at all abolish the privileged distribution of titles, honours and ranks, although it was then made for financial reasons to reduce state expenditure.

For the Byzantine elite of the time, long-term **investment in various administrative positions** always represented one of the most lucrative privileges. These positions, according to Byzantologists, were an important source of advancement, consolidation of position and enrichment through bribery and embezzlement. That is why aristocrats had this right (privilege) and also bought honorary court titles, the sale of which provided a solid income to the treasury, and the holder of the

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<sup>70</sup> See *id.*

<sup>71</sup> See *id.*

<sup>72</sup> See **Beck**, H.-G. *Op. cit.*, p. 299.

title received a good percentage of the invested capital (9.7%). For example, in order to buy the title of „protospatharios“ (one of the highest in the IX – X centuries), 12 – 22 liters must be imported, but in reality the price rises as high as 60 liters. A powerful layer of rich professional officialdom was thus formed in Byzantium, and success in an official career required not so much business qualities as shrewdness and a shrewd loyalty to one’s superiors in both legal and illegal matters. Thus the consciousness of impunity grew in proportion to success in office, and the incorrigible vice of the bureaucratic machinery of the empire, bribery, became almost legal. That is to say, the wearing of a loud title and proper attire at court receptions was far more significant than any economic gain,<sup>73</sup> which is the deep essence of this aristocratic privilege.

Among the rich variety of privileges of the Byzantine elite stands out the one that gave **the aristocracy the right to buy property on preferential terms**. This was the **so-called „right of privileged purchase“**, which greatly facilitated the aristocracy’s ability to buy rural property in order to „further strengthen the aristocratic stratum and stimulate the process of feudalisation“ on the part of the emperors.<sup>74</sup> This centuries-old privilege (which was for a time revoked) was again restored in 922 by R. Lekapenos, when the right of the neighbors to a privileged purchase (especially of land) was fully restored, to be realized under conditions as relaxed as possible for the aristocratic circles. Thus, for example, in the expropriation of a peasant’s land (by purchase or lease), only 5 categories could enjoy the privileged right of purchase, and in a certain sequence: owner relatives; other co-owners; owners of pieces of land that were connected to the property granted for expropriation; field neighbours who paid their taxes together; and other land neighbours. And only after all these categories of potential buyers have opted out of the purchase can the land be alienated to outsiders.<sup>75</sup> It is true that part of the design of this privilege is to preserve as much small landed property as possible, but this does not at all negate its commercial acquisition by the wealthy aristocratic classes, since they use various clever

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<sup>73</sup> See **Tomov**, T. Op. cit., pp. 394-395.

<sup>74</sup> See **Ostrogorsky**, G. Op. cit., p. 342.

<sup>75</sup> See *ibid.*, p. 363.

mechanisms to acquire it, such as front men, hidden bribes, large kick-backs, etc. In support of this, Emperor Nikephoros in 967 by law deprived the poor of the privileged right of purchase upon expropriation of their estates, after which it came about that the poor could only buy from the poor and the rich from the rich.<sup>76</sup> Thus the imperial policy of strengthening the aristocracy in the state was steadfastly followed, and the privileged purchase of estates was of great importance in this.

Particularly characteristic of the Byzantine aristocracy were also the so-called „eternal privileges“ of the ruling minorities, such as **hunting and hunting pleasures**, for which reason a chief huntsman of hawks and falcons was appointed; **the privilege of „playing ball on horseback“**, imported from Persia and becoming a favorite of the nobility; various kinds of **other „aristocratic“ games** – chess, checkers, backgammon, etc.<sup>77</sup> All of these, on the basis of their permanent use in court life, not only increase the immense arsenal of privileges of the rulers, but further confirm the parasitic mode of their existence (unjustified rewards, the giving away of money, the selling of positions, glamorous robes, lavish feasts, hunting outings, etc.).

### **5) The privileges of large landowners**

During the reign of the Byzantine emperors, some of the most widely regulated privileges were in the area of large landholdings. This is because the largest landowner in the country was the emperor, who had extensive lands, some inherited from the time of the Hellenistic monarchies and others acquired later. In his hands lay a large part of Egypt, Sicily, Dalmatia, Mesopotamia, Syria, a considerable part of Phoenicia, etc., and the imperial possessions in the IV century were immensely aided by the confiscation of a large number of lands of pagan temples and urban areas.<sup>78</sup> In addition to the emperor, wealthy landowners (and tenants) were most often senior citizens, military dignitaries, senators, etc., among whom were distinguished the large landowners (and the agricultural aristocracy) who had the most economic privileges.

As early as between 476 and 484 a novella was issued which permanently settled the nature of the perpetual lease (emphyteusis), the persons who took land under the terms of this kind of lease receiving a

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<sup>76</sup> See *ibid.*, p. 378.

<sup>77</sup> See **Tomov**, T. Citation, pp. 527-528.

<sup>78</sup> See **Angelov**, D. Op. cit. Part I. 1968, p. 40.

number of privileges, such as: **exemption during the first two years after the receipt of the land from the payment of any taxes** in favour of the owner; the use of the new owners' estates as their own; the right to bequeath them to their sons, and even to alienate them, etc.<sup>79</sup> These privileged concessions to large landowners were an initial step and steadily increased over historical time.

Indeed, large landowners in the IX – X centuries not only had extensive estates, but also enjoyed a number of privileges granted to them by the central government. Such privileges were mainly granted to large monastic and ecclesiastical landowners.<sup>80</sup>

One of the main privileges is that **the large landowner is exempt forever from paying any state taxes**, which are compulsory for every landowner. This privilege was granted personally by the emperors and was enjoyed, as is evident from the data of the then „Manual of Tax Collection“, by various ecclesiastical and other pious establishments and monasteries. „One of the emperors“, it says, „ordered, for example, that the taxes from the available estates should not be demanded from this or that strange or old asylum or monastery or church, but should be left to him in perpetuity as an imperial gift and be marked in the tax books.“<sup>81</sup> Moreover, in a general reference in the „Manual“ there are extant records of specific imperial orders for tax exemptions of a similar kind in 883, 934, 995, in all of them the exemptions concerned, as a matter of priority, the estates of monasteries. This – on the one hand. And another, besides for landed estates **exemption from taxes** could be given for other kind of property, about which existing practice speak ordinances of XI – XII centuries – **ships of some monasteries** were exempted from taxes and fees.<sup>82</sup>

It should be recalled that, along with historical evolution, large-scale landownership has received new and new privileges. The relief which landowners always seek is tax freedom – immunity, or, as it was called in Byzantium, „excussium“.<sup>83</sup> In the XI century, for example, the

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<sup>79</sup> See *ibid.*, p. 99.

<sup>80</sup> See **Angelov**, D. *Op. cit.* Part II. 1974, pp. 10-12.

<sup>81</sup> Cited by: *Ibid.*

<sup>82</sup> See *id.*

<sup>83</sup> See **Ostrogorsky**, G. *Op. cit.*, p. 428.

central government became more and more mindful of the desires of the feudal lords, and distributed this privilege with even greater generosity. Thus **the secular and ecclesiastical landlords were exempted from some, and the most powerful and influential of them from all, taxes, enjoying complete immunity.**<sup>84</sup> That is to say, taxes and other dues from serfs no longer filled the state treasury, but went to the landowner. And alongside **fiscal immunity, legal immunity also appeared** at this time: **landlords sued their serfs themselves.** Thus they are increasingly detached from the state's care. Landlords enjoying full fiscal and legal immunity were removed from the governance network of the central government and imperial officials were forbidden even to enter the land of the landlord.<sup>85</sup>

Such are the more substantive tax preferences (privileges) of large landowners, which, in addition to what has been pointed out, can be summarized as follows: the holders of the privileged landholdings fully supported the imperial power, extracting maximum personal benefits (and profits), ruthlessly exploiting the poor people.

#### **6) Privileges of the church (and its ministers)**

Even the most cursory glance at the historical literature on Byzantium shows that, alongside the political and economic benefits of large landowners, the privileges of the church and its clergy also occupied a prominent place in the orderly system of benefits of the ruling elites. Here, the privilege of **non-payment of state taxes by the representatives of the church and monasticism**, already cited, should first be singled out as the number one privilege of the entire ecclesiastical elite, and especially of its upper stratum.

The next serious privilege is connected with the official **exemption also from the performance of state duties** of the already mentioned class, which is evident from an ordinance in the legal compendium „Epanagoge“ issued after 879, during the reign of Basil I. It explicitly states that „monasteries, churches, and above all bishoprics and episcopacies, are subject neither to personal nor to state *angaria* and obligation“,<sup>86</sup> and the violator of this provision was threatened with anathema. As can be seen, this is a solemn privilege, which applies

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<sup>84</sup> See *id.*

<sup>85</sup> See *id.*

<sup>86</sup> Cited in: **Angelov, D.** *Op. cit.* Part II. 1974, pp. 10-11.

mainly to the representatives of the ecclesiastical aristocracy, from which it naturally takes every advantage.

Along with exemption from taxes and duties, the estates of churches and monasteries enjoyed other privileges of a socio-economic nature. One of these **privileges**, mentioned again in the Manual for the Collection of Taxes, is the so-called „auturgia solemnna“, which not only consists in a church or monastery landowner being exempted from paying state taxes on his estate, but also in ordering that **the total amount of these taxes be assigned to him for his own benefit**. Thus, whereas under the procataspasmen logisima the large landowner did not pay the taxes himself, he now receives them for himself. In other words, under the application of auturgia solemnna, his profit is twice as great,<sup>87</sup> than before.

It is possible to suppose that in granting the auturgia the solemnna was meant to grant to the large proprietor not only the state taxes paid by his own domain, but also those state taxes paid by his dependent peasants. For, instead of paying them to the state tax collector, they must henceforth pay them to their feudal lord. In such a sense the auturgia solemnna may be described as a first step towards the building up of **financial immunity in the estates of the large ecclesiastical and monastic proprietors**.<sup>88</sup>

Another distinctive privilege, again granted to church and monastic establishments, is the so-called „**sums in lieu of solemn endowments**“. These are certain sums of money that belong to the fund of the emperor and his personal treasury. These sums were granted for the benefit of the monastic or ecclesiastical establishment each year, and thanks to them the heads of these institutions could purchase more land or improve their holdings. The practice of the emperor distributing monetary donations to churches and monasteries continued in the following centuries.<sup>89</sup>

In the IX – X centuries, as can be seen from the „Manual for the Collection of Taxes“, another practice began to make its way, namely, **to give to individual churches or monasteries the entire tax sums** owed to the fiscus of a village. Instead of being received by the central

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<sup>87</sup> See id.

<sup>88</sup> See id.

<sup>89</sup> See id.

authorities, these sums were henceforth received by the large church or monastery owner, this being done by special order of the emperor. This practice is called „solemn endowment“, and it is characteristic of it that the villages whose tax goes to the church or monastery are not under his direct authority. They simply remain subordinate to the central authority, since their inhabitants are neither church nor monastery parishioners, but so-called „state peasants“.<sup>90</sup>

„The various donations to church and monastic institutions (auturgia solemnia, ta anti solemnion, logizimon solemnion) noted in the „Guide to the Collection of Taxes“ – summarizes D. Angelov – represented a rent for the large monastery and church owner, which contributed to strengthening his economic power. In some cases (in the case of the auturgia solemnia) this rent arose as a result of the large landowner’s proprietary rights over his estate and personal authority over the dependent peasants, i.e. it was a feudal rent in the full sense of the word. In other cases (anti-solomnion and logizimon solomnion) the rent received by monastic and ecclesiastical feudal lords was not a consequence of the existence of their proprietary rights over the land and personal authority over the peasants, but the expression of a special policy of the central authority aimed at strengthening the position of ecclesiastical landlords. This kind of rent testifies to the strong intervention of the state in the construction of feudal relations in Byzantium in the IX – X centuries.“<sup>91</sup>

It can be said that the regulation of such a rich regime of various economic, financial and tax privileges for the church and its clergy was not only due to the fact that the emperor's power in the state had to be strengthened. This is so, but more important, in our opinion, is the fact that during this historical period (VI – XI centuries) a new type of socio-economic relations actually developed – feudal ones, which gradually formed new social groups (feudals, serfs), having a huge impact on the evolution of political systems then. In this sense, a whole range of unknown (new) privileges of the ruling elites of an economic and financial-tax nature arose quite naturally, through which their representatives felt actively motivated and involved in the higher structures of power.

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<sup>90</sup> See *ibid.*, p. 12.

<sup>91</sup> *Ibid.*

### 7) The privileges of the military

As in every empire, so in the Byzantine, the entire military elite, aristocracy and nobility were always placed on a high political pedestal. That is why privileges for the different parts of the military nobility were never ignored, but on the contrary were a constant concern of the imperial power (and personally of the ruler himself). These privileges mainly concerned the **so-called „stratiots“**, who had established themselves as the leading military rank in building up the popular army of the empire.

The Stratiots, as is evident mainly from Constantine VII Bagrenodni's novella of 947 and from some other sources, were a stratum of farmers who owned „special soldier estates“ that were entered in separate tax registers. Their estates served to support their families and at the same time as a base to arm themselves with their own means and to appear in the army when the need arose. And upon the death of the stratio, the soldier's property passed into the ownership of his heirs, passing along with it the military service obligation associated with that property. Furthermore, according to the novella, the soldier's property must be worth at least 4 litres of gold, i.e. 288 nomizmi. This refers to the lands of the stratio infantrymen who form the heavy-armed detachments. And for the lands of the strathiot sailors, who receive their armaments from the state, it is stipulated to be worth at least 2 litres (144 nomizmi).<sup>92</sup> And something very important: this certain minimum is inalienable, and the soldier is not allowed to sell it, bequeath it, donate it, etc., and making such transactions is considered invalid and punishable.

Along with the listed requirements and in exchange for the obligation to serve in the army, the Stratioti **are exempt from any state burdens and only have to pay the land tax determined according to the size of their properties**. Here the most privileged stratum among the Stratiots are those of them who are found on the frontier districts of the empire and who are known by the name of „**acrites**“, such as there are in northern Syria, in Armenia and Cilicia, i.e., in the districts adjacent to the Arab Caliphate, and also in the European possessions of Byzantium, chiefly in Thrace and Macedonia, near the frontier with

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<sup>92</sup> See id. Op. cit. Part I. 1968, p. 229.



the Bulgarian state. The authorities regarded them as a particularly important support and gave them **regular annual salaries in money or in kind**, with smaller salaries going to the other stratiots.<sup>93</sup>

In reality, these state privileges did not cover all members of the military nobility, but only the elite military aristocracy (the prominent commanders, the senior command staff) and the numbers of the stratiots as representatives of a particular agricultural stratum. But the fact that they acquired serious tax exemptions, did not pay various land taxes, and were stimulated with additional monetary rewards, speaks only of one thing: these strata were an inseparable component of the then privileged oligarchy in power, despite the fact that concern for the senior military and the army in general had an undeniable social character (and importance).

At the same time, it is necessary to note that somewhere around the X – XI centuries in the Byzantine Empire, with the development of large-scale secular and ecclesiastical land tenure, an intensification of feudal economic domination and of forms of extra-economic coercion became increasingly apparent. In this sense, the imperial power was forced to sanction the concentration of political power in the hands of large landowners through special grants (immunities). Their essence consisted in prohibiting, by special royal charters, government officials – counts, centurions and their assistants – from entering territory belonging to one or another large landowner to perform any judicial, administrative, police or fiscal functions.<sup>94</sup> All these functions are thus handed over to the magnate, who performs them with the help of his own agents. This very grant is called „immunity“ (Latin *immunitas* – inviolability, exemption from something), which can be defined as the transfer of certain political rights to the large landowners and, respectively, the transfer of the territory covered by the respective grant.<sup>95</sup> In other words, *immunitas* helped enormously to strengthen the political independence of the feudal lords, but at the same time it also strengthened the central imperial power through generous donations. This provoked the imperial power to support the emerging feudal class and its representatives in state institutions in every possible way, including by

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<sup>93</sup> See *ibid.*, p. 230.

<sup>94</sup> See **History** of the Middle Ages. Vol. I. 1974. Op. cit., p. 129.

<sup>95</sup> See *ibid.*, pp. 129-130.

extending and applying **privileges in the form of immunities**. This led to the legal regulation of immunity as a specific form of power of the feudal lord over the population on his estate. This immunity, according to historians, is generally speaking of two main types, **financial** and **judicial**,<sup>96</sup> as another mechanism for obtaining various material benefits.

The first, or **financial, immunity** of the feudal lords over dependent people developed in close connection with the practice, existing as early as the X century, of exempting the estates of individual large landowners from the payment of taxes and of preventing the authorities of the central administration from entering their lands. In the middle and second half of the XI century, this practice was further strengthened by the adoption of a specific term to designate it, namely the term „excursion“. And, as can be seen from the data of the charters, in some cases the obtaining of an excursion meant that the feudal estate was forbidden to the state tax collectors or other officials, i.e. the large landowner continued to pay taxes to the state, but gave them directly to the fiscus, not to the tax collectors, who no longer entered his lands at all. Thus, in an effort to rid themselves of the interference of state officials, some large landowners were even willing to give up the annual benefits bestowed upon them by the emperor on the condition that the authorities would be barred from their holdings. Moreover, the monks of one monastery (Vatopedi), for example, even secured for themselves in 1082 the privilege (according to a charter) that henceforth no bailiff should set foot on their estates or levy a money tax on them, as had been the case until then.

In other cases, „excursion“ meant not only **the prohibition of tax collectors or other government officials from entering the possessions of the large landowner, but also the exemption of those possessions from the payment of taxes and the performance of duties**. In this sense the term „excursion“ is used in most of the already mentioned charters of the second half of the XI century. They list in detail the various taxes and duties from which the feudal lord's estates were exempt, usually adding at the end a list of the various military and civil dignitaries who were forbidden access to these estates. Moreover, the

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<sup>96</sup> On the next few pages these immunities are presented in **Angelov, D.** Op. cit. Part II. 1974, pp. 149-154.

excommunication granted to feudal lords, with this content, could be of two types, full and partial. Under the full one the feudal domain is exempted from absolutely all obligations to the central authority, i.e. both from the regular annual tax (*telos*) and from additional taxes (*epiria*) and obligations; while under the partial excision the feudal lord continues to pay the *telos* but is exempted only from the *epiria*. Judging from the extant charters for the period under consideration, the central authority's aim was to grant mainly partial excusation, while retaining the *telos* for itself.<sup>97</sup> In practice, once the excision was granted, only the feudal owner really benefited, since he effectively rid himself of the central authority's interference in his lands and was not obliged to pay any or almost any taxes to the state in future. Thus the excision, which in itself constitutes an exemption from taxes and a prohibition of interference by state officials in the feudal lord's estates, at the same time creates the conditions for strengthening his power over the dependent population. And without in itself creating financial immunity, i.e. the right of the feudal lord to collect for himself all the rent from the dependent people, the excision essentially gives rise to such a right. Herein lies its great role in the further development of feudal relations in Byzantium in the XI – XII centuries.<sup>98</sup>

The second, or **judicial, immunity** in feudal estates was created in the middle of the XI century and was enjoyed primarily by the managers of monastic estates and the estates of secular feudal lords. In its scope, this immunity was specifically defined during the period under consideration. Occasionally (such as for the monastery of Iviron) it was of a more limited nature. For the monastic government was given the right to exercise jurisdictional functions within the limits of its territory, and no „dark or other judges, praetors, tax collectors or some others“ were allowed to interfere there. Along with this, however, it was determined that the monastery remained subject to the jurisdictional authority of the duke of Thessaloniki and that they were empowered to decide before their court „all charges against it“. The question of the monastery of John the Theologian on the island of Patmos is resolved differently, inasmuch as in the charter of Alexios I Komnenos of 1088

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<sup>97</sup> See *ibid.*, p. 151.

<sup>98</sup> See *ibid.*, p. 153.

we read that „neither the monastery, nor what belongs to it, nor the island itself shall be subject to royal, patriarchal, metropolitan, episcopal, ecclesiastical or any civil persons“<sup>99</sup>. Or, while the Iviron Monastery case is an example of limited judicial immunity, this is about full judicial immunity. This means that the imperial power itself does not lose all judicial control, and has the ability to send its judicial organs there, of course, when it feels the need.

Therefore, it can be summarized that both **financial** and **judicial immunity** represented a particular and **specific form of privilege of the ruling elites and large landowners in Byzantium**, which was totally exploited by the oligarchic overlords with the cooperation (regulated and unregulated) of the emperor and the state institutions under his control.

We must also point out something else, which is confirmed by the whole subsequent socio-political history of the Byzantine Empire, and it is connected with the permanent development and increase of privileges in feudal society. For example, in the XII century, during the reign of Manuel I Comnenus, when the process of feudalisation in Byzantium continued its steady evolution, privileges acquired new dimensions and spread to the wealthy classes as various norms were adopted to regulate them. Such was an imperial ordinance of 1158 (repeated in 1170),<sup>100</sup> through which the material well-being of the wealthy people of the empire was increased. According to it, persons who had acquired real estate as a gift from the emperor were forbidden to alienate it for the benefit of another, with the exception of members of the senate and the soldiery. The meaning of the prohibition is clear, insofar as it is intended to satisfy primarily the interests of the secular landed aristocracy (senators and pronarii) by giving them the right to acquire new landed estates from the imperial fund alone.<sup>101</sup>

During this period, at the same time as the privileged positions of the secular landed aristocracy in Byzantium were being strengthened, the process of strengthening the economic power of the Church, and especially of the monasticism, was invariably continuing. This was done by separate charters of M. Komnenos, who confirmed all the old privileges of most monasteries (around Constantinople, Enos, Asia Minor,

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<sup>99</sup> Ibid., p. 154.

<sup>100</sup> See *ibid.*, p. 198.

<sup>101</sup> See *id.*

etc.), even forbidding (by special decree) the encroachment by state officials on the estates of deceased senior clergy. And, moreover, the Church and the monasticism were granted by the emperor so-called „dependent people“ to cultivate the numerous lands and estates.<sup>102</sup> In other words, there was an enduring pattern of imposing various **economic privileges** on the upper social strata in Byzantium (the large landowners, the aristocrats, the clergy), which had the two-dimensional effect of reinforcing imperial power and privileging the oligarchic strata.

As we have already had occasion to note, **the privileges of the Byzantine elites** assumed extraordinary proportions in both central and **local government**. This is most strikingly evident in the varied nature of the privileges that pertained to some of the larger Byzantine cities, such as Thessalonica, Monemvasia, and Ioannina.

As an important port and trading centre, Thessaloniki had a local senate, a national assembly and an imperial viceroy known as the „churchwarden“ („duke“, „kephale“). The privileges of Thessaloniki therefore date from ancient times, and were reaffirmed by Baldwin of Flanders in 1205 after his entry into the city (the privileges were subsequently reaffirmed by the Nicene emperor John Vatatzes). These privileges of the local rulers related to their rights in local self-government, the settlement of internal affairs, the strengthening of their economic position, etc.

However, more details about the privileges in the major cities are contained in the text of three special charters from the time of Emperor Andronikos II Palaiologos (1282 – 1328).<sup>103</sup> For example, the first charter for Monemvasia confirms the citizens' old right (granted to them already by Michael VIII Palaiologos) to full ownership of their hereditary estates. At the same time, it added that these estates should enjoy full excusis and liberty and should not be subject to any tax or any encumbrance. It is further stated that these privileges were granted to the inhabitants of Monemvasia, without specifying whether this refers to the entire population of the city or only to the local landed aristocracy (feudal lords and wealthy citizens). And the second charter (issued

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<sup>102</sup> See *ibid.*, p. 199.

<sup>103</sup> The data from these charters on the privileges of the cities of Monemvasia and Ioannina are quoted in the exposition from the monograph of D. Angelov (See *ibid.*, pp. 72-73).

in 1316) granted privileges mainly of a commercial nature: it set a moderate duty to be paid by the citizens of Monemvasia when buying and selling various goods; the citizens were exempted from various types of fees and rents connected with the exercise of commercial activity (the storage of goods at the ports, their display on the market, their measurement), etc. However, the most detailed and varied in the nature of the privileges is the third charter granted to the inhabitants of Ioannina. In it we find first of all privileges in connection with landed property similar to those of the first Monemvasian charter. In addition, it confirms the ownership rights of the Diocese of Ioannina over all the immovable properties (villages, vineyards, fields, mills) as well as over the parishes located there. This right of ownership is also legalized for the other landowners in Janina, emphasizing that they may continue to own a number of „villages and estates“ unmolested, as they had before this charter was issued. And another, a named list is given of those (over 20 in total) whose owners were usually wealthy citizens and above all local feudal lords. The landed estates thus confirmed in the charter were exempt from payment of the various taxes listed by name,<sup>104</sup> which constituted a serious tax privilege.

Of course, these local privileges, typical of the XI – XIV centuries, fully benefited the urban elite of the time, i.e. the local feudal aristocracy, as well as the wealthy citizenry in large cities, which does not at all mean that there were not different kinds of benefits (privileges) for other social strata in them as well.<sup>105</sup> However, these are neither in size, scope nor benefits enjoyed by a significant amount of social classes.

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<sup>104</sup> See *id.*

<sup>105</sup> Along with the privileges mentioned, the charter, for example, also provided a number of other rights for the inhabitants of Ioannina: they were granted the right to trade in any goods in their city or in the other cities and villages of the empire without paying any duty; they were exempted from the obligation to give shelter to soldiers passing through the city or through the surrounding villages which were their property; their obligation to serve as soldiers and to guard the walls of the city was abolished. Only those of them who belong to the category of *stratioi* and have special soldier's estates may be enlisted in the army, and only those who have previously performed this service as regular guards must be used as guards of the city walls. And further, they have the right to choose from their own *midst men* to dispense justice among the citizens in all matters, except those subject to the jurisdiction of the church, etc. (See *ibid.*).

In the meantime, the growth of the privileges of the Byzantine imperial nobility increased over the centuries to such an extent that in the middle of the XIV century drastic measures were taken to abolish some of them (including in cities such as Thessaloniki and others), namely: 1) confiscation of the property of churches and monasteries and abolition of ecclesiastical immunities; 2) abolition of donations of property to churches and monasteries; 3) abolition of obligations to usurers; 4) establishment of a common treasury for the needs of both laity and clergy; 5) providing for the intervention of the secular power in the appointment of the higher clergy; 6) organizing a city militia to ensure control and order; and 7) repairing and rebuilding the half-destroyed city walls,<sup>106</sup> etc. Obviously, these measures to curtail local privileges were palliative in nature, because despite good intentions, the title of power to the national and local feudal class (and wealthy gentry) was not radically reduced, mainly due to the nature of total and sole imperial power.

And so, having analysed the emergence and evolution of **privileges in the Byzantine Empire** during the early medieval period, we will conclude this section with a few **broad distinguishing features** about their significance and place in this interesting historical time.

First of all, it is necessary to clearly point out the objective fact that the vertical-horizontal development of privileges in Byzantium was mostly facilitated by the **permanent formation of the state and its main institutions – the emperor, the government, the administration, etc.** This was the granite foundation of Byzantine statehood around which the dozens of political privileges of the elite were steadfastly created (and built), naturally with the explicit sanction of the ruler of the state, the omnipresent emperor.

There can be absolutely no dispute that **the greatest user and consumer of the extremely varied political and any other privileges was the Byzantine emperor** due to the total nature of his sole power. In this sense, it can be said that the various imperial privileges represented not only a solidly deployed system of personal benefits (and gains), but were also a fundamental pillar of power as a means of its

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<sup>106</sup> See **Angelov, D.** History of Byzantium. Part III. 1204 – 1453. 4th edition. Sofia: Science and Art, 1974, pp. 92-93.

consolidation and maintenance (vis-à-vis the upper classes, elites, strata, and castes).

In order for certain privileges to be massively deployed in Byzantine society, **the ruling political elite**, formed and **established over the centuries**, played a huge role, courting and taking advantage of their benefits in every possible way. For, unlike other states, the Byzantine elite was very well organized (as an institution), hierarchical (emperor, ministers, administrators, officials) and structured (aristocracy, large landowners, clergy, military), and within it each one knew his place, enjoying a particular set of privileges attached to it. Here we are primarily concerned with the composition of the Byzantine Senate, which, according to Hans-Georg Beck, was not that „noble class of senators (as in the Roman Republic), but consisted for the most part of the highest representatives of the court, supplemented by personal nominations from the emperor. Something that is roughly the governmental or power leadership of the state, called the „Council of the Crown“<sup>107</sup>. It is this ruling elite that has the rights to enjoy the many privileges in the Empire.

Throughout the Byzantine Empire, **various types of titles, ranks and titles were** particularly popular, sought after and revered as **„trademarks“ of political privilege**. These titles were bestowed (bestowed) personally by the emperor to his high dignitaries and cronies (not gratuitously, of course), and were therefore extremely prestigious, authoritative, and lucrative. As a result, in the XI century alone, the Byzantine court hierarchy was „adorned“ with more than 70 titles and titles,<sup>108</sup> which is a kind of record in respecting the „royal court’s parasitism“ and the ruler’s imperious vanity.

It is interesting to note that despite their widespread use among the elite, **privileges in Byzantium, though not all of them, were regulated in separate legal acts**. This began as early as the early years of the empire, when a comprehensive collection of laws (known as the „Novellae“) was published under Justinian; the first legal compendium issued under Basil I, or the so-called „Law-Handbook“ (pp. 870-879); the second legal compendium called the „Epanagogue“ (promulgated after 879),

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<sup>107</sup> See Beck, H.-G. Op. cit., p. 61.

<sup>108</sup> See Angelov, D. Op. cit. Part II. 1974, p. 174.



etc.<sup>109</sup> In these, as well as in other similar legal provisions, the basic rights and duties of the institutions, the power and functions of the emperor, of the secular and ecclesiastical dignitaries, etc., are regulated, albeit partially, including some of their due privileges (including economic ones). That is to say, it is a matter of fully legitimizing a number of political privileges that benefit the ruling oligarchies in the empire.

It is no coincidence that among the many benefits of power, **economic privileges continually expanded their presence in socio-political life, covering new and new territories in the overall evolution of the Byzantine Empire.** We have already given enough examples of this, and we will therefore only recall that with these privileges enjoyed by the high aristocracy, the large landowners and the princely clergy, imperial power annually strengthened the economic power of the wealthy classes, and through them the power of the sole ruler in the state.

It is also fair to point out another feature of privileges in Byzantine society, which stems from the fact that **there were two kinds of privileges:** those granted by the state to various administrators, officials, and servants (high and middle) as a „reward“ from the authorities; and others, i.e., those that **were social in nature** because they were ordained for valiant service to the country (e.g., the privileges of military personnel). These benefits accompanied the entire historical development of the Byzantine Empire and their importance must always be taken into account, especially when we speak of the so-called „social privileges“ which were received by people who sacrificed their lives for the state.

It is a proven historical fact that in its civilizational development the Byzantine Empire did not always use privilege as a permanent instrument of imposing power. On the contrary, **the various types of privilege were invented and imposed in ebb and flow, that is, not in a lump and whole, but depending on the particular historical time, the state of the empire, the mood of the people, the will of the emperor, etc.** The proof of this is the novella of the Emperor Romanos I Lekapenos (of April 922), by which he restored the limited right of privileged purchase of land to the neighbours, which we have already quoted in the preceding texts. Thus the rich could no longer buy rural land at all

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<sup>109</sup> See Angelov, D. Op. cit. Part I. 1968, pp. 130-131; Part II. 1974, pp. 59-60.

or rent it, except when they owned their own land in the villages concerned. Furthermore, they cannot receive gifts and inheritances from the poor, even if they are related to them, and whoever violates these requirements, if not protected by a 10-year statute of limitations, must return the acquired piece of land without any compensation and pay a corresponding monetary fine to the public treasury.<sup>110</sup> Such changes, however, indicate only one important thing: the authorities do take the people's opinion into account, which is why various changes have been made to the use of the privileges.

The most striking example of **a special privileged position of the authorities towards the senior officials of religious institutions and cults (temples, monasteries) can be defined as the rich donations and gifts received by them.** „In Byzantium“, writes Ivan Katsarski, „monasteries received generous donations and their abbots were part of the imperial and local elites. Among the abbots themselves, the most influential was the one who had relations with the great figures among the laity and was part of the famous group of spiritual mentors. They were among the closest confidants of those with power and influence in Byzantium, and the advice they gave often facilitated one settlement or another in affairs of state“<sup>111</sup>. This privilege was characteristic of almost the entire Middle Ages in most European states, and its specificity can therefore be said to find a twofold expression: once, its consumers (the higher clerical and local elite) felt themselves to be an important constituent of the governance of the state, and secondly, as venerable beneficiaries of a rich system of privileges, endowments, benefits, etc.

Finally, we will point out another objective circumstance which suggests the natural evolution and increase of privilege in the Byzantine Empire, namely: after the decline of the Roman Empire, both in Byzantium and in a number of other states, the basic elements of the late feudal system made their way in one degree or another, as follows: the supreme ownership of land by the imperial (royal) power (as the backbone of the hierarchical structure of the ruling class); the distribution of conditional landholdings (in return for the fulfilment of certain

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<sup>110</sup> See Ostrogorsky, G. Op. cit., p. 363.

<sup>111</sup> Katsarski, Ivan. Op. cit., p. 169.

military or administrative obligations to the central authority); the cultivation of these landholdings on an angary basis (by semi-free and independent peasants), etc.<sup>112</sup> All of this, together with the existing privileges of the imperial oligarchic overlords, could actually happen because the benefits of power (political and economic) were exploited by the elites of the time in the context of the emerging early feudal society and political system, in which there were almost no social brakes to restrain them. These privileges, however, apart from Byzantium and a number of European states, found widespread application in the Eastern world as well, and especially in the established caliphates (and Eastern theocracies) whose manifestations we turn to in the following pages of our study.

### 1.2. Privileges in Eastern theocracies and caliphates

In the socio-political conditions of the Early Middle Ages, the privileges of the ruling elites found widespread application not only in a number of European states, but also in almost all eastern state entities. They (privileges) prioritized the higher echelons of power (clergy and rulers) in their „networks“, since they were objectively motivated by the struggle between the religious and the secular in state governance in all spheres of social life. „Religion, or more precisely the ecclesiastical authority, as a mediator between God and man, between God and (...) other rulers – points out prof. M. Semov – has entangled like a spider’s web the whole system of social life, and of necessity the main battle is fought in the field of religious dogmatics...“<sup>113</sup> In other words, religion uncompromisingly and totally enters the territory of political power and to a considerable extent seizes its functions in state governance (this issue will be discussed later), as a result of which theocratic forms of domination (and governance) appear and develop.

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<sup>112</sup> See **Berov**, L. Op. cit., p. 97.

<sup>113</sup> See **Semov**, M. Theory of Politics... Op. cit., p. 99.

The first models of theocracy<sup>114</sup> arose much earlier, or as early as Antiquity.<sup>115</sup> According to the definition of prof. Yankov's definition of theocracy is a type of state in which there is a mixing or even identification of politics with religion, of the state with the church, and of the secular with the ecclesiastical.<sup>116</sup>

Theocracy found an even stronger application among the **eastern Islamic despotisms** of the Middle Ages, in which **the Qur'an was the source of both faith and law, and in which Sharia – Islamic religious law – dominated**. In the East, theocracy is a characteristic feature of the political ideas enshrined in the Koran. Early Islam started from the premise that **all temporal and spiritual authority belonged to the Prophet and, after his death, to the caliphs (the Prophet's deputies)**. Alongside this postulate is the idea of the primacy of religious over secular authority.<sup>117</sup> Moreover, Islam is a religio-political system in which **the source of authority is entirely contained in the so-called „Divine Law“**, according to which there is no difference between the Holy Qur'an and the secular system of the state.

In the Eastern theocratic system, the **cult of Islam** occupies a central place, which is based on five basic beliefs: profession of faith, regular prayer, almsgiving, fasting and pilgrimage to Mecca.<sup>118</sup> These beliefs are an inevitable attribute of the functioning of a theocratic state

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<sup>114</sup> *theocracy* (Gr. *θεός* – god, and *κράτος* – power) – 1. A form of government in which political power belongs to the clergy. 2. A state with such a government (the Vatican) (See **Dictionary** of Foreign Words... Op. cit., p. 749).

<sup>115</sup> The earliest theocratic states are Ancient Egypt, Chaldea, Brahmanical India, etc. For example, pharaohs in Egypt were deified (then depicted as gods) and only they could perform certain rituals related to offering gifts to God. The term „theocracy“ itself is believed to have been first used by Titus Livius (aka Josephus ben Matthias) in describing the government of the Jews, where the supreme norms of state and public life were the laws of Moses. The authority of the high priests (high priests) in Judea in the V – I centuries BC embodied the theocratic principle of state governance. That is to say, God is recognized as the primary source of law, laws are interpreted and enforced by priests who act as divine vicegerents. A similar form of government existed in ancient Israel, under the rule of the judges, until the monarchy emerged under King Saul (See **Basic Terms Used in the Learning Process...** Op. cit., pp. 420-421).

<sup>116</sup> See **Yankov**, G. Theocracy. – In: *Basic Terms...* Op. cit., p. 420.

<sup>117</sup> See *ibid.*, p. 421.

<sup>118</sup> See **Irkhin**, Yu. B. *Political Science*. Second edition, supplemented. Moscow: Exam, 2007, p. 18.

and an important component in legitimizing its political system. Yet, the Qur'an is the foundation of authority in theocratic states, without which no state entity structured on an Islamic basis can exist. The famous Arab caliphates as the primary classical forms of Eastern theocratic states are a case in point.

To clarify the nature and extent of privilege in this type of theocracy, however, it is necessary to consider the nature of the caliphate as a medieval political regime a little more closely. We shall therefore here further draw on the magnificent analysis of this phenomenon carried out by Prof. M. Semov, which theoretically illuminates the so-called „Arab Caliphate“ (or the realm of the Caliphate and Islam) as a classical type of Islamic political system.<sup>119</sup>

As early as the VII century Muhammad established a Muslim religious community, which became an important starting point for the formation of the Arab-Muslim state called the „Arab Caliphate“. In the X century, this state became a powerful empire that included Central Asia, Transcaucasia, Iran, Iraq, the Arabian Peninsula, North Africa and much of the Pyrenees.

It should be pointed out that the Muslim community as the basis of the state differs substantially from the territorial-tribal communities from whose union the polis, or city-state, emerges.<sup>120</sup> In this sense, the founding principle of the Muslim commune and state of the Middle Ages

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<sup>119</sup> See the detailed discussion of the caliphate as a political system and social phenomenon in **Semov**, M. *Theory of Politics...* Op. cit., pp. 100-105.

<sup>120</sup> In the ancient commune, for example (as a difference), two networks of social relations were superimposed on each other: one tribal, the other territorially organizing. Later, under Christian theocracy, in the states of the Holy Roman Empire, the commune retained its position, but as a rule did not become a religious community or a religious structural unit. It simply remained a unit of administrative-political power that developed under the blessing of the church, and more precisely of one of the distinct upper levels of secular power. Here the mayor and the priest, the bishop and the governor, as a rule, have different functions and different personalities. For the Christian Church distinguishes the care of the soul from the care of the body, and has for its priority the spiritual, but holds in subjection and under control the temporal authority to which the government of earthly affairs is vested. For all its diversity, so-called „papalism“ retains distinctions between religious and secular authority. In the present case the Papal States themselves may be taken as exceptions, and certain episcopal dominions of no particular importance (See *ibid.*).

is quite different. Unlike the ancient commune, it united the people not on a tribal basis but on the one Muslim faith. That is to say, **Muhammad** is at the same time the head of secular and religious authority, the legislator, the warlord, and the judge, i.e., he alone **is the source of all authority, of all power, and of the absolute authority given to him by Allah**. Moreover, unlike the papalist state, here there is **a fusion of all powers in one institution, one person**. Accordingly, Islam has in its holy book, the **Koran**, and in its sacred traditions not only a well-developed philosophy like Christianity, but also a **legal system, the Sharia**. Or, Islam, by definition, contains within itself an all-embracing concern for man, provides everything he needs, and therefore demands of him complete and total submission. Yet, Islam means obedience.<sup>121</sup>

It is well known that every religion claims total control over man, which is why it creates its own organization and structures. To one degree or another this also applies to political dictatorships, which also seek to control human activity. But according to prof. M. Semov „the total encompassing of man, his total absorption and subjugation, the total control over all aspects of his activity and life by a single power structure is achieved precisely by the Islamic community and state established by Muhammad“<sup>122</sup>.

At the foundation of this very **model of a totalitarian society and state is an extremely simplistic value structure: there is one Allah, the God of heaven; there is one Muhammad, his messenger on earth; there is only one who will deserve the kingdom of heaven (those who believe in Allah and Muhammad and who give life and death) – the righteous. While for the non-Muslims, the path leads only to hell.**

Corresponding to this value system is a religious practice that is also extremely simplistic and has a **single center – religious, administrative, political, and any leader – the caliph**<sup>123</sup>. This is one fulcrum, namely the exclusivity of both God and his Prophet and the believer, and the other, the unity, the synergy of the orthodox equal before God and the Prophet. Here the exclusiveness of God and his Prophet gives rise to the ideal and experience of the exclusiveness of the believers and at the same time demands the unity, the concurrence of the elect and

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<sup>121</sup> See *ibid.*, p. 101.

<sup>122</sup> *Ibid.*

<sup>123</sup> *caliph* (singular *ḫalīfa* (*caliph*), plural *ḫulafā'* (*caliphs*) – deputy, successor

of the orthodox, for it is this that distinguishes them from all others and gives them the self-confidence of being incomparably superior to them all. This social and state religious organization proved to be extremely powerful: it was the decisive factor in the success of the Arab conquests (including the victories over the then mighty Byzantine Empire).

It is necessary to recall that **in Islam the foundation is the direct communication of man with Allah, because there is no mediating role of the separate hierarchical system of the authority of the church.** The Caliphate is thus fundamentally different from the Holy Roman Empire, but since both the foundation and the entire system of its political power is based on religion, the struggle for power here is also fought in the territory of religious dogmatics.

The idea of full equality in the Muslim community and of the electorality of the caliph was already manifested in the VII century. At that time, the Shi'a were separated from the Sunnis as orthodox or orthodox adherents of Islam. Their attack, as in the case of the papal institution and Catholic ecclesiastical authority, is directed against the legitimacy, the legality of those in power, and their right to represent the will of Allah. For example, the Shi'i recognise Ali, the son-in-law of Muhammad, as the sole successor of the Prophet and interpreter of Islam as a religion. For them, the legitimate rulers are Ali and the direct descendants of his marriage to Fatima, the Prophet's daughter, and the Sunni caliphs are declared usurpers.<sup>124</sup> That is, a process of endless battles for religious leadership and power within the territory of the faith began, which naturally led to the internal erosion of the „state of faith“ (the caliphate), to its disintegration into several separate caliphates, and ultimately to its final demise (as a state).<sup>125</sup> However, this is a temporary phenomenon, because, although after several centuries, there is again a tendency of revival of this type of medieval political system.

A good summary of the way power functions and the participation of elites in it was made by **Fr. Fukuyama**, who believes that in caliphates it (power) is based on „...**a ruler who is so powerful that he is able to keep the peace and curb armed rapacious elites** – the greatest

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<sup>124</sup> See *ibid.*, p. 102.

<sup>125</sup> See *id.*

source of conflict and disorder in agrarian societies. Viewing these societies from a modern democratic perspective, we tend to see monarchs in agrarian societies as part of the predatory elite, titled presumably by other oligarchs to protect their rents and interests. In reality, in these societies we almost necessarily observe **a three-way struggle between a ruler, an aristocratic or oligarchic elite, and non-elite actors** such as peasants and urban dwellers. The ruler often sides with the latter against the oligarchy, both to thwart potential political challenges and to guarantee his share of tax revenues. In this we can see the beginnings of the idea of the monarchy as representative of the overarching public interest<sup>126</sup> (*emphasis mine* – G. M.). In other words, in the Arab caliphates, the process of religious leadership and political power being wielded by the next ruler (the caliph) has never ceased, because the holder of power owns almost everything – the lands, the properties, the privileges, the benefits, the perks, etc.

From such a perspective, we would point out that in the Arab caliphates of the early Middle Ages, **a widespread system of power privileges** logically developed under the watchful eye of the „father caliph“. And although there is very little factual evidence for this system, it can be said that: first, it served the caliphs entirely at the expense of the state (food, clothing, transport, security, etc.); and second, its application also affected the various ranks of the ruling elite, the wealthy classes, the swelling bureaucracy, etc., with different kinds of privileges according to ranks (and positions) in the social hierarchy. Here is just one, but highly revealing, example of the existence of privileges, under al-Mansur, the second Caliph of the Abbasid Caliphate in Baghdad (754 – 755).

Ever since coming to power – writes H. Williams – the Abbasids pursued a policy of deliberate fear-mongering combined with grandstanding to impress and enforce submission. A random combination of minority groupings with radically different interests settled among the ruling class, which decided to create a guaranteed loyal ruling elite serving their interests. Thus, Iranian families who have converted to Islam are traditionally recruited into government service and become an inexhaustible source of replenishment for the new ruling class,<sup>127</sup> which

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<sup>126</sup> Fukuyama, Fr. *Origins of Political Order...* Op. cit., p. 242.

<sup>127</sup> See Williams, H. *The Sun Kings. A history of a great reign.* Sofia: Uniscorp, 2008, p. 65.



enjoys **privileges** of one kind or another. For example, **palace officials privilegedly controlled access to the caliph**, and the constant close presence of an executioner was a reminder of the ruler's right to dispense justice and inflict any punishment. In addition, the office of **vizier (wazir) heads the civil administration**, divided among its constituent divans; the treasury collects the annual revenues and oversees their spending, the court handles official records and documents, and the army has its own divan. Even woven into the structure is a highly developed spy network that informs the caliph of absolutely everything throughout his territory. The aim here is to prevent the danger of local officials becoming too powerful and abusing their power (due to their privileged status), since they rule vast territories at great distances from Baghdad. The caliph as well as the provincial governors therefore hold public meetings at which complaints from the officials are made known and, if necessary, fully compensated<sup>128</sup> as part of their privileges.

Under the Abbasid dynasty, **a privileged tax system was established to support the army and the bureaucratic apparatus** because the land and produce tax (haraj) initially benefited Muslims with a levy lower than payments by followers of the officially recognized religions of Judaism, Zoroastrianism, and Christianity. Here the distinction became increasingly theoretical, but the collection of the pogrom tax (jizya), which was paid by non-Muslims and graded according to their wealth, continued, and new duties were introduced on the import and export of various goods.<sup>129</sup>

Notwithstanding the paucity of data on **privileges in the Arab caliphates**, it should be concluded that their prevalence is no different from that in other imperial states, insofar as they (privileges) **provide all the necessary „rights“ to the leader caliph and the surrounding servile elites at the expense of state maintenance – power, political, economic, tax, judicial, etc.** A „privileged“ tradition of the Eastern theocratic regimes of the time, which was invariably reinterpreted with appropriate nuances in all early medieval states.

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<sup>128</sup> See *ibid.*, p. 66.

<sup>129</sup> See *id.*

### 1.3. Privilegium Ottonianum

With the evolution of feudal social relations towards the end of the early medieval period under consideration, the symbiosis between ecclesiastical and secular power in European states began to emerge more and more clearly. This was particularly evident in the reign of the German king Otto I (936 – 973), where, alongside the merging of the two powers, a comprehensive system of diverse privileges developed as a solid support for royal authority. These were known as the „Privileges (Privilegium) of Otto“, or as Otto’s Privileges, which recognized the Pope’s claim to most of Italy in return for the promise that all future Popes would take office only after they were sworn in and would be allies of the Holy Roman Empire.<sup>130</sup> Further, these privileges of Otto I were an important part of his struggle against the restive secular feudal lords in favour of the clergy, who in turn unconditionally supported him. In this way, the ruler clearly began to favour the church, which effectively became a solid support for royal power.

The essence of **Otto’s privileges** finds expression in several **key synthesized components: first, the grant to churches and monasteries of vast landed estates** (and immunities) that were economically beyond the control of the laity (dukes and counts), with bishops once again given the right to rule in the cities and to enforce the royal will there; **second, the separation of justice** so that royal judges could not judge one cleric or another;<sup>131</sup> **thirdly, ecclesiastical immunity was extended territorially** and began to extend not only to the territories of the church and its landed estates, which usually lay disorderly among the lands of other sovereigns, but closed ecclesiastical immunity districts were formed with their own special jurisdiction; **fourthly, immunity was also increased and strengthened as to the extent of the privileges attached to it, i.e. the immunitarian receives the right not only to lower but also to higher (criminal) justice within the limits of his ecclesiastical district.** All this strengthened enormously the power of the ecclesiastical feudal lords over their dependent peasants.<sup>132</sup>

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<sup>130</sup> See **Montefiore**, S. S., John Bew, M. Frampton. Op. cit., p. 59.

<sup>131</sup> **Gagova**, Kr. Medieval Europe X – XIII century. Sofia: Polis, 2007, p. 26.

<sup>132</sup> See **History** of the Middle Ages. Vol. I. 1955. Op. cit., p. 157.

At the same time, however, **ecclesiastical immunity is entirely placed in immediate relation to royal power.** This was achieved by the transfer of judicial functions in the immunity district to a special royal official, the ecclesiastical fogt, who depended directly on the central royal government. Thus, within the boundaries of the duchies, independent districts were set apart, directly connected with the royal authority,<sup>133</sup> giving virtually unlimited rights to the omnipresent king, since he controlled all judicial authorities and institutions.

Another important historical fact should be stressed: the Ottonian privileges of immunity, by giving ecclesiastical institutions extensive state powers, practically transformed them into very essential organs of the state. Thus, ecclesiastical institutions – bishoprics and imperial or royal abbeys (those immediately subordinate to the king or the emperor) – were granted a so-called „royal privilege“ (kralski bon) over a certain territory that went far beyond the limits of their landed property (by „royal privilege“ (kralski bon) is meant the totality of state functions and powers – judicial, military, administrative – belonging to the king and his officials).<sup>134</sup> In other words, by lavishly endowing the church itself with landed estates and political rights, Otto I sought at the same time to bind it to strong ties with the throne and to make it an obedient instrument of his power. In fact, all episcopal and abbatial offices were under the de facto disposition of the king, for he appointed and dismissed, he enlisted senior ecclesiastical dignitaries to perform to a variety of state offices (administrative, diplomatic, military), etc.<sup>135</sup> In this way, i.e., through the privileges introduced, the king effectively gains all the power in society, and therefore can bestow, give and manipulate the ruling elite in his own image, or as he wishes.

The importance of Otto's privileges, however, is far from being measured solely by the king's desire to consolidate political power. These privileges were contagious for many royals throughout Europe, and especially for the first men in states – the autocrats of the time. Such is the case of one of the kingdom's successors, Otto III, who, in addition to unquestioningly applying the privileges cited, also took care **to „sculpt“ his own „privileged image“**, of which he was the obligatory

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<sup>133</sup> See id.

<sup>134</sup> See **History** of the Middle Ages. Vol. I. 1974. Op. cit., p. 200.

<sup>135</sup> See id.

image: accessories – a king with a long beard, shoes studded with symbolic eagles, dragons and lions – animals associated with imperial and royal power; vestments (on major church festivals) – liturgical clothing of silk, damask or velvet; clothes (on official holidays) – covered with 365 bells – one for each day of the movement of the heavenly bodies (since he is a king who rules in the name of cosmic harmony), etc.<sup>136</sup> In this case it is not just norms of representation, which are undoubtedly there, but above all an obsession with grandeur and political vanity, expressed in and through the privileges of royal power.

In sum, Otton's privileges are not a simple consensus between royal and ecclesiastical authority, as it might at first seem. This is so because such a privileged status for the clergy does not mean a loss of superior royal power, but rather the implicit rule and control of the king through the merging of the three types of power, royal, clerical and judicial, into one set of hands. These privileges can therefore be defined as a prelude to the „social feudal drama“ of the Classical Medieval era, when the phenomenon of privilege would take on new, even larger social dimensions.

## **2. PRIVILEGES IN THE CLASSICAL MEDIEVAL PERIOD (XI – XVI CENTURIES)**

It has already been said that the development of privilege throughout the political history of the Middle Ages was closely linked to the penetration of Christianity into human culture. In its magnitude and influence, the civilizing mission of Christianity practically revolutionized human spirituality, the entire humanities, and the structure of political consciousness. Here, the peculiarity of medieval political thought stems from the dominance of the church, which became for the first time in history an independent institution of power (distinct from the state). The political monopoly of ecclesiastical institutions predetermined in its favour the main dispute about the genesis of power. The popular biblical axioms „For there is no authority except from God“ and „The authorities that exist have been established by God“ became unquestionable church-state dogmas. This view of the nature of earthly authority is a logical derivative of the monotheistic

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<sup>136</sup> See **Williams**, H. Op. cit., pp. 91-92.

view of the Almighty as the sole creator of the visible and invisible world (the entire universe). Of course, the question of the nature of power accompanied all political history (in the Middle Ages), and disputes about it were characterized by bitter rivalries between the Roman Catholic Church, the Papacy, and the medieval rulers, the feudal lords. Christian political science therefore resolves the question of **political power** unequivocally with the thesis that it **has a divine origin**, which is something fundamentally new and essential: first, because, albeit in a theological wrapper, an attempt is made to „unravel“ the genesis of power, and on an ecumenical scale; and second, because through the thesis of the divine origin of power another central question is answered: **which power should have priority, the spiritual-church or the secular-state?** – A dilemma that permanently „tears“ all medieval political science.

The political dilemma of church or state power is fueled by the claims of the senior Roman Catholic clergy, who, while defending the primacy of the church in society (and its Christ-given authority), preach that the power of secular rulers also derives from the church. The head of the church therefore has a dominant role in state and society because he is an ambassador of Jesus („pope“, i.e., head of a church, as the term came to be used in the late IV and early V centuries, when Roman bishops arrogated to themselves the exclusive right to call themselves „pope“). In the process of the total imposition of church orthodoxy throughout the political space of the various states (in the Middle Ages), the leading ideologues – the theorists of the theological doctrine – emerged.

**The Christian thinker Saint Augustine (354 – 430)** was one of the first clerical theorists to zealously uphold the idea of the divine origin of power. In his work „The City of God“, the bread-worshipping Augustine ruthlessly criticized the great Roman state insofar as it was enemy number one of Christianity. But in reality, Augustine’s political philippics are directed against secular power (in Ancient Rome) and in favor of the divine state. For the law of divine providence lies at the heart of state government, and this law governs the state, society, and human relations in the order imposed by God. And although Augustine’s polit-

ical views are characteristic of the early Middle Ages, their essence continued to hold sway in the centuries that followed, when the papacy and the church finally imposed theological political doctrine.

The primacy of the Roman Catholic Church in the political life of the Middle Ages was fully established in the period from the XII to the XIII century. This is vividly testified by historical chronicles and papal documents: 1) in the second half of the XII century, Pope Gregory VII developed the famous „Program for Papal Theocracy“ (in his „Dictatus papae“), which affirmed the supremacy of papal over secular power (kings and emperors); 2) In the XII and XIII centuries the ecclesiastical power in Rome reached its height under Pope Innocent III (who claimed world domination), and especially under Pope Boniface VIII, who issued the Bull „Unam sanctam“ and through it proclaimed his universal power; 3) again in the XII and XIII centuries the „doctrine of the two swords“ came to light, according to which the founders of the church had two swords (one they kept for themselves and the other sword was given to the lords to dispose of secular affairs, but under the auspices of the church princes); and 4) in Western Europe over 300 states are formed, directly dependent on the authority of the Roman pope, i.e., the so-called „Papocaesareanism“ is established, the governing formula of which develops a whole system of power institutions (monastic orders, inquisition, congregation for the propagation of the faith, papal police, etc.), and under the supreme authority of the pope, it is implemented by the bishops, priests, orders, etc. under his authority, asserting the enormous papal authority internationally. That is to say, a process of permanent imposition of the supremacy of the religious, ecclesiastical power over the secular, over the state power is taking place,<sup>137</sup> which process in the course of time acquires an irreversible character for centuries to come. For example, in 962 Otto I conquered Rome and started the Holy Roman Empire of the German people, and by the time of Emperor Charles V (1519 – 1556) this empire already included Spain, Germany, Italy, the Netherlands and other lands. In fact, the head of the Roman Catholic Church has a vast apparatus in each country which is

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<sup>137</sup> See the more detailed elaboration of this issue in: **Semov**, M. Theory of Politics... Op. cit., pp. 93-95; **Yankov**, G. Political thought... Op. cit., p. 58; **Manolov**, G. Introduction... Op. cit., pp. 80-81, etc.

directly subordinate to his authority<sup>138</sup> and which gives papalism international dimensions and scope.

Unlike the Roman Catholic states, the Eastern Orthodox states (Bulgaria, Byzantium, Serbia, Russia, Wallachia, etc.) were dominated by the principle of **Caesaropapism**, i.e. the domination of the secular power over the ecclesiastical power. In these states the secular ruler stands above the patriarch and has the decisive say in the matter of church and religion, the ruler having the right to determine the person who should occupy the patriarchal throne. This testifies to the strong interference of the secular power in the affairs of the church. And one more thing – in accordance with church law, the patriarch is considered the supreme head of religious life and the spiritual shepherd of the entire population of the country. He takes priority care of the good order of the Church, the purity of the Orthodox faith, and the prevention of deviations from official orthodoxy. Thus the Patriarch has great authority in all important matters not only of ecclesiastical but also of domestic and foreign policy, for he participates with the great boyars in the Palace Council.<sup>139</sup>

On the question of the nature of Caesaropapism, we shall highlight a rather different view of its practical significance, namely that the political authorities, not the Church, made the appointments, as was the case throughout Europe in the Early Middle Ages. That is to say, the emperor and the various European kings and feudal lords appointed the bishops of the church. They also have the power to call church councils and to promulgate church laws, even though popes crown emperors and emperors also raise and depose popes. Thus of the 25 popes who held office immediately before 1059, 21 were appointed by emperors and 5 were deposed by them. And kings throughout Europe had veto power over the jurisdiction of ecclesiastical authorities to inflict punishments on civil authorities. And not only that: it is true that the church owns 1/4 to 1/3 of all land in most European countries, giving it a solid source of income and autonomy. But since the political authorities control the distribution of church benefits, the actual independence of the church is very limited. This is why church lands are often

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<sup>138</sup> See **Semov**, M. Theory of Politics... Op. cit., ibid.

<sup>139</sup> See **Yankov**, G. Political Thought... Op. cit., p. 59.

seen as another source of monarchical patronage. Moreover, rulers systematically appointed their own relatives as bishops, and since bishops and priests could marry, they often took part in the family and palace politics of the district in which they lived. And something particularly important: church lands can become hereditary property that bishops pass on to their children, and church officials also hold many political offices, which reinforces the link between religious and political power. The church itself is therefore a pre-modern patrimonial organization,<sup>140</sup> which in turn creates all the necessary conditions for the enjoyment of various goods, benefits and advantages by its senior representatives and dignitaries.

Stepping on the foundation of these two political doctrines, papacy and caesaropapism, which are built on one center of power (which is the faith) and one holder (pope or king) in the state, it is perfectly logical to assume the existence of a whole set of privileges and benefits for all the first men in state government and their surrounding strata.

### 2.1. Secular power, the papacy and privileges

In various theoretical sources, it is all too common to find the view that the many privileges of the papacy and the clergy derive from the total domination of secular (political) power. However, this is partially true because it does not take into account another underlying reason – the wealth of the church, its properties, its material accumulations, etc. That is to say, it is a question of the existence of a **broad economic basis** on which the church and the higher clergy stand and thanks to which its power-political power is built. This objective regularity of medieval development has been thoroughly analyzed by Fr. Fukuyama when he examines the origins and peculiarities of the European political order through the centuries.

„The Catholic Church – points out Fr. Fukuyama – is doing very well financially in the centuries after these rule changes, although this is not simply a case of post hoc ergo propter hoc. By the end of the VII century, one-third of the fertile land in France was in the hands of the church; between the VIII and IX centuries, church estates in northern

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<sup>140</sup> See **Fukuyama**, Fr. *The Origins of Political Order...* Op. cit., p. 319.



France, the territories of Germany and Italy doubled. These donations transformed the church into a powerful economic and political institution. (...) The church thus found itself a vast landowner, managing estates and controlling the economic production of serfs throughout Europe. This aided the church in its mission to feed the hungry and care for the sick, as well as effecting a significant expansion of the priesthood, monasteries and abbeys. But it also necessitated the establishment of an internal governing hierarchy and system of rules within the church itself, making it an independent political actor in medieval politics.<sup>141</sup> It was in this way that the first papal state emerged, when the secular state of the popes was established in the lands of central Italy in 756, and which invariably served as the basis for papal claims to secular authority over all of Italy (indeed, all of Europe) thereafter.<sup>142</sup>

The main representative in the above-mentioned managerial hierarchy is **the clergy, which is not unified, but consists of two different groups: higher** – the spiritual feudal hierarchy of the aristocracy; and **lower** – the plebeian part. The higher clergy includes archbishops, bishops, abbots, prioress and various other prelates. In fact, these are high dignitaries of the church, princes who rule vast tracts of land along with the dependent population.<sup>143</sup>

Historically, it is important to recall that, above all, both **the secular and the spiritual feudal aristocracy held the monopoly of land, was charged with certain political prerogatives, seigniorial rights and privileges, and a hierarchical system of land relations and relationships. Closely related to all this, the high clergy is provided with a special legal status in feudal society,**<sup>144</sup> which also guarantees them political dominance.

Along with this, the higher clergy is associated with two types of relationships: one involves vertical relationships, or intra-clergy relationships, and the other involves horizontal, or corporate-group relationships. Thus, the high clergy is in fact the best-formed and best-struct-

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<sup>141</sup> Fukuyama, Fr. *Origins of Political Order...* Op. cit., p. 291.

<sup>142</sup> See **History** of the Middle Ages. Vol. I. 1974. Op. cit., p. 121.

<sup>143</sup> See **Nikolov**, Y. Op. cit., p. 283.

<sup>144</sup> See id.

tured order in feudal society, which is characterized by very good organization and a slender homogeneous unity. This provides it with the ability to defend the foundations of the feudal social system by means of the Christian religion,<sup>145</sup> insofar as it (the high clergy) is deeply incorporated into all structures of power, and especially into its upper echelon.

The transformation of the Church into a powerful economic, political and spiritual institution in the classical Middle Ages practically created almost all the objective and subjective conditions (and preconditions) for its top representatives to permanently wield political and economic power, to peacefully distribute public resources to their own benefit and, unhindered by anyone, to assign themselves one or another privilege to „strengthen“ their personal well-being.

What is the material expression of these privileges for the papacy, the church and the clergy?<sup>146</sup>

**First.** There can hardly be any doubt that, as the first man in the state, **the Pope is the most prominent privileged member of the ruling-spiritual elite, entitled to all sorts of privileges**, ranging from food, luxuries and hunting „feats“ to the vast landholdings and estates he owns. In practice, the Pope is a multiple beneficiary of political, economic, spiritual, recreational and all sorts of other benefits that are due to him and him alone as the supreme ruler of the state.

**Second.** In papal politics of the time, by an old tradition of antiquity, **gifts and high offices were permanently bestowed on favourites and relatives in royal courts**<sup>147</sup> as an exclusive privilege of power and a „certificate of loyalty“ to the papal personages, or a privilege which was characteristic of all European administrations of the time.

**Third.** Although the law of succession cannot be called Christian (according to F. Seibt), everywhere in the so-called „Christian world“ **the privilege of inheriting offices and titles** from the higher and other administrative minorities is widespread. Moreover, its realization starts at the bottom: castles – feudal fiefs, affecting the existence of the clerical

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<sup>145</sup> See *id.*

<sup>146</sup> The synthesized exposition of privilege in this part of the exposition draws on its prevalence in several European countries – France, Germany, Italy, etc.

<sup>147</sup> See **Williams**, H. *Op. cit.*, p. 183.

aristocracy, as well as all higher offices together with their titles, earldoms, margraves, dukedoms, feudal fiefs (over large territories), etc.<sup>148</sup> This privileged model is very popular because it imposes the sole royal power, ignoring the power of the bureaucratic apparatus in the state.

**Fourth.** It is curious to note that during the period under consideration in the countries of Western Europe there existed also a **peculiar privilege for the Church, which secured to it large sources of donations from childless widows and old maids.**<sup>149</sup> These were gratuitous donations of land and property by these categories of women without any preconditions due to the fact that they had no right of inheritance under the law of the time. The church thus became a large owner of land, which it explicitly disposed of, accumulating new and new wealth at its own expense.

**Fifth.** A number of substantial privileges also derive from the peculiar status of the state religion, which relieves the clergy from some of the obligations imposed on others, and exempts the church from certain compulsions which weigh on everyone else in society. That is to say, **the clergy depend solely on ecclesiastical legislation** by virtue of the privilege of ecclesiastical conscience even for violations of the common law. This privilege does not imply impunity, for a cleric who commits a crime is also seriously punished by civil law, but the ecclesiastical institution does not permit him (the cleric), when he is holy, to be judged by the laity.

**Sixth.** The next privilege, which concerns institutions more than individuals, is **tax immunity.** This claim is very old, because, for example, in all societies under the regimes of the time the clergy were exempt from taxes. In France, the amount of the counter-tax paid into the royal treasury is of his own volition, and the expression by which it is called is an indicative – „a gratuitous gift of the state“.

**Seven.** Another example of the privileged position of the church in society stems from **the phenomenon of the right of succession,** according to which on the death of a cleric the state acquires no rights to his inheritance, and the property of congregations never falls into the cycle of real change. But instead the wealth of the religious orders has

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<sup>148</sup> See **Seibt**, F. *The Founding of Europe. A sketch of the last thousand years.* Sofia: Agata-A, 2007, pp. 255-256.

<sup>149</sup> See **Fukuyama**, Fr. *The Origins of Political Order...* Op. cit., p. 291.

steadily increased in opposition to the multi-million impoverished masses of people.

**Eight.** Particularly significant is **the privilege of the church**, which is connected with **its material provision**: the sustenance of the clergy, the teaching of future priests, the maintenance of buildings, the sums connected with educational and auxiliary institutions, etc.

To take care of these expenses, **churches have tax preferences**, with two main sources of resources, tithes and property inheritance, both of which are mainly from products of the land – the former being deductions from crops and the latter being land rent.<sup>150</sup>

**Ninth.** As a typical feudal institution, the Church enjoyed the right **to confiscate the property of heretics** for its own benefit, as well as for the intimidation and edification of all believers. For as early as the Emperor Justinian issued a special edict giving heretics the right within three months to renounce heresy and return to Orthodoxy. And if they did not renounce their heretical views, they were barred from working in the state system and from testifying in court. And in the event that they have no Orthodox heirs, their property is to be confiscated.<sup>151</sup>

**Tenth.** Particularly arrogant is the widespread **privilege of the poor to feed the rich for free**. Through it, the numerous clergy of the Western Church are fed by the rural population, which produces the means of subsistence. And considering the quantitative composition of the clergy available to the church, the primitive subsistence nature of agriculture at the time, and its lack of productivity, it must be emphasized that securing food supplies was by no means an easy task. For, judging from the data contained in the Ottonian Chapter, the labour of 7 peasant households was needed to feed a canon or monk. In quantitative terms, this means the need for 16 able-bodied peasants (mostly heads of families) to participate in the feeding of the canon or monk. The figures provided give a relative idea of the amount of labour expended in securing the food of the clergy,<sup>152</sup> which does not at all detract from the fact that this privilege constitutes the supreme injustice and crushing exploitation of the rural population.

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<sup>150</sup> Privileges five to eight are quoted from **Remond**, R. Religion and Society in Europe. Sofia: LIK, 2006, pp. 97-99.

<sup>151</sup> See **Nikolov**, Y. Op. cit., p. 335.

<sup>152</sup> See id.

Gustave LeBon gives us a chrestomathic example of the enormous benefits of the power and privileges of the church, who gives us data on the confiscation of church money and property in France during the revolution (2.11.1879), confiscated by the National Assembly, namely: revenues from tithes collected from the faithful, amounting to about 8 million pounds sterling, with an estimated value of about 120 million pounds sterling (this money was distributed among hundreds of prelates, courtiers, abbots, etc., who owned 1/4 of all France); ecclesiastical goods included as collateral to the cessionaires, whose first issue was of the order of 400 million francs (subsequently called „possessions of the state“)<sup>153</sup> and many others.

We should summarize that, first, **the privileges of the papacy and the clergy** (and the secular power merged with them) just presented **in the classical medieval era are only one link in a long political-economic chain of power** in which the many benefits for the ruling oligarchy are hard to calculate, and that without calculating the spectacular damage to the state and to the impoverishment of millions of the rural masses. Elsewhere, **a narrow ruling minority in the person of the high clergy always occupies a pre-eminent place in the structure of the feudal magnates.** For example, in Germany the six prominent archbishops of Mainz, Cologne, Trier, Magdeburg, Bremen and Salzburg, plus the 103 bishops of the filial dioceses, ranked after the emperor in importance. And when the political situation of the state was reorganized, the archbishops of Mainz, Cologne and Trier were included in the 7 new districts, and they, along with the dukes of Bohemia, Saxony, Brandenburg and Franconia, participated in the election of the emperors and possessed extraordinary rights and privileges. Moreover, according to some studies in Germany, out of a total of 1,626 German bishops, 975 came from the feudal aristocracy, 179 were of probable feudal origin, 355 were from among the ministerial and only 117 from among the burgesses and peasants. It is evident that the highest representatives of the Roman Catholic Church entered the structure of the dominant feudal class not only by the large property they possessed, but also by their social origin,<sup>154</sup> which automatically placed

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<sup>153</sup> See **Lebon**, G. The psychology of revolution. The French Revolution: causes, development and consequences. Sofia: Asenevtsi, 2021, p. 169.

<sup>154</sup> See *ibid.*, pp. 282; 336.

them among the privileged classes and estates in society. Next, by virtue of their privileged position, **the ruling oligarchies of the Middle Ages consumed power in an absolutely arrogant and predatory manner for the sake of personal enrichment and material well-being (personal, family, kin)**. This is attested by the well-known scholar of the Western Middle Ages, **Jacques Le Goff**, who points out that „...**the peasant mass** is reduced to the bare minimum of life: **deductions are made** from the product it produces **by the seigneurs in the form of feudal rents and by the church in the form of taxes and alms**. The church itself squanders much of its wealth on the splendour of the higher clergy – the bishops, abbots and canons; another part of it is given to the glorification of God – for the building and decoration of churches, and for lavish liturgies; only afterwards is the remainder set aside for the feeding of the poor. As for the secular aristocracy, it delights in giving away its surpluses for gifts and alms, for demonstrations of magnanimity in the name of the Christian ideal of charity and the chivalric ideal of generosity, which has a considerable impact on the economy“<sup>155</sup> (*emphasis mine – G. M.*). An indisputable fact that can be defined in only one way: social waste and dissipation as the distinctive stamp of the medieval historical epoch at that time. Lastly, one cannot miss the leading trend of permanently **increasing privileges in all social spheres** (power, political, economic, spiritual, financial, tax, etc.), with which the papacy and the higher clergy enormously increased their political power, economic opportunities and personal wealth. This is a kind of axiom in the development of the classical medieval era, which is manifest in almost all other papacies and monarchies both in the West and in the East.

As an illustration of this parasitic privileged way of life, we will quote the words of the Italian Giuliano Procacci about the splendour that Rome and the papal state enjoyed in the XVI century.

„With its curia, its cardinals, its innumerable oddities, its courtesans, its throngs of „clients“ in the courts of nobles and prelates, **Rome is surely the Italian city that produces the least and consumes the most**. And it is not so much consumption as waste; it is wealth that is

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<sup>155</sup> **Goff**, Jacques Le. *The Civilization of the Medieval West*. Sofia: Agata-A, 1999, pp. 267-268.

squandered, fossilised in churches and palaces and evaporated in festivities and ostentatious luxury; it is a wholly or almost wholly parasitic economy that lives (...) „biting its tail“. Much of the money that is spent in Rome and fuels the ambitious international policies of the popes, their patronage and their incredibly expensive urban policies (the construction of St. Peter’s Cathedral alone absorbed 1,500,000 silver ecus, an amount equivalent to the cash receipts of the state for an entire year) is spent on the „cathedral of Rome“. Peter’s Cathedral absorbs 1,500,000 silver écus, a sum equivalent to the cash receipts of the state for a whole year), come from outside.”<sup>156</sup> And of course, no one is held accountable for this obvious waste of state funds, as is the practice in almost all feudal states (the papal one is no exception to them).

## 2.2. Privileges in the Ottoman Empire

Following the logic of the present exposition through the medieval period under consideration, it is now our turn to analyze the phenomenon of privilege in the Ottoman Empire, which from the XIV century until its decline played a significant sociopolitical and economic role in the evolution of the European continent and the Near Eastern region.

From a historical perspective, **the Ottoman Empire** can be defined as a classical **Islamic theocracy**, whose political system was in its deep essence a theocratic, military and despotic medieval monarchy. This essence is predetermined by the important circumstance that under it (theocratic monarchy) **the sultan possessed both supreme temporal and spiritual power**, making him the complete master of the Ottoman society of the time.

As is well known, from its inception, and especially during the period of the XIV – XVI centuries, the Ottoman Empire achieved remarkable military and territorial successes as it conquered virtually the entire Byzantine Empire,<sup>157</sup> all of Southeastern Europe and significant parts of

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<sup>156</sup> **Procacci**, J. History of the Italians. Sofia: Kama, 2004, pp. 180-181.

<sup>157</sup> In this section, for the convenience of the reader, we will briefly explain here some of the foreign words used in Turkish as follows: *akçe* – a small silver coin (aspra); *deshirme* – „recruitment“, or a system of recruiting Christian youths (mainly from the

Central Europe. Thus, with the exception of northwestern Europe and the lands of the Habsburgs, most of the European rulers became vassals of the Ottoman sultans, including the French king.<sup>158</sup> And after the conquest of Constantinople in 1453, almost all the territories of Ancient Rome came under the Ottoman Empire (without conquering Rome itself), which added further power and strength to the imperial state. The vast empire thus took under its wing Byzantine, Bulgarian and Serbian territories whose legal traditions differed completely from Islamic ones, which predetermined a number of peculiarities in the establishment and application of law in the Ottoman state headed by the sultan.

The legal foundation of the Ottoman state rests on two main pillars – **Muslim law (Sharia)** and **the legal customs of the peoples** conquered by the Ottomans during their invasion. This duality of Ottoman law is evident. It is strange, however, that a state which undertook the conquest of the Christian world should derive from it many of its legislative principles. One of the factors that pushed the sultans towards such a policy was undoubtedly their desire not to violate certain traditions rooted in the legal system of the defeated nations, in the hope that they would thus meet less resistance. In other cases the peculiarities of the economy necessitated the observance of a particular law, as in the exploitation of the gold and silver mines of the Balkans, when the great lord willy-nilly continued the operation of the laws in force at the time of the conquest of those areas.<sup>159</sup>

According to N. Beldichand, the Ottoman ruler was not an absolute monarch (a rather controversial thesis!!!), whose power did not meet any resistance because his power in some cases was limited by the legal traditions of the Christian population. **The fatwas** issued by

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Balkan countries) used in the army or in the palace services and administration; *derwish* – a Mohammedan kaluger; *janissary* – Christian children (and youths) selected for service and guard in the Ottoman Empire, a Turkish soldier from the Christian population; *eunuch* – „one who guards the bed“, i.e. a harem servant (eunuch); *Odjak* – an enlisted corps, a hearth, a hearth with a chimney; *sanjak* – a military-administrative unit in the empire, a subdivision of a vilayet, a district, a subdivision of a province (See **Dictionary** of Foreign Words... Op. cit.; and **History** of the Ottoman Empire. Edited by Robert Mantran. Sofia: Riva, 2011).

<sup>158</sup> See **Naidenov**, G. Op. cit., p. 216.

<sup>159</sup> See **History** of the Ottoman Empire... Op. cit., p. 130.



Sheikh Yul-Islam allow him to interpret as he pleases the Muslim religious law, respecting, however, certain limits; he could not treat in the same way a custom which there is no way of getting around. It is a surprising fact that the ruler of Istanbul is obliged to conform to certain laws peculiar to nations whose religion is different from his own. In fact, the Sultan's power is far from unlimited<sup>160</sup> – the author concludes. Such a thesis, however, could hardly be accepted, for there is a very important argument: if formally-judicially this power of the autocrat may indeed be limited, in reality-practice or as a mode of realization it is exercised through all possible violent, coercive and brutal forms towards the subjects (especially towards the non-Muslim population) by the Padishah. The second argument is no less significant and refers to customary legislation, or the **so-called „sultan's law“** (kanun), which originated in the form of ferman („Whatever the sultan decrees is sultan's law“) and thus constituted regulations that individual sultans issued when circumstances so required. They must therefore be reaffirmed each time a new ruler ascends the throne, the **Sharia, the religious law of Islam**, being of course the fundamental and immutable law. Moreover, the fermanos always contain a formula declaring that the enactment of the decree is in accordance with Sharia and the previously established canon. In this sense, the canons fall into three categories: first, there are decrees, i.e., laws that the sultans issued on certain subjects, with fragmentary scrolls of documents containing thousands of these legal decrees, which constitute the bulk of the Ottoman kanun; second, there are decrees that affect only a particular region or social group; and third, one finds general canonnames that are applicable to the entire empire.<sup>161</sup>

Therefore, the theory of „Ottoman despotism“ (already discussed by Ch. Montesquieu in „The Spirit of the Laws“) should not be ignored and rejected in any form, since from a political science point of view, the sultan's power in the empire can only be defined as the embodiment of one-man despotism and tyrannical rule.

Starting from such positions, the concept of **„sultanism“** („**sultanistic regime**“), which was introduced by Max Weber and which

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<sup>160</sup> Cited by: Ibid., pp. 130-131.

<sup>161</sup> See İnalçık, H. The Ottoman Empire. Sofia: Amat-Ah, 2006, p. 74.

characterizes the Ottoman system as patrimonial, is used in Western political thought, the definitive essence of which is as follows: **mixing of the personal with the public; a strong tendency towards family dynastic power and continuity; no distinction between the service of the sultan and state institutions; the achievements of officials depend entirely on the personal relationship with the sultan (despot); the ruler is absolutely free in his actions to achieve the set goals**, etc.<sup>162</sup> On the basis of this definition, which we accept, we shall henceforth interpret the nature of Ottoman political power, as well as Sultanic modifications and manifestations in the field of various types of privileges.

As the foundation and symbol of the imperial state, **the sultan** has the greatest power and influence in state governance. This is reinforced by the very first acts of his ascension to the Sultan's throne, which is done through several official acts that sanctify his actual accession to power: the Sultan changes or removes the government; orders his name to be pronounced at Friday prayers in all mosques; letters of instruction are sent to the governors and qadiyas in the empire. In fact, the newly elected Sultan **became the source of all authority and all legality**. Henceforth, he embodies this absolute – at least external – domination, which refers back to ancient political theories inherited from the Ottomans and expressed by the Arabic title „sultan“, the Persian „shah“ and the Turkic-Mongol „khan“, which he bears simultaneously. To put it in more recent terms, he **combined the executive, the legislative and the judiciary**,<sup>163</sup> that is to say, all power in the Ottoman Empire.

The ruler exercised his authority in all areas by issuing firmans written in the first person and stamped with his monogram: these characteristic plaits, called „tughra“, contain his name, surname and the epithet „all-conquering“. They (the firmans) are supreme, sacred (humayun, sherif) and „command the whole world to obey“ (jihanmuta). Plus, **the sultan appoints to all offices**, issuing to his officials (for pay) certificates (beratlı) specifying their functions and remuneration; he is **commander-in-chief of the army**, which he either personally leads in war, accompanied by the banner of the Prophet, or entrusts to his own

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<sup>162</sup> See **Fukuyama**, Fr. *Origins of Political Order...* Op. cit., p. 603; **Political Science**. Moscow: Prospect, 2011, p. 166.

<sup>163</sup> See **History of the Ottoman Empire... Op. cit., pp. 179-180.**

viziers; he **makes treaties**, or rather agrees to them on his own initiative and out of benevolence, since they are not regarded as bilateral agreements, etc.<sup>164</sup>

It should be noted that in the closely related areas of religion and law the Sultan has real, if somewhat limited, power: he **has a religious rank** and, in the phrase of the Grand Vizier Lutfi Pasha, as Caliph he is „the imam of his time“. Moreover, his authority is at the will of Allah: he is „the shadow of Allah on Earth“, his farms and tughras are sacred, and the Prophet’s relics illuminate his palace, just as the pilgrimage to Eyoub’s tomb is a kind of anointing. All this must ultimately impress upon the subjects the idea of the Sultan’s religious essence. And something else – the sultan has the rights and duties of the **supreme judge of the empire**, and practically any subject can appeal to him on any local judgment or injustice,<sup>165</sup> which he decides accordingly.

With such a strong concentration of power in the Padishah, it is important to highlight the guiding **mechanisms of governance**, which have been well developed by **Prof. G. Naydenov**<sup>166</sup>. One is the principles of governance used by the various sultans; and the other is the manner of recruitment of the ruled elite in the Ottoman Empire.

**a) The principles of Ottoman dynastic rule** were a combination of the principles traditional to Eastern despotisms with some traditions of the Turkic nomads and of the Muslim **sharia** (the path of God’s will). In the spirit of ancient imperial principles, the sultan considered his subjects, Muslims and non-Muslims, as **paradise**, i.e., as a **flock**. And the sovereign, as the shepherd of the flock, must take care of his „rai-yah“, and there must be **justice, moderation** and **no oppression allowed** in the state. For if these principles are applied, the rajas will be content, will work conscientiously and will **pay their taxes**. This is so, because taxes must guarantee the wealth of the state and create opportunities for the maintenance of **a large army**, and a large army will guarantee **the security and tranquility of the empire**. Moreover, a serious plus of Ottoman rule was also the principle that when new lands were conquered, the customs and way of governing the annexed territories should not be drastically changed.

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<sup>164</sup> See id.

<sup>165</sup> See id.

<sup>166</sup> See **Naydenov**, G. Op. cit., pp. 219-220.

In the Ottoman Empire, besides the rajas, there was a **privileged class that did not pay taxes**, namely **the class of warriors**. It includes all military groups not involved in production, primarily the Spahis, the cavalry, which for many centuries was the main military force of the Ottoman armies. But it also includes the ulema, the Muslim clerics, and parts of the bureaucratic apparatus.

**b) The recruitment of the ruling elite**, i.e. the Ottoman class, was **specific** in the Ottoman Empire compared to other Islamic principalities and empires due to the fact that the Ottomans recruited their ruling apparatus mainly from **slaves**. In the Ottoman Empire the use of slaves was **much more extensive** than in other principalities and empires. Even the Ottoman dynasty restored an old tradition of the eastern despotii, that of **administrative officials being slaves**. And in their empire the majority of slaves were used in the households of wealthy Turks. But a significant stratum of slaves also emerged who were employees in the central administrative apparatus or in the enlisted corps. Their position is **twofold**, for, on the one hand, they owe unquestioning obedience to the sultan, depending in every respect on him (he can punish them with death whenever he pleases); but, on the other hand, these slaves wield considerable **power** and **wealth**, and from their midst the sultan appoints the highest offices, **including the grand vizier**.

This system emerged gradually and became established in the mid-XV century. Then Mehmed the Conqueror began to appoint as his grand viziers **only** people of slave origin. Slaves were recruited from the wars of conquest, with 1/5 of them under Muslim law being laid to the Sultan, bought in markets, etc., and as early as the XV century the main source of slaves for the Sultan became the **deshirme** tax, to which Christian raiyah engaged in agriculture were subjected (in a period of 3 to 7 years, the janissaries would go around and take the most able children over 8 years of age). Subsequently, two more selections were made, whereby the best remained in palace service as servants and administrators, while the others passed into the service of the sultan's cavalry.<sup>167</sup>

An empire as vast and diverse in territory and ethnicities as the Ottoman Empire undoubtedly is, cannot exist at all without some kind

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<sup>167</sup> See id.

of **regulation, principles and norms**. Because „a society without justice cannot survive“ (Tursun Beg – Ottoman historian), therefore it needs the establishment of common rules, such as the so-called „rules of law“. „The **six main points** of which are: 1) to collect taxes according to the peasants' ability to pay and to prevent abuses in collecting them; 2) **to prevent the privileged from oppressing the weak and interfering in the lives and property of the people**; 3) to guard public roads, build caravanserais and bridges, and promote irrigation; 4) to create an army; 5) to appoint just governors and judges in the provinces; and 6) to prevent attacks by foreign enemies. And to carry out these duties, four types of administration were formed-political, judicial, financial, and archival-with the most important part of government being the convening of the imperial council by the sovereign to hear complaints against the government and correct injustice. These basic functions of the Middle Eastern state remained unchanged until the end of the Ottoman Empire,<sup>168</sup> which speaks of respect for the rule of law.

Such notions clearly regulated the class system in the Ottoman state, with society divided into two mutually distinguishable groups: the first, the ruler, the ministers and governors to whom he delegated his power, i.e. the upper oligarchic stratum; and the second, the taxpayers, or the numerous and in most cases disenfranchised rajas. Hence the division of the ruler's servants into two main groups – the military class, which wields political power, and bureaucrats, which groups do not pay taxes. Thus, according to their economic activity, the taxpayers are divided into subgroups, respectively farmers, merchants or livestock owners, to which some add urban artisans.<sup>169</sup> To put it differently, despite the regulation of rules (excluding privileges to some extent), the Ottoman Empire maintained for a long time the sharp social differentiation between the „Lord's anointed“ (the upper classes and the rich) and the disenfranchised (the millionaire rajas) until the collapse of the imperial state.

A striking proof of the drastic social inequality in the imperial Ottoman society are **the exclusive Sultan's privileges**, which rightfully belong only to the Padishah. These privileges are almost limitless in

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<sup>168</sup> See **İnalçık**, H. Op. cit., p. 72.

<sup>169</sup> See id.

their social scope (they include all spheres of society), extend to all possible levels (vertically and horizontally), and serve a super-narrow circle of high-ranking Ottoman grandees (administrators, bureaucrats, military) headed by the great master, the omnipresent Sultan. And because of their political immensity, they are too difficult to codify more comprehensively, so we will systematize here only one part of the most significant benefits in the system of privileges of the sultan and his leading elite.

Before that, however, it is really worth emphasizing thickly perhaps **the greatest sultanic privilege**, which gave the padishah the „right“ to introduce all sorts of benefits and advantages into the political life of the empire: the sultan **disposed at will of the lives and property of all the people who served him in the state.**<sup>170</sup> And notwithstanding the fact that today this right of his is belittled and depersonalized as „limited“ within the boundaries of the empire, it will only be recalled that, thanks to him, **the Sultan collects the inheritance of the servants who have died a natural death**, since such are the rules of the Sharia.<sup>171</sup> Something like confiscation of property of bandits, thieves and robbers in favour of the Emperor in Ancient India.

One of the most privileged heads of state in the empire was undoubtedly **the Grand Vizier**, who ruled the Divan (the council of the highest leaders) as the absolute representative of the Sultan. He has many powers granted personally by the padishah, including the use of the seal of the empire, which allows him to approve acts of state instead of the ruler himself (according to the hierarchy, he is the second man in the state). Depending on this, the grand vizier enjoys many **de facto and honorary privileges** and can be served even by members of the sultan’s family, not counting the fact that he is entitled to food, clothing, housing, security, etc.<sup>172</sup> Plus, he is privileged (and empowered) to authorize current affairs of state, appointments to the highest civilian and military posts, command of the army in the Sultan’s absence, maintenance of order in the capital, etc.<sup>173</sup> Naturally, this so great power and privileges of the grand vizier is also limited, because it

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<sup>170</sup> See **History of the Ottoman Empire...** Op. cit., p. 187.

<sup>171</sup> See id.

<sup>172</sup> See *ibid.*, pp. 197-198.

<sup>173</sup> See id.

is in full dependence on the moods, whims and caprices of the sultan, on the palace intrigues and gossip, on the intra-imperial battles for positions of the ruling elite, etc.

We have already said earlier that **the leading managerial strata (and classes) in the Ottoman Empire, the military and the bureaucracy (civil servants), did not pay taxes at all** because of the important official position they occupied in the system of government. This privilege, according to H. İnalcık was enjoyed by Muslims and non-Muslims alike, with military groups in the Anatolian principalities (annexed to the empire) also receiving it, with the difference that merchants and farmers in the Balkans and Anatolia were considered to be in paradise.<sup>174</sup> And all this was regulated by relevant statutes as part of the legal regulation in the imperial state.

Special **military privileges** were arranged for the command and a large part of the troops, called „slaves of the Porte“ (*Kul*), which as the standing militia of the Ottoman army was recruited through *deshirme*. Its pay constituted one of the main expenses of the state budget, as the following figures clearly show: 31% in 1527 and 42% in 1567 were allocated to the pay of this contingent.<sup>175</sup> In this sense, it (the militia) was the opposite of the provincial troops, who were mobilised seasonally and were remunerated through the transfer of tax revenues from the notorious landed estates (*timars*).

It must be unequivocally emphasised that even when they are not the most numerous element in the army, the *Kul* represent its heart, the most professional, best trained and best armed unit, i.e. the one that makes the strongest impression on Western observers. To them it embodies a kind of military ideal, something their own rulers do not possess. This elite consisted of infantry, or **the famous janissary**, and a few cavalry corps, whose prestige was even greater. However, there is no absolute boundary between the janissaries and the cavalry, or even between the „slaves of the Porte“ and the *timars*. Any distinguished janissary could be promoted both within his corps and by passing to some cavalry unit, or be given a *timar* (but a *timar* could never

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<sup>174</sup> See İnalcık, H. Op. cit., pp. 72; 76.

<sup>175</sup> See **History** of the Ottoman Empire... Op. cit., pp. 204-205.

become a janissary). This was particularly evident in the reign of Suleiman the Magnificent, when the enlisted corps increased sharply to 12,000 men from 8,000 at its inception.<sup>176</sup>

As personally loyal warriors of the Sultan, the *enchiladas* performed a number of duties: ensuring public order in the capital, participating in the security of the Divan, extinguishing the fires that broke out, etc. It is for this reason that their salaries are solemnly awarded every three months in front of the Divan itself. **The salaries of the eunuchs range from 2 to 8 akçes per day, while the agha's salary reaches 400 akçes.** In addition, each receives annually 2 pieces of Solun cloth for clothing, and the elderly janissaries are entitled to a cash pension.<sup>177</sup> Some decent wages that even the more wealthy privileged gentry could not receive regardless of their prestigious social position.

To the system of Sultan's enigmatic benefits we shall mark some other privileges, such as: celibacy, residence outside the barracks, selling the post held, participation in petty trade, association with merchants and craftsmen, etc.,<sup>178</sup> which they (the enigmas) themselves determined due to momentary crises in the state and the inability to pay their salaries on time.

**The structure of military privileges** should not omit all those sultan's benefits which cover part of the composition of **the provincial troops**. These were mainly composed of **the Sipahi cavalry** (the most numerous part of the Ottoman army), which was strongly influenced by the mode of remuneration through the *timar*. To these belong all the garrisons or paramilitary auxiliaries of various status, which, through large sections of the population, find themselves directly or indirectly connected with the war<sup>179</sup> and whose privileges we shall consider in more detail in the following pages.

An unprejudiced attitude towards the Sultan's privileges will unmistakably observe that in his endeavour to rule magnanimously, benefiting his subjects, servants and allies, **the Padishah** demonstrated a certain benevolence and generosity, which found expression in the **numerous religious foundations** (*waqfs*) through the mass distribution of

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<sup>176</sup> See *id.*

<sup>177</sup> See *ibid.*, p. 207.

<sup>178</sup> See *ibid.*, p. 254.

<sup>179</sup> See *ibid.*, p. 210.



alms to the poor. All this actually corresponds not only to religious conceptions but also to the generally accepted principle of generosity. Along with this, foreign envoys were honoured with **special Sultanic feasts and gifts**. Finally, all who did any service to the ruler were contentedly **rewarded with money, precious fabrics, clothes or furs**. And a captive returning from captivity and a servant who had lost a loved one could „apply“ for various consoling Sultanic favors.<sup>180</sup> Such privileges, however, were far and away not only a ruler’s noble and magnanimous impulse and love for his subjects, but above all a demonstration of the autocrat’s personal power and authority in the empire.

It would be a serious omission if in the present exposition we were to omit to analyse some important **economic privileges**,<sup>181</sup> which are essential because they also derive from the Sultan’s power and also temporarily constitute the main financial and economic foundation in the development of the Ottoman Empire. In this case, these privileges are not the subject of our study (but of other, much more special analyses), so we will only sketch here the more essential ones in the context of Ottoman political power, and without any claim to exhaustiveness.

It goes without saying that the economic (and administrative) basis for the possession and use of landed property, such as the so-called „timar“, was important for the development of the system of privileges in the Ottoman Empire. According to the famous Bulgarian Ottomanist **Prof. V. Mutafchieva**, the timar was a deduction from the centralized feudal rent which the state granted to the person obliged to it for his maintenance. In this sense, the term „timar“ was used not only to refer to leens up to 20,000 akçes, but to service leens in general, and more precisely to deductions from the centralized rent granted in exchange for some service, regardless of their size.<sup>182</sup> This – on the one hand. On

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<sup>180</sup> See *ibid.*, p. 183.

<sup>181</sup> These privileges are examined in the context of some of the main stages of Ottoman feudalism, which are: a) the classical period (XV – XVI centuries), dominated by the two lines – timar – zeamet – hass and mülk – waqf; b) the period of the ransom system, usury and serfdom (XVII century – first half of the XVIII century); c) period of feudal unrest (second half of the XVIII century and the beginning of the XX century); and d) feudal-bureaucratic feudalism (decadent period) (See **Naydenov**, N. *Feudalism and Patriarchy. On materials from the Bulgarian lands – XV – XIX centuries*. Sofia: BAS, St. Kl. Ohridski, 1993, pp. 125-126).

<sup>182</sup> See **Mutafchieva**, V. *Ottoman Socio-Economic History*. Sofia: BAS, 1993, p. 29.

the other, the timar was the smallest administrative unit in the Ottoman Empire. And the largest administrative unit, the beyberbelik, subsequently the eyalet, was composed of sanjaks, each sanjak being composed of **timars**. In addition, the timar was a small feudal estate that the central authority, led by the **Ottoman dynasty**, granted to the knight-rider (sipah or Sipahi) in **possession** in exchange for his military service. At each conquest, the main part of the land was declared to be the land of the sultan, **the miri**, with a certain portion given to the ulema in the form of **a waqf**.<sup>183</sup> Sometimes, however, for political reasons, a landed property – **a mülk** – is left to the accession of the welded aristocracy.<sup>184</sup> Thus, the waqfs and the mülk became the only landed property outside state property in the Ottoman Empire. That is, the only **unconditional ownership**, because a significant part of the royal land, **the miris**, was given in **conditional ownership, the timar**, to the spahis. This allowed the Ottoman dynasty to undertake conquest campaigns (from March to October) every spring for centuries. The main military force of the Ottoman armies were **the Sipahi**, or in Ottoman terminology, the Sipahis (along with the janissaries and kapıkulu). The Sipah is armed with a sabre, shield, spear, bow and is protected by armour, has his own detachment of light-armed horsemen and servants, and holds the status of a junior officer, his income being from his surrendered estate, the timara.<sup>185</sup> That is to say, it was **through these three forms of land ownership (timar, waqf and milu) that agricultural privileges were basically deployed in the Ottoman Empire.**

Leaving aside the insufficiently privileged position of the Sipahi in the empire, who belonged to a lower social stratum, we should turn to the handful of large feudal lords (and lenders) of mülks and waqfs, who, especially in the XV – XVI centuries, reaped very large economic benefits and profits.

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<sup>183</sup> *Waqf* is immovable (land and/or urban) and movable property, the income of which is used for religious purposes – maintenance of dramii, madrasas, etc., and for other charitable activities – maintenance of caravanserai, market, etc. It is unconditional property and is inalienable.

<sup>184</sup> A *mülk* is immovable (land and/or urban) and movable property which, like a waqf, is unconditional.

<sup>185</sup> See **Naydenov**, G. Op. cit., pp. 229-230.

In the system of Ottoman feudalism, the land *mülk* and the land *waqf*<sup>186</sup> have recently (and not without reason) been seen as separate economic categories. Or, to put it more concretely, Ottoman land **mülks** were the result not of some purchase or sale but of a **direct donation to the central authority** through a corresponding procedure and the issuance of a special document. Depending on this, there were different *mülks*, one of which was the so-called „*mülk sahibi*“, which was extremely popular (for those times) as it directly privileged the rich feudal layers (and classes) in the Ottoman imperial state. Even more, the specialized literature has long spoken of a separate wealthy stratum of *mülk sahibi*,<sup>187</sup> which in many ways was the leader of the Ottoman feudal lords in wealth, prestige, and privilege. In the composition of this **privileged stratum** mainly in agriculture, according to V. Mutafchieva, **seven main categories** of *mülk sahibi* are included:

**1) members of the dynasty** – the numerous sultan’s wives, sons and daughters, grandsons and sons-in-law formed a sizable group in the Ottoman ruling class. And, as is evident from the sources, it is they who too often appear to be the owners of landed *mülks*, although some of them (mainly princes) also own *hassas*; **2) viziers** – this group of high dignitaries owns large official *lans*, and it can be argued positively, however, that outside of these *lans*, as a rule, with very few exceptions, the viziers also own landed *mülks*, which is why in some legislative monuments this kind of possessions are called „*vizier mülks*“; **3) senior military administrative servants** – this minority of feudal lords necessarily possessed large service *lans*, and very often they also appeared as *mülk sahibi*; **4) the remnants of the aristocracy of the Asia Minor principalities** – a part of this aristocracy retained their *mulq lans* for life and even hereditarily, but another part received new *mulq lans*, not coincidentally distant from their old lands; **5)** A significant place among the

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<sup>186</sup> According to the Ottoman law, the *mülk* encompassed first of all the properties in full ownership, located within the boundaries of the settlements, which practically included all the covered properties, the undeveloped places, the agricultural lands in the immediate vicinity of the respective settlement; while the *waqf* represented the retention of something, the reservation of movable and immovable property for a third party to obtain over them the right of ownership or a kind of „perpetual possession“ (See the in-depth clarification of these concepts in: **Mutafchieva**, V. Op. cit., pp. 62-66; 86-88).

<sup>187</sup> See *ibid.*, p. 74.

mülk sahibi is occupied by the **so-called „Ghazi“** or warlords during the conquest, which is why some researchers call the landed mülk „Ghazimülk“; **6) court officials and ranks of the court military units** – the closest servants of the sultan, therefore during the period under consideration they only exceptionally possessed lans, and the mülk appeared to be the only possession that the defterdars, mir-ahurs, mir-shikyars, some janissary chiefs, court officials with unspecified positions, and even the sultan’s foster-mothers, doctors of the ruler and educators of the sultan’s children were able to reach; **7) clerics** – senior Muslim clerics (kazaskeri, qadis of Adrianople and Constantinople, mullahs) who also have mullahs, the mass of this kind of lifts found in clerics being the mullahs of sheikhs and dervishes. These numerous dervish mülks and waqfs are distinct because of their intentional purpose and nature and constitute a quite separate group. Moreover, their possessors cannot be attributed because of their social outlook to the previous groups of mulq sahibi.<sup>188</sup>

Let us note that, with the exception of the latter category, all the others fully and completely represent **the ruling class**. For it is within this stratum, whose landholding is predominantly mullah, that a certain closedness exists. Therefore, according to V. Mutafchieva, its members are connected by kinship and in-laws and pass on hereditarily not only their landowning privileges but also their privileges in the government of the state. Therefore, despite the state’s efforts to prevent the economic separation of a certain stratum of feudal lords, **the Mülk Sahibi** managed to accumulate considerable fortunes and occupy strong positions in the empire’s economy. This fact was due to the fact that once they were **the holders of qualitative privileges** in land tenure, the central authority was unable to limit the quantitative growth of their economic power. As a matter of fact, „**this fusion of privileges in governance with landowning privileges created out of the Mülk Sahib stratum a typical medieval feudal aristocracy** that bore all the characteristic marks of its social position“<sup>189</sup>. That is to say, these feudal aristocracy acquired their economic privileges to a considerable extent thanks

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<sup>188</sup> See in more detail: *Ibid.*, pp. 74-76.

<sup>189</sup> *Ibid.*

to the symbiosis between power and property, under the adept leadership of the sultan.

Similar to the terminology associated with *mülk*, *wakfs* are also divided into two types – „genuine“ and „non-genuine“. Here, the purposes of the *waqf* are strictly established by Muslim spiritual law, as the bequeathed property and its proceeds are to be used by the poor (*fukara*) and the totally illiterate (*mesakin*) members of the Muslim spiritual community. Plus, according to the *Shari'ah*, the *waqf* is subdivided into two according to its purpose: „charitable“ (*hairi*), whose proceeds are spent exclusively for pious purposes, and „per capita“ (*ahli*) – when these proceeds are used for the maintenance of a certain or certain persons designated by the testator. The persons who benefit from the bequest of a *waqf* may be either the servants of the cult, or those specifically designated by the testator, or simply his descendants.<sup>190</sup> In this sense, their purposes are: **the *waqf hairi*** (charitable, called in Ottoman practice and „*asal*“ – present) – to build, maintain and subsidize individual religious or charitable institutions – mosques, veils, inns, *madrasas*, *caravanserais*, bridges, fountains, water conduits, etc., in individual cases, where large *waqfs* are concerned, they subsidize an establishment which may comprise a mosque and a *madrasa* or a *madrasa* and a *caravanserai*, to which also a certain number of *odai* for the students of the *madrasa*, etc. ingredients; and to **the *waqf ahli***, the revenue from which usually serves for the maintenance of one or two or three dervishes, and of other servants of the cult, who have immediate possession of the *waqf* land and appropriate its produce for life, their places being taken after their death by persons in the same capacity, and too often by their descendants.<sup>191</sup> These two types of *waqf*, however, notwithstanding their charitable nature (especially the first type), are, moreover, an extremely powerful source of income for their wealthy owners.

Indeed, the largest fiefs of a „perpetual“ character are all sultan's *waqfs* (*eukaf-i seliatin*), which, unlike the others, do not formally derive from mullahs, since the sultan, as supreme disposer of the land fund, outright bequeathed parts of it, establishing a *waqf* in his own name.

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<sup>190</sup> See *ibid.*, p. 88.

<sup>191</sup> See *ibid.*, p. 89.

This – on the one hand. On the other hand, though considerably smaller than the sultan's, the mülks and waqfs of the so-called „emirs“ (yumera) of the large feudal lords were quite extensive. And third, although small-sized mülks (usually comprising 1 village, 1 mezra, and 1 manor) did not generate particularly high incomes, they were important because their holdings were given away by the sultans in exchange for clerical service,<sup>192</sup> which was essentially a form of privilege.

A general idea of the capacity and size of the mullahs and waqfs is given by their annual revenues, which on some sultan's land waqfs approach or exceed 1 million acres. And of the great emirs' wakfs, those of Piri Mehmed – 346,541, of Murad Pasha – 88,618, of Aha Çelebi – 82,000, of Kasam Pasha – 50,619, of Ibrahim Pasha – 48,955, etc., deserve mention.<sup>193</sup> In other words, both the padishah himself and the sultan's elite benefited enormously financially from this leading economic privilege (the possession of the mullahs and waqfs), since from year to year they increased their profits, properties and wealth many times over.

In the conditions of Ottoman feudalism there were not a few **economic privileges** that were **related to the taxation** of different social classes and layers in the empire. In this case, the basic principle of feudal taxation in the Ottoman state was that the land, not the owner, determined the forms and amount of rent paid. This is characteristic of the eastern feudal states in which, according to K. Marx, the supreme ownership of land belonged entirely to the central authority, with feudal rent often taking a tax form, overlapping with taxes in general.<sup>194</sup> Due to this peculiarity of the land rent (and its application) in the Ottoman Empire, a number of privileges for some higher strata of society took shape. Usually, this was done through the two main types of rent: the one that was appropriated by the feudal lord; and the other that was appropriated by the fiscus, each of these two shares being subdivided into three smaller ones (wage, subsistence and money obligations) depending on the basic division of land rent in general.<sup>195</sup> Thus, in particular categories of tenure, some definite **state collections were ceded by**

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<sup>192</sup> See *ibid.*, p. 96.

<sup>193</sup> See *id.*

<sup>194</sup> See **Marx**, K. *Capital*. T. Z. Sofia: Partizdat, 1949, pp. 803-804.

<sup>195</sup> See **Mutafchieva**, V. *Op. cit.*, p. 154.

**the central authority to the feudal lords**, while in other categories of tenure, a portion of the (feudal) rent due was distributed among the owners higher in the feudal hierarchy. Hence, an absolute boundary between the collections, a right of the feudal lord, and those, a right of the fiscus, could not be drawn at all,<sup>196</sup> which essentially constituted a form of elite privilege in the Ottoman Empire. In this sense, quite right is A. D. Novichev, who believes that in the XV – XVI centuries in the Ottoman Empire rent was mostly decentralized, i.e. appropriated for the most part by the feudal lords and to a lesser extent by the state,<sup>197</sup> although this thesis continues to be contested in Ottoman studies. Thus, through the state incentives created for the higher rulers and feudal lords, a submissive and servile political and economic class was „bred“, which, on the basis of its privileged status, systematically enriched itself. A classic example in this respect is the behaviour of the Grand Vizier Sinan Pasha, who for about 3 decades (with some interruptions) presided over the destinies of the Ottoman state and was a typical representative of the Turkish ruling class, using power as a means of personal enrichment. Even some historians describe Sinan Pasha’s untold wealth as a curious symbol of Asian greed and the pursuit of opulence. For Sinan Pasha’s official holdings alone provided him with an income of some 2.25 million akçes, that even when he was in disgrace he received a pension of 300,000 akçes each year. And the pasha leaves 600,000 gold ducats and 29 million silver akçes – a huge sum for the time, considering that in 1592 the empire’s entire state revenue amounted to 10 million gold ducats.<sup>198</sup> It is evident that throughout his conscious life in the XVI century, this Ottoman high official did not waste his time in vain at all to make such a huge financial-material fortune.

In this context, we will highlight another form of financial and economic privilege of the Ottoman elite, which we believe to be **the redemption of state revenues** from certain people, which undoubtedly reached enormous proportions. This vicious system (called „ransom“), which progressed under the successors of Suleiman I and through which the upcoming collections were forcibly sold „green“, is as follows: the respective ransomer of the state revenue is granted the right

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<sup>196</sup> See *ibid.*, p. 155.

<sup>197</sup> Quoted in, p. 167.

<sup>198</sup> See *ibid.*, p. 292.

to extract unlimited profit from his transaction, i.e. to collect from the population a tax or fee significantly higher than the specified amount, which indeed constitutes a real scourge for the people of the Turkish state.<sup>199</sup> And something interesting: the ransomers were usually town-dwellers in the form of rich usurers, large merchants and successful craftsmen, i.e. mostly private individuals holding no official titles. Or, it is not difficult to conclude that usury as a process had for centuries „sucked the lifeblood“ of the imperial population for the benefit of continually enriching layers of the feudal class, which is why it (usury), though rather late, was nevertheless abolished by the Edict of Gülhane of 1839<sup>200</sup> (as a system for the implementation of state collections).

The above facts eloquently show that in the historical development and existence of the Ottoman Empire, the economic privileges of the Sultan's elite were used as a priority by a very narrow oligarchic circle, which on the basis of the symbiosis of power and property (and the total lawlessness of the rajas) accumulated untold wealth for personal accounts. This is one of the reasons why the first man in the state, the ubiquitous „benefactor sultan“, spares no financial means for his political and personal existence for the sake of his own well-being. This is precisely why the magnificent Sultan's Palace was built, where the ruler of the Ottoman Empire spent a significant part of his life in fabulous splendour and heavenly prosperity.

Amidst this colourful kaleidoscope of various political, economic, religious and other privileges, let us consider another, extremely important **privilege of the Sultan**, which is **his residence, or the palace** in which he implemented the policies of the Ottoman Empire. This palace, which was completed in 1455, can be defined as a leading political privilege because of several basic circumstances: one stems from the principle that „the raiyah and the land belong to the sultan“ (according to a document of the late XV century), and therefore the Viceroy of Allah must have the best possible conditions to manage the affairs of state; another, because it concentrates in himself all the levers of legislative, executive and judicial power in the state; and the next, according to Gilles Wengstein, that the sultan is the foundation of the entire political

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<sup>199</sup> See *ibid.*, p. 310.

<sup>200</sup> See *id.*



and social edifice, or the place where the<sup>201</sup> The Sultan's Palace is therefore not just a place to live and entertain, but is, among other things, a legitimate centre for policy-making, decision-making and representative events. Therefore, the Sultan's palace can be considered his main privilege, which he alone has at his disposal both in a strictly personal capacity and as head of state. In fact, it is a manifestation of a supreme political privilege that is vested only in the Ottoman ruler, is based on his sole authority, and is legitimized politically, legally, and religiously in society and the state.

As a centre of power, the imperial residence (the palace in Istanbul<sup>202</sup>) officially called the „Sublime Porte“, „Threshold of Bliss“, „Corner of Bliss“, „Sultan's House“, is not like European royal palace complexes, which are clustered around one vast prestigious edifice. On the contrary, it forms a kind of town within the capital, enclosed by high walls and towers and composed of a variety of buildings set around courtyards or amid shady gardens (both Mehmed II and his successors steadily increased their number). And several thousand people with a variety of functions, regularly entered in the court's expense books, served the ruler and contributed to his fame among the people, the elite and the state.

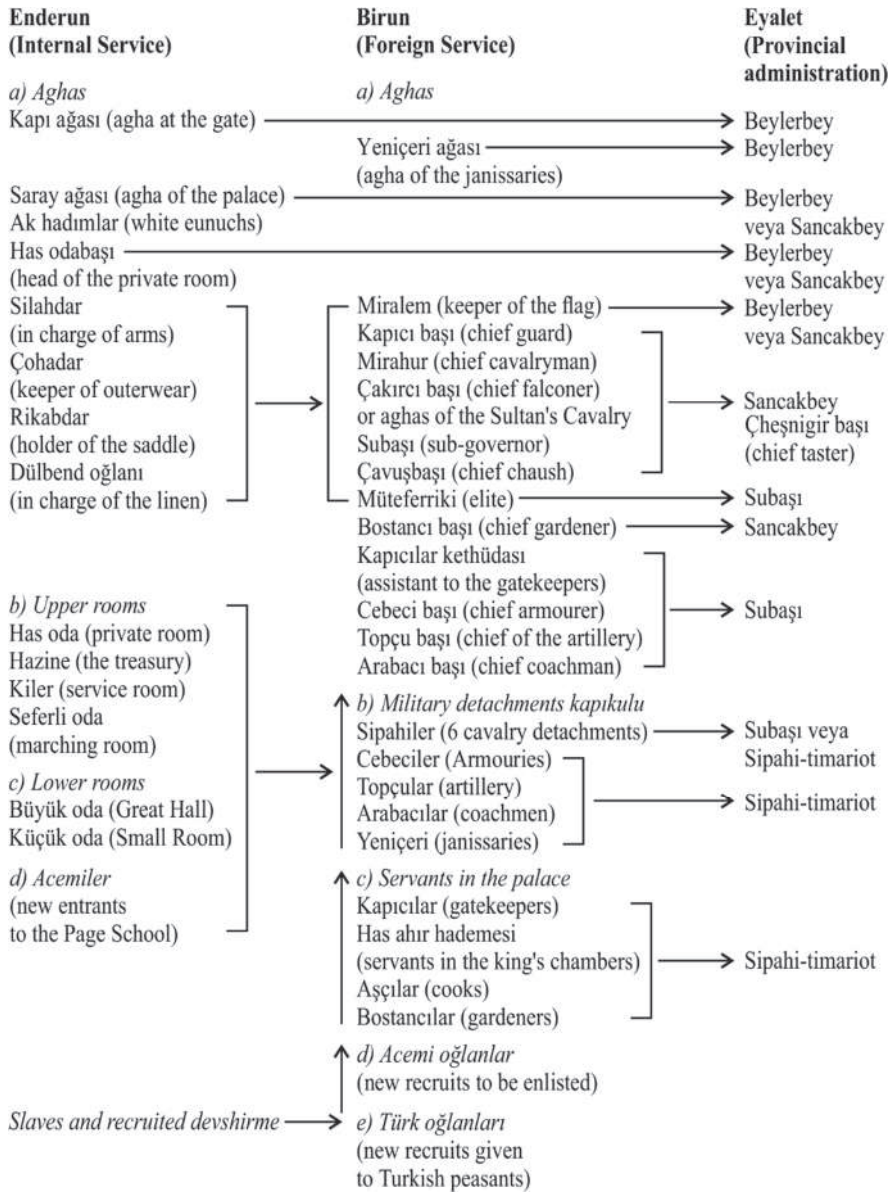
Like any Muslim home, the Sultan's palace consists of an **outer part, or service (birun) and an inner part (enderun)**. The birun occupies the first two courtyards of the palace and the buildings that surround them. The first courtyard is entered through the Imperial Gate (Bâb-i Hümâyûn), located next to St. Sophia. It is an extensive square that includes the former church of St. Irene and serves as a storehouse for weapons and cannons. It is connected to the second courtyard by a second gate called the Middle Gate (orta kap), or Gate of Salutation (Bab-us-Salam), built by Suleiman, the two octagonal towers flanking this entrance being much older. This courtyard housed a variety of offices providing the ruler's links with the outside world. The passage between the second court and the enderun is through the Gate of Bliss (bab yus saade) or Gate of the White Eunuchs (ak agha kapas), under whose wide eaves the throne is placed during ceremonies. Immediately

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<sup>201</sup> See **History** of the Ottoman Empire... Op. cit., p. 188.

<sup>202</sup> The detailed description of the sultan's palace on the next few pages is based on **Wenstein**, Gilles. The Empire in its Greatness. – In: *History of the Ottoman Empire...* Op. cit., pp. 188-202.

**Diagram No. 3. Structure of services in the Sultan's Palace**



Source: İnalçık, H. Op. cit., p. 85.

behind this gate is the audience chamber (arz odas), where visitors are received by the sultan in a small building obscuring the view of the secret part of the palace. And beyond the Gate of Bliss is the space set aside for the ruler's private life, accessible only to his closest friends, the pageboys, the eunuchs and his wives. This part contains a third courtyard and other buildings around it, and then the gardens begin, in which the sultans successively increased the number of buildings (See *Diagram No. 3*).

#### **a) The internal services of the palace**

The *iç oğlani* who excelled in the other palace schools completed their education by serving the Sultan personally. They were first placed in **the „large“ and „small“ rooms**, and then sent to the treasury (hazine), where the precious and sacred objects collected by the dynasty were kept, or to the service room (pantry); to these services was added in the XVI century a „marching room“ (Seferli Odası). Thus an elite of 40 page boys immediately attended the lord in the „private room“ (Has Odası); they looked after the sultan's dressing-gown, clothes, weapons, and guarded him day and night. Some of these page boys have specific duties and are held in high esteem: the silahdar carries the sultan's sabre; the rikyabdar holds his saddle when he mounts his horse; the chohadar is in charge of his wardrobe; the dülben oğlan is in charge of his linen; the serkatibia is his private secretary. And yet, the head of the private chamber (has odabaşı) is first among all these pageants, the one closest to the sultan and the most influential. According to some data, in 1547 – 1548, the number of page boys in the enderûn of the new palace was about 178, and 20 years later it was already 488, while at about the same time, in 1555 – 1556, the number of page boys passing through the palace of Galata was between 265 and 378, and that of those in the palace of Ibrahim between 309 and 366. Around these youths were maintained: a „teaching body“ (khoja, mualim), doctors and orderlies (pyresenan), „old women“. Disease and morality seem to have great importance in these circles,<sup>203</sup> which is evident from the numerous sultan's staff...

On the other hand, the pagans themselves are strictly supervised and eventually castrated by the „white aghas“ (ak aghas) – eunuchs of

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<sup>203</sup> See *ibid.*, pp. 189-190.

the white race, usually coming from the Caucasus. For example, in 1555 – 1556 there were 17 white aghas in the palace of Ibrahim Pasha and 25 in the palace of Galata; as for the white eunuchs in the new palace, there were 40 under Selim I. Moreover, their chief, who bore the title of „agha of the gate“ (Kapı Ağası), had influence over the entire palace staff and participated in appointments and promotions, being close to the sultan and his confidant in important matters of state. For to him, as to most of the Sultan’s personal servants, the principle applies that „the Turks consider that the smallest office which enables one to see the Sultan and converse with him is very honourable“ (Spandugino).<sup>204</sup>

#### **b) The external services of the palace**

It is important to say that the Birun is the seat of the central government and of various professional and military institutions whose activities directly affect the life of the Court and the State. It was served by a large but carefully registered staff, which was regularly subjected to service changes (chakma) and promotions at relatively close intervals (every 2 to 5 years in the XVI century), as well as at the arrival of each new sultan. **The sultan’s personal attendants** therefore included several ulema who had the potential for great influence over their master. This category includes all physicians who are headed by a chief physician (Baş hekim), among whom there are surgeons, herbalists, and eye doctors. Some of them were Jews, and so far gained the confidence of the sultan that they became the natural leaders of the whole Jewish community, as was the case with Joseph Hamon under Bayezid II, and then under Selim I, and especially with his son Mois under Suleiman. By 1535 this monarch had 10 Muslim physicians and 6 Jewish physicians. At the same time, the sultan also had three astrologers (müneccim) whose task was to determine dates favorable for major events, such as the accession of the sultan to the throne, the beginning of the grand vizierate, and the start of military campaigns.<sup>205</sup>

To satisfy the sultan’s material needs, **the imperial kitchens (Matbah-ı Amire) and a confectionery workshop (helvahane)** were located on one side of the second courtyard, to the right of the Middle Gate. Under Suleiman, these kitchens grew and became an impressive

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<sup>204</sup> Cited in **History** of the Ottoman Empire... Op. cit., p. 190.

<sup>205</sup> See *ibid.*, pp. 192-193.

enterprise, since, in addition to the real cooks, the staff consisted of numerous apprentices and assistants chosen from among the *acemi ođlani*. In 1514, for example, there were 230 cooks, in 1527 there were 277, and 40 years later there were 629 kitchen workers. At the same time, the sums allocated for them by the treasury reached the enormous figure of 5 million asprons. In this case, the colossal quantity of the most varied products, which came from different areas of the empire, was piled up under the supervision of an intendant (*emin*) in the imperial pantry (*kiler-i amire*). On this occasion, as early as the beginning of the XVI century, the explorer Spandugino reported: „When the emperor is in Constantinople, they usually slaughter 40 sheep and 4 oxen a day, not counting the chickens and game they bring him“. Thus in the lunar year 1489 – 1490 16,552 sheep were eaten!!!<sup>206</sup>

It is also interesting that the kitchens also have subdivisions depending on who the dishes are intended for: **the Sultan’s personal kitchen differs from the kitchens of the white eunuchs, of the page boys, of the page boys’ infirmary, of the foreign services, of the menagerie, of the poultry house** (in 1573 – 1574). 374 sheep were slaughtered to feed the hunting birds), **the members of the Divan and the foreign ambassadors** who were invited to banquets (*zifets*) after their reception at the palace. And as for the sweets and sugar works, they were made under the direction of a „chief of confectioners“ (*Helvacıbaşı*). „This office“, specifies Spandugino, „looks after all the sweet things that are eaten in the Court and all those who make them. Plus „tasters“ (*chashnegir, zevakini*) regularly oversee the preparation of the meals and provide service at the Divan’s banquets. There were already 5 of them at the end of the XV century, and 24 in 1514, and they were headed by a „chief of the tasters“, a kind of *maitre d’* of the palace. And the Divan had its own water-bearers (*sakayan-ı dıvân-ı âlî*) with their own chief and staff: from 10 at the end of the XV century they became 13 in 1514 and 25 in 1567.<sup>207</sup>

It is hardly surprising that many artisans performed a number of other functions necessary **to meet the material needs of the palace**. These included stonemasons, carpenters, armourers, blacksmiths,

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<sup>206</sup> See *id.*

<sup>207</sup> Quoted in: *Ibid.*

shoemakers, saddlers, carpetmakers, jewellers, goldsmiths, serge embroiderers, and so on. All these craftsmen (ehl-i hiref) numbered 308 in 1514, 585 in 1527, and 647 40 years later. The tailors are divided separately into tailors making the „honorary robes“ with which the sultan expresses his favor (hayatin-i hilat) and the sultan’s personal tailors (hayatin-i hassa). They numbered 242 in 1514, 301 in 1527 and 369 in 1567. Like all those in charge of material services in the palace, their superiors were in fact senior dignitaries. For example, in 1527 a chief tailor held the post of „governor“ (sanjak-bey) of Hamid, and to this we may add the laundrymen (chamashuyan), who in 1514 numbered 17, and so on and so forth.<sup>208</sup>

Alongside these craftsmen were **the true artists** whose works provided the cultural splendour of the Ottoman Court – **poets, musicians, calligraphers, miniaturists, binders**, etc., the latter three crafts contributing to the production of valuable manuscripts dedicated to religion. Others are engaged in wood-carving, or in engraving metals, or in making, like the knucklebended wax-trees or book-flowers, and so on and so forth. And the palace architects are engaged in all the great religious, civil, and military works undertaken by the sultan. Thus by 1535 there were 12 architects plus 1 carpenter and 1 master of tiled roofs (kiremetchi).<sup>209</sup>

The Sultan’s beautiful parks, as well as his vegetable and orchard gardens (located inside and outside the palace) were entrusted to a **corps of gardeners** (bostanjis), used, among other things, for the ruler’s boats. It was formed of adjemi oglans selected by the chief officer of the corps, the bostanj bashi. The latter was also in charge of the management of the emperor’s palace and pleasure establishments, and of supervising the shores of the Golden Horn, the Bosphorus and the Sea of Marmara near the capital. In addition, he was the intendant of hunting and fishing in the vicinity of Istanbul, and, as a kind of judicial officer, he supervised the executions of high dignitaries carried out in the palace.<sup>210</sup>

**The emperor’s stables** (establ-i amire), partly located in the second court, have a special place in the palace, and their staff was truly

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<sup>208</sup> See *ibid.*, p. 194.

<sup>209</sup> See *id.*

<sup>210</sup> See *ibid.*, pp. 194-195.

impressive: 2080 employees in 1514, 2830 in 1527, and 4341 at the beginning of the reign of Selim II. They were headed by several officers, the most important of whom were the horse-table, or chief intendant of the stables (emir-i ahor-i buzurg, or mirahor), and the intendant of the stables (emir-i ahor-i küçük). In fact, these stables were scattered in several places in the capital, as well as in Adrianople, Bursa, Serres, Thessaloniki, and other cities of Anatolia and Rumelia.<sup>211</sup>

The Sultan's temptation, **bird hunting**, a prestigious sport and one of Suleiman's favourite pastimes, required the maintenance of a large number of hunting birds in the bird house and therefore the presence of a corps of falconers (baszdaran). Its members are divided into three subdivisions: the shahinji, who are the most numerous, deal with the common falcons, the chakarji with the special falcons, and the atmajaji with the hawks. This corps, which contained 163 in 1503, 219 in 1514, and 259 in 1527, reached 418 40 years later. Interestingly, birds were imported from abroad, for example the falcons were shipped from Moscow or presented by the vassal princes of Moldavia and Wallachia. But they were mostly handled by a widely organized network in the provinces, with specially hired people from the nest-rich regions of Anatolia and Rumelia delivering young birds to the palace in return for tax breaks,<sup>212</sup> which was a kind of privilege.

There are other buildings of a distinctly military character, meeting the requirements of **palace security**. Those working in them attend official ceremonies or represent the central government in some missions outside the palace. The so-called „gatekeepers“ (kapacis), for example, are divided into wards (bulyuts) and guard the three doors of the new palace. They were recruited from among the eunuchs, or inner pages, respectively 146 in 1503, 244 in 1514, and 280 in 1547. Thereafter, their numbers steadily increased, and by 1660 they numbered already 2007, with their chiefs (kapıcıbaşı) also steadily increasing<sup>213</sup> and performing various functions (including guarding foreign ambassadors at sultan audiences).

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<sup>211</sup> See id.

<sup>212</sup> See id.

<sup>213</sup> See id.

The „Chaushi of the High Gate“ represent **the palace police and accompany the Sultan**, one of whom, the chief officer (chaush), is responsible for protocol and order during Divan meetings and ceremonies in the palace. This sultan’s corps also had important functions outside the court, for on campaigns it supervised the discipline of the army. Or, as Spandugino notes again, „When the army assembles to march into battle, the so-called „chaushi“ hold iron rods in their hands, and as soon as they see anyone leave his line or want to run away, they beat him and return him to his place. And if any nobleman escapes from the fight, they will with kind words give him courage to come back“<sup>214</sup>. Above all, however, the Chaushis are the Sultan’s messengers, as they carry his letters into the countryside and abroad, are provided with passes and travel sheets, use post horses supplied at every stage by men (specially hired for the purpose), and move with great speed constantly between the Porte and its correspondents. They are even sometimes assigned to much longer missions in the countryside.<sup>215</sup>

Another sultan’s extra in the palace was **the imperial music** with brass and percussion instruments, which under Bayezid II consisted of 107 men and in 1527 of 185. These musicians were led by a very senior dignitary, the standard-bearer (emir-ı alem, or miralem) who was the custodian of the symbols of supreme power (the flag and the six ponytails (tugh) of the sultan) and who presented the newly appointed provincial governors with the flag and the ponytails, symbolizing the particle of power that was being granted to them. On the other hand, these „musicians of the banner“ (mehteran-ı alem) are distinguished from another corps (mehteran-ı haime), which has quite different functions: it has to guard the imperial tents and stretch them during a campaign, the two categories of mehters being also 620 in 1567.<sup>216</sup>

It should be pointed out that the prestige of the various palace corps which we have enumerated is manifested in the fact that a large number of their chiefs – miralem, chaushbashi, kapajbashi, mirahor, chakarjibashi, shahinjibashi, and atmajjajibashi, as well as chash-

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<sup>214</sup> Quoted in, p. 196.

<sup>215</sup> See id.

<sup>216</sup> See id.



negirbashi, together with the agha of the eunuchs and the commanders of the cavalry corps of the Porte, bear the title „*agha of the stirrup*“ (rikyab agalar), i.e. They are entitled to ride beside the Sultan.

Finally, there is **a corps of horsemen with lavish uniforms who enjoy special prestige and privileges**: these are the *muteferika* (literally „miscellaneous“), who have mostly representative functions. That is to say, this guard of honour, whose members sometimes performed special missions for the sultan, is distinguished by the unusual manner of recruitment, which favoured descent and family connections. Among them, besides palace officials, were sons and brothers of viziers and other dignitaries, and heirs of deposed or dispossessed dynasties (they numbered 94 in 1514 and 70 by 1535).<sup>217</sup>

Too many more incredible things could be written about the privileged officials in the Sultan’s palace in terms of lavish Eastern extravagance in the barracks of power. But there is no getting past the serious data on the numbers and numbers of the Sultan’s officials, administration and support staff, whose composition can only be measured by the greatest world records in the history of sport on our planet (*see Table No. 1*).

**Table No. 1. Total number of employees in the sultan’s palace (XV – XVII centuries)**

No.	Year	1480	1568	1609	1670
1.	Janissary	10 000 men	12 789 men	37 627 men	53 849 men
2.	Acemî oğlan (novices)	?*	7745	9406	4372
3.	Bostancı (gardeners)	?	?	?	5003
4.	Djebedji (gunsmiths)	?	789	5730	4789
5.	Topçular (archers)	100	1204	1552	2793
6.	Top Arabacıları (gun-carriage drivers)	?	678	684	432
7.	Ahur hademeleri (horse-riders)	800	4341	4322	3633
8.	Aşçı (chefs)	120-160	629	1129	1372
9.	Ehl-e Hiref (craftsmen)	?	647	947	737
10.	Terziler (Dressmakers)	200	369	319	212
11.	Çadır mehterleri (tent makers)	200	620	871	1078
12.	Alem mehterleri (flag bearers)	100	620	228	102
13.	Sipahi (cavalry)	3000	11 044	20 869	14 070

<sup>217</sup> See *ibid.*, p. 197.

14.	Kapıcı (porter)	400(?)	?	2451	2146
15.	Baş Kapıcı (Head porter)	4	?	?	83
16.	Müteferrikalar (elite)	?	40	?	813
17.	Çavuşlar (orderly)	400	?	?	686
18.	Terzene Neferleri (Officers in Arms)	?	?	2364	1003
19.	Shikar halki (hunters with hawks)	200	?	592	?
20.	Çeşniler (tasters)	20	?	?	21
21.	Saka (water carriers)	?	25	?	30
22.	Total	15 584	41 340	89 091	97 304

\* According to the author H. İnalçık, the question marks in the table mean that there is no official data on the relevant employees during the periods under consideration.

Source: İnalçık, H. Op. cit., p. 86.

The facts presented in the table prove beyond doubt that the Sultan's palace was one of the most important links in the chain of numerous Ottoman privileges, from which (facts) several essential generalizations follow: **first**, there is the manifestation of a **permanent tendency to permanently increase the palace staff and its privileges for the sole benefit of the great ruler** (to preserve his life, to extend privileges, to acquire new benefits, to satisfy his whims, etc.) during the period of almost three centuries under consideration (XV – XVII centuries); **secondly**, and it is evident that the greatest swelling of the service personnel is connected with **the enlisted corps, whose staff increased almost fivefold** as the security and military ascer of the padishah; **thirdly**, it is more than evident that **the staff of those officials who directly served the sultan**, such as they were, **grew indiscriminately over the centuries**: cooks (from 160 to 1372), porters (from 400 to 2164), orderlies (from 400 to 686), hawk-hunters (from 200 to 592), etc; **fourthly**, a **considerable number of the various palace administrative posts are absolutely superfluous (and overblown) or, to put it bluntly, sinecure**, such as „keeper of the sultan's ceremonial coat“, „keeper of the sultan's sash“, <sup>218</sup> etc.; and **fifthly**, as is probably implied, **this whole vast menagerie of all-powerful bureaucratic-servant apparatus is extremely well remunerated** for its filial care of the Sultan, for, as researchers say, each staff member acquires a daily sum of money and privileges according to his rank, namely: apprentice in the chamber – 8

<sup>218</sup> See more details about these positions in: Naydenov, N. Op. cit., pp. 76-77.

akçes day; has oda bashiya – 75 akçes; clothes 4 times a year from the state; agha – high pension when they reach a certain age, etc. In other words, **an orderly system of privileges and benefits was established for the numerous staff of the Sultan's palace administration, in which every man knew his exact place, opportunities, and duties under the broad „imperious mantle“ of Allah's great benefactor.**

We have already pointed out several times that bureaucracy and privilege go hand in hand in government, which is no exception here. This regularity finds permanent expression in the growth of **the sultan's palace administration** (officials and support staff) over the years, since, for example, **its total number grew almost sevenfold from 1480 to 1670 (from 5584 to 43 455), while for the period 1480 – 1609 the figure was even more dramatic – almost tenfold (from 5584 to 51 464).**<sup>219</sup> Such are the findings of the work of the Sultan's administration and the privileges it enjoyed, which in scale, size and prevalence far surpassed their manifestations in more than one or two medieval empires of the time.

We have deliberately devoted more attention to the revelation of the Sultan's acquisitions in the imperial vast palace, because in it, for all its imposing splendour, as in a focal point, are gathered many of the various kinds of privileges which, whether on a legitimate or illegitimate basis, are always in the possession of the Ottoman autocrat (and his close entourage). And it is for this reason that let us single out the next inalienable privilege of the sultan – his own harem – which we are about to examine and which, for some reason, very few scholars of the Ottoman era have identified as such (privilege).

### **2.3. The Sultan's Harem – a privilege of the Ottoman autocrats**

We shall begin our elucidation of this point by answering the question why the sultan's harem can be defined as his specific privilege.

The short answer to this question is: First, because the palace is his private territory, belonging solely to the sultan; next, because only the ruler of the empire is allowed to dispose of this vast territory; next, because the harem is forbidden to all outsiders; further, because these

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<sup>219</sup> See İnalçık, H. Op. cit., p. 87.

chambers (the harem) are an integral part and extension of the feudal slave system in the imperial state; and, finally, because it is the sultan who has the right to assert some privilege or other as the plenipotentary autocrat. There is, therefore, nothing more logical than to define **the sultan's harem**, on the basis of the above arguments, **as an expensive privilege (and pleasure) of the ruler of the Ottoman state.**

The harem, also called the „Gate of Bliss“ (bab yus-saadeh) is the most secret part of the enderun, and the only „full man“ who can penetrate there is the sultan. In fact, this „gate of bliss“ by its very organization has always given rise to many fictions, legends and exclamations in the imagination of various people, which is why we will try to reveal as thoroughly and objectively as possible the purpose of the institution of the „harem“ as an undisputed sultanic privilege.<sup>220</sup>

To begin with, the ruler's harem, originally located in the old palace, „followed“ him to the new palace only under Suleiman. In this case, legend has it that Roxolana (his wife) considered this move as a means to strengthen her influence by permanently settling near her husband. For it was with him that the construction of the labyrinthine complex of buildings that is Topkappa's harem to this day began. Thus, only parts of the harems of the previous rulers or of the late princes remain in the old palace: on the death of the sultan, his mother, his sisters, his wives, concubines and eunuchs are housed there to make way for the heir's harem in the new palace. Then (in 1555 – 1556) the old palace was occupied by 6 princesses, the nursing maids of Suleiman's two late sons, Mehmed and Jehangir, the latter's hodja, and about 140 servants (jariye), all guarded by 25 eunuchs, led by an agha of the Gate of Bliss, and by 33 gatekeepers who guarded the palace from the outside.<sup>221</sup>

After the end of the XV century, the marriage mores of the Ottoman sultans markedly evolved, as marriages were no longer contracted with Christian (Byzantine or Serbian) princesses, nor with maidens of Muslim dynasties, such as Akkoyunlu, Giray of the Crimea or Zulkadr. Perhaps the consolidation of Ottoman power nullified this effective diplomatic tool. Crown princes and sultans henceforth associated with

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<sup>220</sup> See **History** of the Ottoman Empire... Op. cit., pp. 190-192; 251; 693-694.

<sup>221</sup> See *ibid.*, p. 190.

commoner slave women, as a rule not contracting a legal marriage with them (Suleiman's marriage to Roxolana being an exception). And more – the slave women with whom the sultans bonded usually reached his bedside after precise training and according to a strict hierarchy: it was the duty of the women to flee at the master's approach and not look him in the face.<sup>222</sup>

It is interesting that the young virgins admitted to the imperial harem came from war booty, from gifts of tsareviches or were bought in the markets for slaves. There is no virginity for girls and the chosen ones are selected for their ability and beauty. Moreover, these captive girls of non-Muslim origin are taught the principles of Islam and all the arts and skills which, by developing the gifts of each of them, enable them to become perfect wives, for they are taught to sew, embroider, sing, play, act puppets, tell stories, etc.<sup>223</sup>

Of course, where a legitimate wife exists, she naturally takes precedence, and it is even said that the virtuous Suleiman refrained from any relations after his marriage to Roxolana. But when there is no lawful union, **4 of the Sultan's haseki, a figure corresponding to the number of wives permitted by Sharia, occupy a privileged position and bear the title of „kadan“.** The first of these, the bashkadun, is the one who first bears a son to the sultan, but the supreme authority in the harem still belongs to the sultan's mother, the walide sultan. The competition between these women, who wish to strengthen their influence and benefit their children, leads to unprecedented hatred and even to bloody intrigues, whose secret the harem strictly guards. These flourished under Roxolana until her death in 1558, and were in full force in the XVII century, severely affecting the rule of the Empire. In 1603, the harem numbered many slave women, and in the new palace they numbered about 266, but only a small fraction of them were destined for the sultan. All the rest, after completing their education, were given dowries and married off to former sultan's pageboys. Thus the representatives of both sexes, of whom a part of the ruling class was composed, became at the same time „fed men of the sariya.“ The most prominent among the

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<sup>222</sup> See *ibid.*, p. 191.

<sup>223</sup> See *id.*

members of this class get even princesses for wives, but have to give up another legitimate woman<sup>224</sup> to whom they want marriage.

In the sultan's harem, order and discipline are provided by a corps of eunuchs, symmetrical to the corps of white eunuchs, which serves the pageboys: in this case, however, we are talking about black eunuchs, of African origin, whose castration is more complete than that of the white eunuchs (affecting not only the testicles but also the penis). In 1603, for example, there were 39 „black aghas“ in the old palace and 72 in the new one. Here, the chief of the black eunuchs in the harem, the agata of the Gate of Bliss or agata of the maidens (Dar-üs-saade Ağası or Kızlar ağası) occupies a high position and plays an increasingly important role as the political influence of the harem strengthens. His authority thus exceeded that of the chief of the white eunuchs and placed him third in the state after the grand vizier and the Sheikh al-Islam.<sup>225</sup> But there is something else that is a real privilege of the eunuchs: the only official in the entire Ottoman Empire who has the right of unrestricted access to the monarch at all hours of the day is the chief of the black eunuchs. He could own as many young slave girls and up to 300 horses as he wished. His person is the most pampered compared to the other court dignitaries and this naturally affects the amount of money and gifts he receives. In the heyday of the Ottoman state, by the end of the XVI century, the eunuchs in the guard numbered about 800 men and had more than 1000 women under their care.<sup>226</sup> Thus the chief of the black eunuchs did acquire a very great deal of power, which he actually disposed of.

It is noteworthy that the women's apartments, or harem, located off to the side, is an insurmountable maze of corridors, staircases, narrow courtyards, connecting more than 200 rooms, usually of modest size, of uneven but often successful volumes, very richly decorated (Murad III's room, 1578, attributed to Sinan). All styles coexist, from classicism to Empire, and there are many beautiful Iznik ceramics and frescoes that represent some of the finest examples of Ottoman Baroque (Sofa köşk, the rooms of Selim III and Mihrishah valide). Like the mosques, the windows also have glass with plaster mouldings, usually

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<sup>224</sup> See *ibid.*, p. 192.

<sup>225</sup> See *id.*

<sup>226</sup> See **Karahasan-Chanar**, I. *Ottoman Secrets. The Harem*. Sofia: Riva, 2022, p. 50.

restored. The utmost comfort and convenience have been created, as can be seen in the toilets, fountains, washbasins, bathrooms and beautiful fireplaces of gilded bronze or faience, whose festooned roofs with truncated walls have a very elongated conical shape. Along with this, numerous niches house furniture that is rare in the Islamic world and which consists of low inlaid tables, shelves with small shelves, chests and caskets, low beds or benches (at least until European furniture entered the palace). Moreover, the pictorial art of the XVIII century is fresh and pleasing in the great private residences of the same era (the Tahir Pasha's Conak in Moudania), and the fruit bowls and flower vases that decorate the walls of Ahmed III's dining room (1710) are undoubtedly masterpieces here.<sup>227</sup> Naturally, this expensive equipment, ornaments and accessories are of very high quality (both in terms of materials and workmanship), for which, however, it is difficult to find evidence of what they cost the taxpayer in terms of financial resources.

It is a curious fact that the women for the Sultan's palace were carefully selected from among the prisoners of war or from the slave markets. In 1475, for example, there were 400 slave girls in the Topkapı Palace and 250 in the old palace, and these girls, like the pageboys, went through a long period of education and training. For when they arrive at the palace, they initially live together in two rooms, the „big“ and the „little“, and are known as „adžemijas“, or new arrivals. Thus, under the strict control of the kahya kadan, the warden, they grow up as refined and skilful women. They diligently studied the principles of Islam, while at the same time, according to their ability, as already noted, acquiring such skills as sewing, embroidery, dancing, singing, etc. In time, the adžemijas were given the rank of jariyah, shagird, gedikli, and usta (the last three terms are the same as in the organizations of the esnaf guilds and are also used in the bureaucracy). That is, this corresponds to the Ottoman practice of any skill or craft then being learned through the apprentice-master system. In other words, just as the pajoi were elevated from the service room to the „private room“, the usti were also selected from the ranks of the gedikli to perform a specific service for the sultan. It was from this group that the sultan

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<sup>227</sup> See *ibid.*, pp. 693-694.

chose the women for his bed, who were rewarded with the title of „hass odalak“ or „haseki“.<sup>228</sup> This – on the one hand. On the other, any **haseki who bears a child to the sultan receives special privileges: she is ceremonially crowned and dressed in a samurai, kisses the hand of the sultan, and a private apartment is assigned to her for her private use. And the first woman to give birth to a son is given primacy over all others with the title „Başı Kadın“.** Plus, the harem staff, like the pageboys, receive daily money and separate money for clothing, each group having its own special uniform, while the women with position over the mouth decorate their clothes with fur<sup>229</sup> etc. In contrast, however, when the women in the harem hear the sultan’s silver-soled slippers, they instantly hide as it is an insult to come face to face with him. And worse: any woman who breaks the rules or hierarchy of the harem is punished, for if a novice wins the heart of the sultan, it will undermine the rights of the senior mouths and the power of the walide sultan. Therefore, the Walide Sultan herself carefully chooses the mouths that will get close to the sovereign,<sup>230</sup> so as not to shake the confidence of the padishah in her.

To maintain the standard of the sultan’s wives – writes Ibrahim Karahasan-Chanar – the treasury fully provides for their upkeep by allocating funds for food, clothing and heating. For example, Sultan Bayazid II the Great (1481 – 1512) assigned to each of the cadens an annual cloth of 15,000 akçes (silver aspers), 9 pieces of European cloth and 2 curs of samur; to their daughters also 15,000 akçes, European cloth for 4 sets of underwear and 2 fur coats. Later they were given hassos and other farms from which they had a certain income.<sup>231</sup> The kadans are provided in bulk twice a year (during the months of muharrem and rejev) with the necessary quantity of candles, soaps, wood and coal for heating. In addition, the women of the sultan are fed separately in their dairet (apartments): their ration for a day includes 5 okes<sup>232</sup> of meat, 3 hens and 4 chickens, 2 eggs, 2 okes of pure cow’s

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<sup>228</sup> See **İnalçık**, H. Op. cit., p. 89.

<sup>229</sup> See id.

<sup>230</sup> See id.

<sup>231</sup> See **Karahasan-Chanar**, I. Op. cit., p. 83.

<sup>232</sup> *oka/oke* (Turkish) – a measure of weight equal to 1 kg and 225 – 282 g



butter, and in summer, 1 denk of ice, 1 snuff (bowl) of mincemeat, 4 wholemeal breads, 200 dirhams<sup>233</sup> of honey, oshav, 1 oke of fruit, vegetables in sufficient quantities according to the season, spices, etc. Apart from this, each kadan effendi is regularly supplied with sugar, coffee and tobacco necessary for her daily life.<sup>234</sup>

During the period of bourgeois reforms (the Tanzimat), which began with the Gulhana khatisherif of 1839, **the cadres'** pay changed and became similar to that of government officials, who **received their salaries directly from the treasury**. However, the padishahs could not combat the extravagance and wastefulness of prominent kadens, such as Serefraz (Servet-seza), for example, – the first wife of Abdul Majid I. And another thing should not be forgotten: some additional payments on this or that occasion, when the rulers expressed their respect for the women of the harem with valuable gifts or with purses of coins (the so-called „platea ihsan“). For example, Mahmud I in 1754 set the following tips for them according to their rank: to the first kadan – 10 purses with kurushi (coins), to the second and third kadans – 5 each, to the fourth, fifth and sixth – 4 each, to the four iqbaler – 2 each. And on Ramadan and Eid, as well as on other holy festivals, they receive more expensive cloth and other gifts. The daughters and sons of the sultans are also favored with such tips, especially after the birth of a new heir.<sup>235</sup>

With all due respect to the thesis of the cultural and historical value of the Sultan's harem over the centuries, we cannot but emphasize that absolutely all rulers found in it a peaceful and pleasant place for relaxation after their exhausting work as statesmen. That is to say, it (the harem) is indeed an important privilege of power, which is massively enjoyed by sovereigns, as exemplified by Sultan Ibrahim I, who constantly indulged in entertainment, pleasure, and licentiousness; had a considerable number of favourites, to whom he granted state income, properties, and high administrative posts; and especially tolerated persons associated with the harem, such as the sultan's mothers, the Haseks, the Intendant, etc.<sup>236</sup> – In general, all people, and especially

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<sup>233</sup> *dirhem* – a coin in circulation among Arab nations (derived from the Byzantine drachma); about 3 g of pure silver

<sup>234</sup> See *ibid.*, p. 84.

<sup>235</sup> See *id.*

<sup>236</sup> See **History** of the Ottoman Empire... *Op. cit.*, p. 251.

those of the fair sex, who are very close in body and spirit to the absolute sovereign of the empire, the Sultan's autocrat. Moreover, for personal sexual convenience, **in the XVIII century Sultan Osman III „patented“ a new rule in the harem when he addresses the female half: he always wears slippers with silver nails, which, clanging on the stone floor, give a clear sign to the women (of the harem) to thoroughly prepare for the wedding night.**<sup>237</sup>

With such splendid Sultanic privileges as the harem in the Ottoman Empire, we have no choice but to enthusiastically exclaim, „Ashkolsun, effendi! Mashallah, hanam!“.

Finally, the conclusion about sultanic privileges in the Ottoman Empire, although obvious, must still be carefully formulated (if we want to be as precise as possible) in the following logical order:

In the first place, if we trust the conclusions of a number of studies, it will turn out that the Ottomans built a system that history does not know: a rigid centralism, not only impeccably concentrated, but also impeccably implemented.<sup>238</sup> Something that is unquestionably so, but which we think could be extended as the realization of a **sultanic governance formula – personal despotism – strict centralism – privileged elite** – through which feudal power actually functioned.

Secondly, along with the unchallenged Sultan's power, one of the main reasons for the (almost unchecked) expansion of privilege in the state, according to Fr. Fukuyama is **the lack of an established system of primogeniture or other succession procedures**, which is why the various candidates for public office need the support of the enchiarchs, the court officials, the religious bureaucracy, and the entire administrative apparatus. That is to say, the absence of such an institutional mechanism for succession is not only a very great weakness, but it is also an objective prerequisite for the spread of privilege, since every absolute ruler delegates power and authority to his officials, who exercise it by virtue of their ability and experience.<sup>239</sup> That is to say, they are also entitled in determining some of their own political privileges.

Next, in comparison with some other Eastern despotisms, **the privileges in the Ottoman Empire bear the marks of bureaucratism,**

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<sup>237</sup> See **Karahasan-Chanar**, I. Op. cit., p. 31.

<sup>238</sup> See **Mutafchieva**, V. Op. cit., p. 440.

<sup>239</sup> See **Fukuyama**, Fr. Ibid., pp. 271-272.

**extravagance and ostentation**, which is expressed in the dozens of meaningless events, pompous sultan's receptions, numerous fictitious positions, etc., which always pursue one goal – the strengthening of the power of the padishah through the system of mutual benefits (and privileges) for him and his subordinate elite. Here the facts are more than clear: the extremely high costs of excess consumption of the high Ottoman aristocracy with the caveat that **the Sultan's Court employed more than 12 000 officials**, many of whom held sinecure positions; during certain periods the Sultan's government was served by **some 1000 – 1500 scribes** (in the late XVIII century), and in the office of Abdul Hamid II alone the High Gate housed **100 000 secretaries and various clerks**<sup>240</sup> of all types.

Fourth, in the Ottoman Empire, such a tried and tested form of privilege of the sultan's entourage as **the purchase and sale of public offices** in the capital and in the localities was not forgotten at all. According to the historian Ahmed Sadulov, through this act (purchase and sale) corruption permeated all spheres of the state and public life of the empire, since it was very rare for a bribe not to be given upon appointment to a post in the structures of central and provincial power. Even Sultan Murad III received a bribe of 40,000 coins, after which he immediately promoted his recommended close confidant Üveys Paşa to a new, much higher state post.<sup>241</sup> That is to say, as in almost all medieval states, in the Ottoman Empire the privileges of the monarch were an integral part of corrupt schemes at the top.

Fifth, it should be specifically noted that **Ottoman economic privileges were always combined with the exploitative nature of sultanist regimes**. This dual nature of economic privilege is evident in a number of means of re-taxing the population. In this case, it was through the feudal lord's customary mode of „communication“ with the peasantry during so-called „rounds“, in which the population made additional expenditures under a variety of pretexts: payment of the cash equivalent of the shelter that the people owed their lord; covering the local feudal lord's expenses of exploitation itself – money for clothes, for teeth, for horse shoes, for the „sweat of the feet“, etc.; collecting money for

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<sup>240</sup> See successively. Cited in, p. 77; **History** of the Ottoman Empire... Op. cit., p. 486.

<sup>241</sup> See **Sadulov**, Ahmed. *History of the Ottoman Empire*. Veliko Tarnovo: Faber, 2000, p. 87.

„passing flags“, i.e. for passing nearby pashas, whose rank is expressed in the number of their flags<sup>242</sup>, etc. Or, to put it another way, a practical manifestation of the power-property symbiosis in the form of unregulated privileges for the elite and classical feudal exploitation.

Sixth, we will only mark that **the Spahian nobility also possessed some privileges in agriculture**, but they were very limited (in terms of regulation) and minimal, insofar as this social group was referred to as „servile officials“ (O. L. Barkan). Rather, their privileges (those of the Spahii) consisted in preserving the interests of the rich feudal lords, inasmuch as they themselves belonged to the lower social stratum,<sup>243</sup> and were considered parasitic elements around the large mulca and wakf lords of the empire.

Finally, there were some **minor privileges for the rajas, but only for those of Muslim identity (and faith)**, who were taxed at a lower land levy than Christians (e.g. for vineyards), although there was no distinction in the legal status of the two types of peasant farming at the time – the Muslim homestead and the Christian „patrimony“. <sup>244</sup> This privilege for the lower classes, as well as such things as certain bequests to the poor (from the waqfs), etc., do not at all change the overall picture of injustice between the privileged minority and the disenfranchised majority throughout the vast empire.

There is no doubt that the notorious Ottoman Empire created an astonishingly productive and lucrative system of privileges for the elite, unsurpassed in its scale during the classical Middle Ages and rivalled only by the systems of benefits of power in the absolutist political regimes of the European continent.

### 3. SCALE AND DECLINE OF MEDIEVAL FEUDAL PRIVILEGES (XVII – XVIII CENTURIES)

Viewed from the outside, the extent of feudal privileges cannot always be described as multi-layered and diverse and enjoyed by different minority groups (elites) in the societies of the time. But looked

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<sup>242</sup> See **Naydenov**, N. Op. cit., p. 75.

<sup>243</sup> See **Mutafchieva**, V. Op. cit., p. 61.

<sup>244</sup> See *ibid.*, p. 152.

at from within, there are a number of examples of how state institutions functioned without much attention being paid to the widespread spread of feudal privilege across all social spheres. These privileges are most vividly manifested in the last few centuries of the medieval era, which, after reaching their true flowering (total application everywhere), logically found their political end (their universal abolition) with the victory of the Great French Revolution.

But what actually is feudalism?<sup>245</sup> It is a political system specific and characteristic of Central and Western Europe. It emerged with the establishment of new state formations in the Early Middle Ages and took shape after Charlemagne united all the Germanic tribes except the Scandinavian ones into one empire. In this case, the most distinctive feature of the feudal state is the combination of power (*imperium*) with ownership (*dominium*), whereby political power belongs to a hereditary lord who is neither a bureaucrat dependent on the central authority (as in absolutism and modern authoritarian regimes) nor elected by the local population (as in democratically constituted states).<sup>246</sup>

Developed feudalism possesses an orderly hierarchy that is built on a contractual basis between superiors and inferiors. The vassals under feudalism stand lower on the ladder of office and society, but they are not servants, much less lawless slaves of their suzerain. On the contrary, their dependence rests on mutual, strictly defined and strictly observed rights and duties. For example, a vassal is obliged to help his suzerain with military force, but only under certain conditions (such as time and place of action). Of course, the highest in the feudal hierarchy was the king or the emperor (in Germany) and yet the relationship between the feudal lord (*seigneur*) and the serf was not built on unilateral and arbitrary domination but on a contract, albeit an economically unequal one for the parties.<sup>247</sup> However, this relationship underwent changes over time, which is particularly indicative of the absolutist feudal-political regimes of the late Middle Ages.

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<sup>245</sup> The name „feudalism“ derives from the French term „feud“ to denote an estate granted by the royal power to its trustees as an important source of income in exchange for the performance of military and administrative duties (See **Berov**, L. Op. cit., p. 98).

<sup>246</sup> See **Lazarov**, G., D. Vanchev. ABC of Democracy. Sofia: Galik, 1992, p. 72.

<sup>247</sup> See id.

Describing the system of feudal relations in Western Europe, the Byzantine writer John Kinnamos, as early as the XII century, gave it an extremely accurate assessment: „These offices (princes, dukes, counts) possess specific privileges which are conferred by the royal dignity, which derives from birth and stands above all others. Thus the duke stands above the count, the king stands above the duke, the emperor stands above the king. Quite naturally the weaker is always subject to the stronger, bears with him the burdens of war, and is subject to him under all circumstances“<sup>248</sup>. This characterization can, of course, be criticized, but it nevertheless reflects to a considerable extent the essence of feudal relations in the Middle Ages.

It is imperative to note that in feudal relations, the nature of the seigneur-vassal relationship is very similar to that between patron and client in the Roman Empire. According to Kr. Gagova, it (the relationship) is based on completely private contacts, in which the elder completely patronizes the younger. The terminology used is not accidental: the seignior (from Latin *senior*) is the leading figure, and the vassal (*vassalus* – page, squire) follows him, just as a son must follow his father.<sup>249</sup> As a result, from sometime in the middle of the X century, one can speak of **three main types of land ownership: full ownership** – personal or family lands acquired by inheritance, purchase or dowry; **fiscal holdings** – honori, as payment for a particular activity; and **benefici**<sup>250</sup> – life lands, which are obtained by virtue of a vassal’s oath<sup>251</sup>. Such is the fundamental economic basis on which, without any doubt, feudalism took shape as a universal phenomenon of the Middle Ages in a large part of the countries of the European continent.

Everywhere in Europe feudal law according to **Prof. Tseko Torbov** „has as its basis, on the one hand, the private law relations given by the institution of vassalage, and on the other hand, the property law relations given by the institution of benefices. The relations between the

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<sup>248</sup> Citation: **Gagova**, Kr. Medieval Europe... Op. cit., p. 17.

<sup>249</sup> See *ibid.*, p. 18.

<sup>250</sup> *beneficiia, beneficium* (Latin: *beneficium*) est. 1. A landed estate without the right of inheritance, granted by a feudal lord to a vassal. 2. Benefice by bequest of property, especially to the clergy in the Catholic Church. 3. eccl. An ecclesiastical office in the Catholic Church with a fixed income (See **Dictionary** of Foreign Words... Op. cit., p. 117).

<sup>251</sup> See *ibid.*, p. 18.

vassal and the feudal have for their origin the relations between the leader and those who follow him according to the customs of the old German law, which customs during the time of the Frankish state were modified under the influence of the legal form of Roman law which governed the relation between patricians and their clients. The beginning of benefices was the old Germanic grant of lands by the sovereign. **From the fusion of these two elements, vassalage and benefice, was created the feudal legal relationship, which in the course of time became almost established as the basic legal relationship throughout the Middle Ages.** This legal relationship continued to develop thereafter, and in close connection with the feudalisation of the services of the country, with the inheritance of endowments and the military service of the vassal. By the XII and XIII centuries the feudal legal form had exhausted all the possibilities of its development. Its decline coincided with the beginning of the idea of the new state, which began to emerge afterwards with the thought of the sovereignty of the state in domestic politics, with the strengthening of state power, with the creation of the figure of the state official and the image of the citizen<sup>252</sup> (*emphasis mine* – G. M.). On this legal basis, for centuries, the relations between feudals and vassals were regulated and defended, successfully supporting the emerging feudal state and the established status quo of attendant political, economic, ecclesiastical and other privileges.

From such a point of view, the German political scientist **Max Weber classified feudal relations** (feudalism) in general in a broader sense in the following order: 1) *liturgical feudalism*: settled soldiers, frontiersmen, peasants with specific military duties (clergy, Cossacks); 2) *patrimonial feudalism and its forms*: a) landlord: militarily conscripted colons (e.g. colons of the Roman aristocracy since the civil wars, colons of the Egyptian pharaoh); b) feudalism resting on the possession of people, in particular slaves (Ancient Babylonian and Egyptian slave armies, Arab private armies in the Middle Ages, Mamelukes); c) patrilineal feudalism of hereditary clients as private soldiers (clients of the Roman aristocracy); 3) *free feudalism*: a) military, resting only on a relation of personal allegiance, without granting landlord rights (most Japanese samurai, etc.); b) prebendal feudalism: without a relation of

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<sup>252</sup> **Torbov**, C. History and Theory of Law. Sofia: BAS, 1992, p. 79.

linen allegiance, only by virtue of donated landed estates and tax revenues (in the Central Asian East, incl. Turkish linen); c) linen feudalism, a combination of a relationship of personal allegiance and linen (the West); d) urban feudalism by virtue of an association of equal warriors on the basis of landed warrior land shares that are assigned to the individual (the typical Greek polis of the Sparta type).<sup>253</sup> Of the types of feudalism outlined above, the one with the most significant historical consequences is so-called „western laissez-faire feudalism“ as the main form of free market capitalism (according to M. Weber), which also had the most significant impact on the development of statehood (and privilege) during the historical period under consideration.

It is probably appropriate to mention here that after the X century in medieval Europe the **so-called „commonwealth state“** began to form.

This state is the result of the widespread establishment of European feudalism at that time, in which two main figures stand out vividly, that of the suzerain and that of the vassal,<sup>254</sup> and the relation between them is not at all like that between master and slave, since there is an orderly system of exchange of services between them.<sup>255</sup>

Originally, in this system, the king was only first among equals (*primus inter pares*) among his nobles. For the office became hereditary only when the barbarian peoples settled within the Roman Empire and established their first political states. And when the king dies without leaving an heir, an assembly of the great nobles of the kingdom elects a new king from among the feathers of the realm, the grand dukes, the grandees, the great boyars (they are „great“ because they have the right to participate in the election of the ruler).<sup>256</sup>

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<sup>253</sup> See **Weber**, M. Sociology of domination... Op. cit., p. 215.

<sup>254</sup> *suzerain* – 1. A landowner in the feudal era who is a lord in relation to his vassals; a medieval seigneur. 2. A state to which another state, or a part of the lands of a state, is vassal; *vassal* (Latin *vasalis* from Celtic) – 1. In the Middle Ages, a feudal lord dependent on another feudal lord (seigneur), from whom he received a benefice or fief, in return for which he had a number of obligations to the seigneur. 2. A subject or state; a dependent political state or person (See **Dictionary** of Foreign Words... Op. cit., pp. 147; 735).

<sup>255</sup> See **Todorov**, Ant. Elements of Politics. A Treatise on the Political. Sofia: NBU, 2012, pp. 107-108.

<sup>256</sup> See id.



In medieval Europe – points out Ant. Todorov – the suzerain state was **characterized by a hierarchy of titles, which was originally related to the relationship between the suzerain and the vassal**. In this hierarchy, the seigneurs (vassals) are full masters in their domains – they are both their owners and their political leaders, judges, arbitrators and warlords, and even have the right to impose taxes in their area.<sup>257</sup>

Most medieval feudal states were characterized by constant rivalry between seigniors, but also by **feudal political organization**. Each individual, by birth or profession, belonged to a corresponding nobility, a large social group characterised by its different origins, occupations and functions in the state. **The main estates** in the European dominions then were **the aristocracy, the clergy** and the urban gentry of **merchants and craftsmen**. These estates were customarily convened in consultative assemblies – States-General (or Estates-General). Their purpose was to discuss and give their support to any important royal decision or to approve the imposition of taxes in the kingdom (the first such conciliar assembly was convened in France in 1302). In addition, **assemblies of peers were referred to as „parliaments“** (as early as the Early Middle Ages, this was a deliberative body under the king to advise him on important matters, then bearing the Latin name *Curia Regis* – Royal Curia). These assemblies often had judicial functions (e.g. in the French kingdom), while in other countries they took on the character of a representation of the estates (such as the Estates-General) and, originally, as an assembly of the nobility.<sup>258</sup>

**The medieval commonwealth state was considered a transitional state form between feudalism and absolutism**. It spread in the XIII century mainly in Germany, the Netherlands and Sweden. In contrast to the classical feudal system, the manorial state was much more based on the common law, relying on more general and universally binding institutions. At its foundation was the partnership between the king and the organized gentry. Moreover, the alliance system was associated with the strengthening of the cities, which in a new way became an arena of independent collective political activity because they had greater independence from feudal constraints (e.g. in trade). And

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<sup>257</sup> See id.

<sup>258</sup> See *ibid.*, p. 109.

as for the estates organized in traditional assemblies, these differ from feudal assemblies (parliaments) where the territories are represented by the feudal lord against the king. Conversely, the estates are organized to cooperate with the ruler in the exercise of public functions (e.g. through the Estates-General). It is through this system that the conditions are set for professional political (public) activity in which functions are separated from the particular individual. Thus a decisive step was taken towards the modern nation state,<sup>259</sup> which emerged at the end of the medieval period.

A special place in the historical-political development of the medieval era was occupied by the cities or **city republics** (as a kind of commonwealth state). Among them, we shall single out the medieval Italian cities, which differ profoundly from the ancient cities, since they exist in a world **dominated by feudality and in which lineage (aristocratic or royal) is the main source of legitimacy**. Moreover, they mix some values and some institutions from that world with values and institutions from modern Western systems. In this sense, they correspond to a transitional phase between medieval societies characterized by large estates based on slavery and today's industrial and commercial societies. And the emergence of semi-industrial craftsmanship, of trade (domestic or international), the development of banking, etc., gave rise to the evolution of a bourgeois class that fought against the power and privileges of the aristocracy. All this contributed to the development of the cities, whose number gradually increased from the XII century onwards, almost all of them orienting themselves towards an autonomous semi-oligarchic-semi-democratic organisation. Here the administration of the towns was provided by councils elected by the bourgeoisie, who were usually members of professional corporations. The communes thus created were usually dependent on the king or seigneur on whose lands they were formed or to whom the king or seigneur granted a charter of commonwealth. They thus became something like collective feudal fiefs. In Italy, for example, where urban civilization almost always exists, where unity around a king is non-existent,

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<sup>259</sup> See *ibid.*, p. 110.

and where there are far fewer large feudal lords, some communes become independent and organize themselves into city republics.<sup>260</sup>

According to prof. M. Duverger, the most powerful cities of the republics are Florence and Venice, the former relying on trade, industry and commerce (wool, cloth and clothing), the latter on seafaring, and both on monetary exchange and banking. A large number of Italian cities are organised in this way. Their institutions were very complex. The councils and magistrates are numerous, the duration of functions is very short (in Florence, for example, the fourteen „seigniors“ are changed every month), each function brings duties rather than advantages. In most Italian communes the seigniors are, during the whole time of their service, confined to their palaces, where they must eat and sleep, not being allowed to go home for a while except in exceptional cases, and are closely watched in their personal relations with private individuals. That is, power rested on a fragile and complex compromise that reflected the social conflicts and class struggles in the political life of the city republics at the time.<sup>261</sup>

A good summary of these pre-modern medieval states is made by prof. Ant. Todorov, who draws out their common features, namely: first, they are not truly sovereign (i.e. full sovereign), but are always to one degree or another dependent on other suzerains; second, the ruler governs his state as its owner, whereby public and private power are not separated; third, the seigneurs are independent of the suzerain in their internal affairs, which makes it impossible to impose common rules and norms on the wider territory of the entire kingdom (i.e. there is no general obligation); fourth, the demise of the sovereign most often leads to the demise of the state, which is why premodern states remain a relatively unstable institution.<sup>262</sup> In other words, these states and their political systems (commonwealth states, city republics) were dominant in the medieval era in Europe, but at the same time they were very immature institutionally due to the fact that no nation-states had yet been formed in a definitive form (politically, institutionally, nationally, etc.).

How is power realized in the consociational state?

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<sup>260</sup> See **Duverger**, M. *Sociology...* Op. cit., p. 295.

<sup>261</sup> See *ibid.*, pp. 295-296.

<sup>262</sup> See **Todorov**, Ant. *Op. cit.*, p. 111.

**First**, the order of power in the completed consociational state rests on two lines – centralization and decentralization. In centralization, the ruler is the supreme military commander, while the provision of warriors is the task of the vassals, on the basis of which **centralized power** is given expression as a necessary condition for the preservation of the community through the protection of its state (especially under the developed feudalism in the XI – XVI centuries).

**Second**, it is important to note that by granting immunities and privileges, the ruler transfers some of his governing powers to the gentry, leading to a **decentralization of power** whereby they exercise independent (private) public authority **in their local territories**. Furthermore, there is a further differentiation of official power: administrative activities are carried out by the knightly nobility; tax and judicial activities are divided between the knights and the clergy; fiscal powers follow the rights over the territory concerned; and judicial authorities follow the nature of social relations.<sup>263</sup>

**Third**, in the feudal state, **feudal power** is such **domination as the feudal lords exercise over all the serfs**. This domination no longer has a charismatic character because it rests on the transformation of official protection into personal coercion against the producers inhabiting the territory (the feud). Thus, by means of tradition, vassal power in all its manifestations is the domination of the minority and of those capable of bearing arms.<sup>264</sup>

It can be summarized that in the conditions of the commonwealth state, the ruler's right to legislate was initially significantly limited, and actual legislative activity only really manifested itself under the absolute monarchy.

It is known from history that **between the XV and XVII centuries**. Europe underwent a huge political transformation, which inevitably led to **the establishment of strong nation-states**. At the beginning of this period most European state formations, in the words of Fr. Fukuyama were „fief states“ whose kings derived all their income from their own fiefs, which was only one of many in the territory formally ruled by him. The administrative staff is small and consists of members of the royal

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<sup>263</sup> See **Dachev**, L. Doctrine of the State. Sofia: Svida, 2001, p. 99.

<sup>264</sup> See **Weber**, M. Sociology of domination... Op. cit., p. 247.

family. Actual power is dispersed among feudal vassals who act as independent political entities. They, in turn, maintain their own armies, tax their subjects, and dispense justice in their dominions; they are obliged to serve their lord, who could be the king if they are powerful barons, or some baron or lesser lord (or if they are vassals of lesser rank); they repay this obligation in blood, either by fighting battles themselves or by sending vassals of their own, rather than in taxes, and for this reason most nobles are exempt from paying taxes. That is to say, a king's dominions may be scattered over a vast territory, and his kingdom a patchwork of subsidiary dominions interspersed with the lands of a suzerain who serves an enemy king.<sup>265</sup> Thus, by the end of this period, much of the European political structure had been transformed into a system of states. Therefore, the fief-state was transformed into a tax-state and the monarch received revenue not only from his fiefs but also by taxing the entire territory of the kingdom. The administration of this system therefore required a much larger administrative apparatus, including archives and ministries of finance to control the collection and expenditure of revenue. For example, in 1515 there were 7000 to 8000 civil servants working for the King of France, and by 1665 the royal administrative staff already numbered 80 000 (!); in 1508 the Bavarian government paid the salaries of 162 civil servants, while in 1571 there were 886.<sup>266</sup> That is to say, there is a distinct tendency of increasing the bureaucratic-administrative apparatus of the state government, which, besides being a reflex of the continuing consolidation of statehood and nation-states in general, also continuously accumulates new expenses for one or other privileges (according to the respective positions and ranks).

Throughout the historical period under review, European development has witnessed a dynamic interaction between the established centralised states and the various social groups that in most cases oppose and oppose them. This is also how absolutist rule (absolutist states) emerged, in which the resisting social groups were either poorly organised, weak or under the control of strong royal power and privileged elites.

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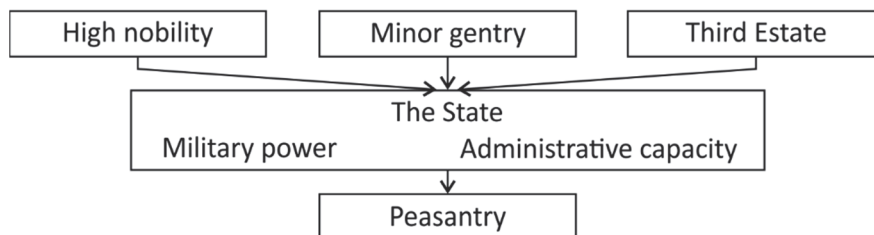
<sup>265</sup> See **Fukuyama**, Fr. *The Origins of Political Order...* Op. cit., p. 394.

<sup>266</sup> See *ibid.*, p. 395.

In the context of this confrontation, at least four social groups can be identified: the central monarchy, the high aristocracy, the petty nobility (i.e. small landowners, knights and other independent people) and the third class of citizens (the emerging bourgeoisie). Here the peasants, who are the largest part of the population in these societies, are not yet significant actors, as they are not united in corporate organizations that represent their interests.<sup>267</sup>

On the other hand, the degree of opposition to state centralization depended on the extent to which the three social groups outside the state (the aristocracy, the nobility, and the third estate) were able to cooperate in resisting royal power. Finally, all of this is directly dependent on consistency and purposefulness in the development of the state itself<sup>268</sup> (see *Diagram No. 4*).

**Diagram No. 4. Political power in agrarian society (and state)**



*Source: Fukuyama, Fr. Origins of Political Order... Op. cit., p. 399.*

According to Fr. Fukuyama, these features of feudal states should be grouped into **four European models of statehood**, arising from the diverse examples of governance – from the most representative to the most absolutist. These models are:<sup>269</sup>

**1) Weak absolutism.** These are the French and Spanish monarchies of the XVI and XVII centuries, which epitomised the new absolutist state and were in some ways more centralised and dictatorial than, for example, those of Holland and England. On the other hand, neither

<sup>267</sup> See *ibid.*, p. 399.

<sup>268</sup> See *id.*

<sup>269</sup> The models of statehood are presented here and below in **Fukuyama**, Fr. *Origins of Political Order... Op. cit.*, pp. 400-401.

was able to impose a complete dictatorship over the powerful elites in their societies, and the enormous tax burden rested on the shoulders of those least able to resist. Centralized administrative apparatuses remain patrimonial, and patrimonialism intensifies over time.

**2) Successful absolutism.** This is about the Russian monarchy, which managed to co-opt both the aristocracy and the nobility, and made them entirely dependent on the state. This was made possible by their common interest in enslaving the peasants to the land and mercilessly dumping the greatest tax burden on their shoulders. Here again the rule remained patrimonial until a later time, but even this did not prevent the Russian monarch from terrorising and controlling the aristocracy to a much greater extent than the French and Spanish kings.

**3) Failed oligarchy.** We are talking about the Hungarian and Polish aristocracies, who succeeded from the beginning in imposing constitutional restrictions on the royal power, which, because of its weakness, was unable to build a modern state. The weak monarchy is unable to protect the interests of the peasantry from the aristocratic class, which exploits it ruthlessly. Neither of these states succeeds in building a modern, non-patrimonial government.

**4) Responsible Governance.** Finally, we are talking about England and Denmark, which managed to build strong rule of law and responsible governance, as well as stable centralized states capable of mobilizing and defending their own nations from external and internal encroachments.<sup>270</sup>

Having made some historical and political remarks on the nature and patterns of feudal states (and relations) in the XV – XVII centuries, and on the nature of power and power relations within them, let us consider in turn what the different types of privilege (and who their holders) were in some of the leading European states of the time.

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<sup>270</sup> With all due respect to Fr. Fukuyama, but we would not agree with his thesis about the weak absolutism in France and Spain in the XVI and XVII centuries. Rather, we are talking here about a strong, even extreme absolutism, especially when we speak of the regime of Louis XIV in France, which we will prove in the following pages of the exposition.

### 3.1. Feudal political privileges in Europe – Spain, Italy (city republics), England, etc.

It should be recalled that before they emerged in their full glory, feudal privileges developed in parallel with the process of the formation of centralized monarchies in Western Europe in the XV – XVIII centuries. This process was particularly characteristic of the leading European states (Spain, England, France, etc.), as it was conditioned by a whole complex of social factors (economic, economic, dynastic, military, international, etc.). In Spain, for example, this process was linked to the so-called „reconquista“, or the conquest (liberation) of Spanish lands from the Moors, which lasted from the XI to the XV centuries. Here, the cities of the time, which through their organisation, the Union of Cities, had representation in the Cortes, played a major role in its realisation and in the unification of Spain.<sup>271</sup>

At the same time, in 1469, the heirs to the thrones of the two largest kingdoms, Aragon and Castile, Ferdinand and Isabella, married, marking the beginning of the unification of Spain (from 1479 the two kingdoms were linked by a personal union, which later became a single state). Thus the two kings („*Reyes Católicos*“, an honorific title given to them by the Pope) completed the reconquest, conquering all the Arab emirates in southern Spain, with the last Arab possession, Granada, falling in 1492.<sup>272</sup>

Subsequently, the political and economic integration of the kingdom took place around Castile, where the residence of King Ferdinand II was located, and in Aragon he was represented by a viceroy. Moreover, the imposition of religious homogeneity in Spain continued after the expulsion of the Moors from Andalusia and Granada, and in 1492 a royal decree decreed that Jews must convert or leave Spain within a few months (of 200,000 Jews, about 150,000 left the country). In 1502, a similar measure was taken against the Muslim population (of nearly 1 million, more than 300,000 left the country). And so in Spain, as in France and England, the church was instrumental in consolidating absolutist power. As a result, kings were given a monopoly to propose the

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<sup>271</sup> See **Yankov**, G. Comparative Political Systems... Op. cit., pp. 116-117.

<sup>272</sup> See id.



filling of all important ecclesiastical posts, and the Spanish Inquisition (created in 1478), which was subordinated to a special royal council, became a powerful instrument for enforcing the unity of faith and state.<sup>273</sup> In the course of this important state-building process of the feudal state(s) in Europe, many old and new kinds of elite privilege were reproduced at an accelerated pace, without which feudal society itself could not be rationally conceived.

If we focus in more detail on feudal privileges on the European continent, we can easily discover two key foundations of their development: one is the important role of absolutist state power, which enabled the total deployment of different types of privilege; and the second is the essential fact that feudal privileges distinctly manifested themselves not only at the national but also at the local level, because during this period nation-states were in the process of formation, some of them being „broken up“ into large city-states with powerful economic, political and cultural potentials. All of this was essential for the „eruption“ of feudal privileges both in the already established states and in the others that were in the process of state formation. And one more thing: this fact also explains the almost identical similarity in the types of privileges and their application in all states of the time, whether small, large, established, etc. According to historians, this also applies with full force to the widespread economic privileges (backed by political decisions) in the Frankish state as early as after the X century, where administrative, judicial and fiscal functions, as well as the functions of military leadership in the territory of his dominion, were gradually concentrated in the hands of the large landowner.<sup>274</sup> The royal power, though still too weak to prevent this, was then forced to sanction these orders by special privileges. These privileges were already widespread in the time of the Merovingians, but their heyday already dates back to the Carolingian period, and their essence consists in the following: by special royal charters the government officials (*judices publici*) – counts, centurions and their assistants – are forbidden to enter the territory belonging to one or other large landowner to perform any judicial, administrative or police functions there. All these

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<sup>273</sup> See id.

<sup>274</sup> See **History** of the Middle Ages. 1955. Op. cit., p. 124.

functions are thus transferred to the magnate, who carries them out through his part-agents. Such a **privilege is the privilege of immunity**, and „immunity“ is the name given to the aggregate of political rights thus conferred on the big landowner, and also to the territory over which this privilege extends.<sup>275</sup>

These immune rights of the large landowner usually boil down to the following: he has judicial power over his land, presiding over the judicial assemblies of his subject population; he has the right to collect on the immune territory all the revenues that until then went to the king (taxes, court fines, and other levies); and finally, he presides over the militia of his dependents. In other words, immunity can be seen exclusively as a result of royal privilege, and the impeachor can therefore be considered as one of the local organs of central power,<sup>276</sup> and not, as is ideologically claimed, as primarily a manifestation of class relations. For immunity privilege is a stark emanation of political power and, of course, of those who represent it.

Indeed, in **Spain**, in the functioning of the parliament of the time, the Cortes, which was initially formed by one representative of the clergy from one hundred towns (in the XIV century) and subsequently by only two representatives from eighteen towns (in the XV century), various political and economic privileges were always used. These few deputies expressed the interests of particular oligarchic cliques and essentially ruled the most important regions of the country (according to Fr. Fukuyama).

It should be pointed out that the traditional powers of the Cortes are also limited because they do not have primacy over legislation, which is the prerogative of the King. This is borne out by a collection of laws issued by Philip II in 1567, which states that „no taxes, levies or other payments may be imposed throughout the realm without the Cortes being summoned and without the permission of lawyers“. But **this applies only to new, extraordinary taxes; existing taxes, such as the alcabal (general excise), regalias (customs duties), and quintos (taxes on mines, on salt, etc.) not being subject to approval. The King declares that the Cortes have no right to disapprove new taxes** if they

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<sup>275</sup> See id.

<sup>276</sup> See id.

are just, which only he has the right to decide<sup>277</sup> (*emphasis mine* – G. M.). This privileged „tax haven“ was particularly characteristic of cities like Seville, where in 1702 the consulship consisted of 4 – 5 private individuals, managing trade only in accordance with their own purposes. They committed terrible commercial outrages with 7 – 8 local princes, who established themselves as a financial **aristocracy** with impunity, because, having the dignities of nobility, they enjoyed the enormous privileges of **paying neither direct tax, nor solo tax, nor stamp duty**. Thus the future and still small Spanish bourgeoisie formed a closed caste with the so-called „true dynasties“,<sup>278</sup> concentrating in their hands a significant part of the local economy, resources and power. This is the result of the presumption that the King has the right (privilege) to determine which taxes are subject to legitimation (approval), although it is the Cortes who also have similar powers in the state.

In the XVI and XVII centuries, and above all during the reign of King Philip IV (1621 – 1665), the **sale of municipal offices by the state** increased sharply as one of the most visible royal privileges and a major way of replenishing the state treasury with „easy“ revenues. Unlike in France, the posts offered for sale in return for bribes in Spain were initially in the cities and regions. This practice has been met with widespread disapproval, as it is clear that the posts sold do not provide a satisfactory return, but only encourage outright corruption. But the scarcity of money forced the state to sell, and by some estimates by 1650 the government created 30,000 government posts, or twice as many per capita as in France during the same period.<sup>279</sup> Moreover, this trade in posts expanded massively over time (especially vertically) through public auctions, and by the XVII century **almost all the top posts in the Spanish state were completely for sale** – local offices, notary offices, the ranks of the supreme courts, and so on.<sup>280</sup>

**The ruling elites**, the merchant classes and the aristocracy benefited most from the sale of public positions, and thanks to their high social status (in addition to accumulating financial and material wealth)

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<sup>277</sup> Cited in: **Fukuyama**, Fr. *Origins of Political Order...* Op. cit., p. 432.

<sup>278</sup> See **Brodell**, F. *Material civilization, economics and capitalism. XV – XVIII centuries. Vol. II. The Games of Exchange.* Sofia: Prozorets, 2018, p. 422.

<sup>279</sup> See **Fukuyama**, Fr. *The Origins of Political Order...* Op. cit., p. 434.

<sup>280</sup> See *ibid.*, p. 441.

they **received various noble titles** (counts, marquises) from the royal family. In this sense **Fr. Fukuyama**, who argues that **tax exemption is the most hated of all privileges and became even more hated when the burden of taxation steadily increased** in the XVI and XVII centuries. For it was not only a broad social class that was privileged by the sale of public office and exemption from taxation, but also individual noble families. And what was even more unpleasant: those who bought offices were prepared to deprive their fellow citizens of rights, since their own rights were guaranteed in perpetuity.<sup>281</sup> Therefore, in the 1750s, in another reform in Spain, a ban was imposed on the sale of posts in the administrative courts as a kind of compensation for public discontent.

We will note in passing that, as a proven historical fact, privileges in medieval **Italy** also found wide, universal application in the then city republics (at that time Italy was not yet a unified country). This was due to the peculiarities of the political structure of the major republics (cities) and their institutions, such as Venice, Florence, Genoa, etc.

The main political institutions of **Venice** are: the Great (Grand) Council, the Council of Ten and the Doge. Membership of the Great Council became hereditary after 1297 and was the exclusive right of the nobility, i.e. of the distinguished families. He, with the Grand Council, elects the Council of Ten, in which the executive power is most concentrated, while the Doge, who is elected for life, is the representative head of the republic, and though his formal powers are limited, in practice his actual power is considerable. Even in 1462 the allusion to a „commune of Venetians“ was removed from the Doge’s oath. The Doge’s representative in the lands subject to Venice was the vicomino (*visdomino*).<sup>282</sup> Through this institutional structure, power is effectively held by a small ruling elite, who in reality have enormous powers with little to no control in the state.

Things are no different in the institutional set-up of **Florence**, which survives in the form of a republic without any social or political stability. „**The Popolani**, writes Cr. Duggan – defeated the old nobles after a fierce battle, which at the end of the XIII century led to anarchy in the city, and whole districts were burned to the ground. The government

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<sup>281</sup> See *ibid.*, p. 421.

<sup>282</sup> See **Yankov**, G. *Comparative Political Systems...* Op. cit., p. 113.

was oligarchical and based on the guilds – seven main ones (*arti maggiori*), for which was the lion's pie of offices. The governing body, **the Signoria**, is filled by rotation and by lot, and the legislative power is in the hands of large popular councils, which in times of crisis are replaced by small committees, the *balie*. By modern standards it was an extremely open system with nearly 2,000 citizens eligible for election to office in the 1520s. However, it could not prevent discontent among the poor, and especially among the low-skilled and unskilled workers of the textile workshops, who were the core of the city's workforce.<sup>283</sup> Here again, as is evident, power is concentrated in a handful of political elites (mostly wealthy families), who exercise it mostly for their own benefit, without detracting from their contribution to Florence's economic development.

It will not be uninteresting if we note that in the two medieval city republics there is a democratic coincidence in government, such as **the use of the lot** according to the ancient political models of this form (see Table No. 2). However, it (the lot) was practiced differently in the two republics.

**Table No. 2. The lot as a political instrument in Antiquity and the Renaissance**

	<b>Athens</b> Claroerion (462 – 322 BC)	<b>Venice</b> Balota (1268 – 1797)
Objective	- Promoting political equality - Participation of as many citizens as possible in governance	- Avoiding conflicts between noble families in the appointment of the highest governing body
For whom	30 000 to 60 000 citizens (10 to 24% of 250 000 to 300 000 inhabitants)	600 to 1600 advisors (0.6 to 1.2% of 100 000 to 135 000 inhabitants)
Lot	When appointing governing bodies: - Tip of 500 - People's Court (6000) - Magistrati (600)	In appointing the highest authority: - Composition of electoral commissions for the designation of the doge
Way	- Self registration - Foals (with clerotherion) - Accountability	- The Great Council ( <i>Conciglio Grande</i> ) - 10 phases of draw and selection, alternating - Drawing using balls ( <i>ballota</i> )

<sup>283</sup> Duggan, Cr. A Short History of Italy. Sofia: Trud, 2010, p. 49.

Rotation	- After 1 year (max. 2 mandates)	
Elections	When appointing to the highest positions: - 10 army leaders (strategists) - 90 top administrative posts	Elections and lots run parallel in the election of the Doge
Else-where	In Miletus and Kos, also in Hellenistic and early Roman Athens (322 – 31) and in the Roman Republic ( <i>Comita Tributa</i> )	Also in Parma, Ivrea, Brescia, Bologna
	<b>Florence</b> (1328 – 1530)	<b>Aragon</b> (1350 – 1715)
Objective	- Avoiding conflicts between rival factions	- Promoting stability - Countering power monopolies
For whom	7000 to 8000 citizens (7 to 9% of 90 000 inhabitants)	Citizens (from 1 to 16% of residents depending on the city)
Lot	When appointing the most important governing bodies: - Legislative Council - Government ( <i>Signoria</i> ) - Administrative Commissioner	At appointment: - On electoral commissions (see Venice) - Local authorities (see Florence) - National Members of Parliament ( <i>Cortes</i> )
Way	1) Nomination as a candidate by office or family line 2) Co-optation 3) Lot 4) Sorted (check selection)	1) Nomination 2) Co-optation 3) Lot
Rotation	Quick rotation, no mandates	Quick rotation, 1 year
Elections	Co-optation (as internal elections)	Co-optation (as internal elections)
Else-where	Also in Orvieto, Siena, Pistoia, Perugia, Lucca, even in Munster and Frankfurt	In Zaragoza, Girona, Tarragona, Uesca, Cervera, Ciudadella, Mallorca, Leyda, Igualada, La Mancha, Murcia and Extremadura

**Source:** *Reybrouck, D. van. Against Elections. Sofia: Ciela, 2020, p. 66.*

In Venice, the lottery principle has been used for centuries in the appointment of the head of state, the Doge (from duce, duke). The Venetian Republic cannot be described as a democracy but as an oligarchy because it is run by a few powerful noble families: the government is in the hands of a few hundred to a few thousand nobles, only 1% of the total population. Between 25% and 30% of the total hold almost all state

functions. Once elected, the Doge remains so until his death, but unlike the monarchy, the position is not hereditary. And to prevent tensions between the different families, a new lot is drawn when a new Doge is appointed, but to ensure that a competent person still heads the state, the procedure is mixed with elections.<sup>284</sup> It all starts with the Great Council (*Consiglio Grande*), which gathers 500 nobles (the number increases from the XIV century). Each of them puts a wooden ball (*ballota*) in an urn with his name on it, and subsequently the youngest of them leaves the meeting room so that in the Basilica of San Marco he can find and speak to the first boy he meets who is visibly between 8 and 10 years old. He is allowed to join the conclave, where he is given the role of *ballottino* – ball collector.<sup>285</sup> There, his innocent childish hand must draw the names of 30 participants; then, by drawing lots, the choice is reduced to 9. Thus the first election committee is formed, and its task is to expand the group from 9 back to 40: this is done by qualified majority voting (in fact it is a kind of „co-optation“), and so on. Nevertheless, historians are unanimous: the extremely long stability of the Venetian Republic (lasting more than five centuries) is due in part precisely to the cleverly devised system of the balot. For without the lottery system, the Republic would undoubtedly have collapsed long before the inevitable squabbles between the ruling family elites.<sup>286</sup>

Things are quite different in Florence. „The drawing of lots there“, points out D. van Reybrouck, „was known as a system of *imbor-sazione* (in the bag). Here too, the aim was to avoid conflicts between different interest groups in the city, but the Florentines went further than the Venetians: not only the head of state, but also almost all administrative responsibilities and management tasks were distributed by lot. (...) **Like the system of the ancient Athenians, the most important state functions were occupied by citizens chosen by lot: the government (*Signoria*)**, the legislative council and the supervisory councillors. The Signoria was, like the Council of 500 in Athens, the highest executive body, responsible for international policy, administrative control, and even the making of laws. Unlike in Athens, however, citizens were not allowed to register themselves, but had to be

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<sup>284</sup> See **Reybrook**, D. van. Op. cit., p. 67.

<sup>285</sup> See *id.*

<sup>286</sup> See *ibid.*, p. 68.

nominated by the guild or society they represented, by the family or by another structural unit; they were the so-called „*nomati*“. A second sorting followed: a committee with a diverse membership of citizens decided by vote who was qualified for public affairs and administrative work. Only then follows the drawing of lots, called „*la tratta*“. Subsequently, the names of those who have already had tenure or been convicted are deleted. The process therefore consisted of 4 steps: nomination, voting, drawing of lots, deletion<sup>287</sup> (*emphasis mine* – G. M.).

In spite of these democratic germs of election through the lot procedure borrowed from antiquity in the Italian city republics, this did not affect the development of the privileges of the political elite at all. On the contrary, politico-economic privileges in the major cities found widespread use, and were distinguished by being enjoyed by an extremely narrow oligarchic circle in the governance of the cities. In Venice, for example, by 1630 (after another plague epidemic) the number of local princes, mostly wealthy merchants, had fallen to 14 or 15, who nevertheless occupied the highest offices of state; in Genoa, according to data from 1684, the number of local lords had fallen to 14 or 15. The nobility, who actually hold the republic in their hands (by virtue of their nobility and their money), number no more than 700 (excluding families) out of a population of about 80,000; and in Florence about 1760 the ruling oligarchy numbered between 800 and 1,000 dukes and new nobles of old aristocratic lineage. And another telling fact: in the middle of the XVIII century, in an ordinary town like Piacenza (around 30,000 inhabitants), there were between 250 and 300 noble families, making 1,250 to 1,500 privileged persons (men, women, children), i.e. around 4 to 5% of the population.<sup>288</sup> Or, as rightly summarised by F. Brodell, in the XVIII century in the villages and towns of **Lombardy 1% of the population were noblemen, and this small number of privileged people held in their hands almost half of the landed property**<sup>289</sup> in the region.

A special privileged status shall be enjoyed by the members of all governments of the cities of the Republics in Italian lands. Here, for example, are these **privileges of the government of Florence**: it never has

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<sup>287</sup> Ibid., p. 69.

<sup>288</sup> See Brodell, F. Op. cit., pp. 420; 422.

<sup>289</sup> See id.



more than 9 men, 6 of them being representatives of the most influential guilds, and 2 of the less influential. The 9th becomes a temporary *Gonfaloniere* (gonfaloniere) – bearer of the flag of the Republic and guardian of the city flag – a red lily on a white field. Immediately after their election, city governors must leave their homes and move into the Palazzo della Signoria (government palace), where they are obliged to remain during their two-month term in government; **they are paid an appropriate salary to cover their expenses and enjoy the service of a large staff of green-robed servants, and also a bufón (jester) to tell them amusing stories and sing to them while they enjoy their wonderful meals.** At the same time, the city governors are dressed in magnificent purple coats lined with ermine and with ermine collars and cuffs, the gonfaloniere's coat being distinguished from the rest by its embroidery of gold stars.<sup>290</sup>

In contrast to this fairy-tale life of the ruling Florentine elite, we will only recall that **the lower social classes** at that time ate mainly products of vegetable origin (grains and fruit), because **the consumption of meat in general** (and especially of wild and fresh meat) **was an established privilege only for the rich** and was literally perceived as a sign of high social status.<sup>291</sup> A drastic fact that proves beyond doubt the vivid differentiation between rich and poor and, on this basis, the absolute injustice of the consumption privileges in medieval Italian cities.

It is interesting to point out that the Grand Duke of Florence, Gian Gastone, thanks to the high office he occupies, fully implements some of the exuberant gulag mores of his ancient imperial ancestors. He is regularly provided with a motley crew of young companions, both men and women, but mostly boisterous boys, who are known collectively as „*ruspanti*“ after the coins of the *ruspi* used to pay for their services. These *ruspanti*, who are often handsome youths from the poorest Florentine families, are charged with entertaining the Grand Duke with merry ruckus in his room, shouting insults and obscenities, and, whenever it occurs to him, involving him in their coarse jests. Sometimes he gives sumptuous dinners, calling them by the names of his ministers or of other eminent citizens of Florence, offering toasts to these suddenly

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<sup>290</sup> See **Hibbert**, Chr. *The Rise and Fall of the House of Medici*. Sofia: Riva, 2009, p. 20.

<sup>291</sup> See **Montanari**, M. *Famine and plenty: a history of food in Europe*. St. Petersburg: Alexandria, 2018, pp. 60-61.

reincarnated celebrities. Then, after the meal is over, he persuades them to make love to each other for his personal pleasure. Thus each month the number of Ruppants grew more and more until by the end of 1731 there were almost 400. And the more they grew in number, the more threatening and turbulent they became, causing riots, robbing inns and booths in the market, etc., especially when their wages were late.<sup>292</sup> Apparently, the Grand Duke's privileged position of power not only raises his self-esteem, but also „allows“ him to indulge his lustful, perverted nature without any shame.

A fair and objective summary of the lifestyle, manners, politics and privileges of the ruling Italian elite in medieval cities is made by medievalists, namely: the tyrants of the city-states, the popes and cardinals, and the wealthiest urban families were always rivals in building magnificent palaces and churches, in adorning them with the finest works of ancient and modern painting and sculpture, in arranging lavish feasts and feasts, and in patronizing humanist artists, poets, and writers. In the higher ranks of the Catholic clergy not only were the severe rules of asceticism abolished, but all morals and inhibitions in general.<sup>293</sup> This is because the fashion of the new humanistic ideas, which revived pagan antiquity, totally displaced Christian scholasticism and morality. Here the typical papal figure of this period is Alexander VI Borgia (1492 – 1503), also called the „monster of debauchery“ (K. Marx), under whom crimes, treachery and debauchery were manifest. Moreover, courtesans were constant participants in papal orgies; illegitimate children of popes and other clerics became commonplace and did not at all disturb Catholic clerics who had taken a vow of celibacy. In contrast to the spirit of accumulation and frugality that prevailed in the bourgeois circles of other European countries, extravagance, splendour, and the pursuit of pleasure stood out sharply as characteristic features of Italy's wealthy urban class and of the Catholic Church establishment of the period.<sup>294</sup> This may also explain the enjoyment and assertion of many kinds of privileges by the political elite in the Italian city republics of the Middle Ages.

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<sup>292</sup> See *ibid.*, p. 274.

<sup>293</sup> See **History** of the Middle Ages. Volume II. Sofia: Science and Art, 1974, p. 217.

<sup>294</sup> See *ibid.*, pp. 217-218.

The evolution of privilege in medieval **England** as a centralized absolute monarchy<sup>295</sup> bears the marks of four other important historical circumstances: the first is directly related to the rapid development of the economy in the era of the initial accumulation of capital and the „birth“ of the bourgeoisie as a class; the second stems from the emergence of parliamentarism in the course of the long struggle between royal power and popular representation in Britain and the emergence of constitutional government in the form of a limited monarchy, regulated by the Great Charter of Freedoms (Magna Carta) of 1215 and subsequently by the Bill of Rights (1689) and the Act of Succession (1701),<sup>296</sup> the third is of a political nature, for it was then (XVI – XVIII centuries) that parliament and government were already practically functioning in the English state; and the fourth relates to the rule of law, which was established in Parliament and affirmed by Henry VIII, with the title „majesty“ first appearing in legal texts and proclamations in 1534 (and through the Act of Supremacy of the King of England over the Church of the same year, he also became „supreme head“ of the English Church).<sup>297</sup> I.e., according to T. Parsons, England departed from the original symbiosis between government and aristocracy, as the system of cabinet government with a monarch over it who reigned but did not rule was successfully implemented.<sup>298</sup> Another important specificity is the peculiar character of the British aristocracy, which derives from the right of the firstborn son, reinforced by the establishment of the order of suc-

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<sup>295</sup> In England, the formation of a centralized absolute monarchy was preceded by the establishment in the XIII century of the consociational monarchy, which can be seen as a specific form of feudal monarchy. In 1215, during the reign of King John (1167 – 1216), the famous *Magna Charta Libertatum* (Great Charter of Freedoms) was adopted, which was a public law act between the crown and the barons. It provided for a council of 25 barons to oversee the king's compliance with the treaty. The Charter was not about guarantees of freedom in the modern liberal sense, but about restoring „good old law“, which is why the Charter was confirmed 38 times by successive kings. In 1250, a consociational representative assembly of secular and ecclesiastical nobles called the „*parlamentum*“ was established as an advisory body to the king (See **Yankov**, G. Comparative Political Systems... Op. cit., pp. 115-116).

<sup>296</sup> See **Bliznashki**, G. Parliamentary Law. Sofia: St. Kl. Ohridski, 2015, p. 70.

<sup>297</sup> See **Black**, J. History of the British Isles. Sofia: Riva, 2008, p. 138.

<sup>298</sup> See **Parsons**, T. Op. cit., p. 183.

cession through wills, maintenance of estates, etc. This ultimately created a continuous social gradation between the titled aristocracy and the indirect petty *gentry*. There is another type of **hereditary (direct) privilege**, or that of the upper urban class, which is based on trade and commerce,<sup>299</sup> as the genetic prototype of the future bourgeois class.

The formation of a privileged political elite was a long and continuous process which in the late Middle Ages in English society affected in varying degrees all three social classes – the clergy, the aristocracy and the third estate. The distinctions between the estates were largely contingent, and moving from the third estate to the first two, which had certain **privileges**, was difficult but not impossible. For **the clergy and the aristocracy** are minor nobles, but membership of them is a matter of prestige, not only because of **the titles** obtained by tradition, life in the family **castles** and surrounded by numerous **servants**, but because of access to **the royal court**, to lucrative **posts and positions** in the army and the administration.<sup>300</sup>

An important feature of the aristocracy in England in general, and of the privileges it received in particular on the eve of the Revolution, was its division and separation into two classes according to the source of their income. Some of the aristocrats retained their traditional sources of income, linked to the land and **the rents they received**, as well as to their former way of life – **hunting, balls, travel**. These classical members of the aristocracy became increasingly tied to the royal institution and unconditionally supported the ruler, counting on retaining their political privileges, various **pensions, and generous monetary donations from the king**<sup>301</sup> etc. And not only that: there was also widespread trading of offices existing in English social practice in the XVII century, but major tensions in the period 1603 to 1627 were caused by the sale of titles when James I Stuart was giving away knighthood left and right. Chronic shortages in royal finances thus led in 1611 to the creation of a new title of nobility, „baronet“, which sold for £1,095, the number of baronets being limited to 200, but Charles I did not comply.

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<sup>299</sup> See *ibid.*, p. 184.

<sup>300</sup> See **Pantev**, Andrey, Hr. Glushkov, R. Mishev. History of the New Time. Veliko Tarnovo: Abagar, 1995, p. 82.

<sup>301</sup> See *id.*

It was the indiscriminate sale of offices and titles that became the target of Parliament's criticism of the Crown,<sup>302</sup> which, however, did not materially alter the use of this privilege (or its eventual abolition). It is evident that in English society both before and after the revolutions (1642 and 1688), the **so-called „indirect (hereditary) privileges“** were permanently established, enforced and regulated, whose origin was political, directly dependent on power and very important for the construction of a loyal governing elite to the royalty and the state institutions (parliament, government).

We will also highlight another fact about the sources of funding for privilege in England from the public treasury, which is discussed in detail by the British historian **Neil Ferguson** in his book „Money and Power in the Modern World (1700 – 2000). The Money Connection“. In it, albeit indirectly, but very authoritatively and argumentatively, he reveals the murderous tax system in the English kingdom, through which indeed as a „sweatshop system“ (V. I. Lenin) all kinds of reasonable and unreasonable levies were imposed on the population. Here are the mostly absurd tax duties regulated by Parliament: taxes on cloth, starch, soap, spectacles, gold and silver wire, and playing cards; on tobacco, wine, cider, hides, lace, linen fabrics, and imported silks; on beer, salt, saffron, hops, tin, iron, and glass; on hats, gloves, perfume, and servants (incl. bricks, horses and hunting).<sup>303</sup>

All in all, by the end of the Napoleonic wars, it is hard to find anything in Britain that was not subject to taxation in 1820. In the Edinburgh Review, **Sidney Smith** complained: **„The inevitable consequence of an inordinate love of glory-taxes on every thing that enters the mouth, covers the back, or shoes the feet; taxes on everything that is pleasant to look at, hear, feel, smell, and taste; taxes on heat, light, and motion; taxes on everything that is on the ground or under the ground, on every thing that comes from abroad or grows at home; taxes on raw materials; taxes on every value added to them by human activity; taxes on the gravy that pleases man's appetite, and on the medicines that restore his health; on the ermine that adorns the judge, and the rope on which the criminal hangs; on the poor man's**

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<sup>302</sup> See **Gavrilov**, B. The Century of Absolutism 1648 – 1788. Sofia: LIK, p. 119.

<sup>303</sup> See **Ferguson**, N. Money and power in the modern world (1700 – 2000). The money nexus. Sofia: Riva, 2018, p. 92.

salt, and the rich man's spices; on the nails for the coffin, and the bride's ribbons; on the bed, and on the table, lying or straight, we must pay. The scholar brushes his taxed hat; the bare-bearded youth rides his taxed horse with a taxed bridle on a taxed road; the dying Englishman pours his medicine, for which he has paid 7%, into the spoon, for which he has paid 15%, relaxes on the cretonne couverture, for which he has paid 22%, and succumbs in the arms of the apothecary, who has paid £100 for a licence giving him the right to put him to death. All his property is immediately taxed at 2 to 10%. In addition to the inheritance tax, large fees are due for the right to be buried beside the altar; his virtues are left for posterity on a taxed marble, after which he goes to his ancestors, where he will no longer be taxed"<sup>304</sup> (*emphasis mine* – G. M.).

In the absence of official figures, we can only guess at the financial resources (and sums) poured into the annual upkeep of those who enjoy the rich array of diverse privileges in the English kingdom. By contrast, however, the evidence suggests, for example, that **James I created such a lavish royal court that it cost twice as much to maintain as the King under Elizabeth**. Not only that, but James **spent as much money on jewellery as the budget of his entire military fleet without any inhibitions**. He **wastes about 600,000 livres a year**.<sup>305</sup> Such a drastic disparity in the income and expenditure of the English king is more than indicative of both the lavishly lavish lifestyle and the unjustifiably inflated political privileges of high royalty (and their families).

It would be correct to recall here that in England the forming bourgeoisie could not make a profit by buying back indirect taxes from an area, since no such state practice existed. Nor is there a lifetime sale of public office in return for the payment of large sums of money<sup>306</sup> as too important a privilege for oligarchic political elites (unlike in other countries).

In their assessments of the ruling elites of the time, most scholars are adamant that the ruling oligarchy around the king in England was that frontal troop that permanently widened the scissors of inequality, as evidenced by the following fractious data provided by F. Brodell: 1) in the XVII century the average annual income of approximately 36,000

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<sup>304</sup> Cited in: Ferguson, N. Op. cit., pp. 92-93.

<sup>305</sup> See **Pantev**, Andrey, Hr. Glushkov, R. Mishev. Op. cit., p. 88.

<sup>306</sup> See **Berov**, L. Op. cit., p. 213.

families was £200 out of a total of about 1 million families and 400,000 against the £2,800 a year received by the large landowners, lords, barons, merchants, etc.; and 2) the truly rich, powerful and empowered in a political (and social) sense in the whole kingdom were only 150 families, or about 600 – 700 people.<sup>307</sup> To put it another way, both wealth (material and spiritual) and privilege (political and economic) always have a single address – the King and the thin oligarchic stratum „twisted“ around him.

By the way, this is the picture of the privileges enjoyed by the ruling minorities in most European countries, which we will support with a few more examples. **In Nuremberg (Germany)**, since the XIV century, the power has been in the hands of a small aristocracy (43 patrician families according to the law), which amounts to 150 – 200 people out of 20,000 city inhabitants (plus another 20,000 from the adjacent territories), which families have the exclusive right to appoint representatives to the Inner Council, and the seven leading elders of the Council decide everything – they rule, order, are accountable to no one, etc. **In the Netherlands** in the XVII century, the ruling aristocracy of city regents and provincial administration numbered 10,000 out of a population of 2 million, in whom the distribution of privileges was entirely concentrated. **In Poland**, too, the nobility accounted for 8 – 10% of the population, the highest percentage in Europe, and in that country there was almost no taxation of the nobility because of their political representation in the Sejm, because for them freedom was above all an exemption from taxation.<sup>308</sup>

It is not hard to guess that the nobility dominates the upper echelons of government in most European countries. Or, as B. Gavrilo points out, it is the political sphere where the aristocrats like to show off with the greatest brilliance, and it is also the place where social status can be most quickly translated into prestige, power and profit. This is why most monarchs perceive themselves as „first“ among the nobility and naturally seek their social companions from among the upper aristocracy. This tendency is reinforced by blood kinship with some of the higher aristocratic families. Thus, in Portugal, all dukes claim a

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<sup>307</sup> See **Brodell**, F. Op. cit., p. 423.

<sup>308</sup> See *ibid.*, pp. 420-421; 423; **Ferguson**, N. Op. cit., p. 126.

blood relationship to the monarch, and the higher nobility are expected to live and hold positions in the court of the ruler. Under Charles Frederick of Baden and Frederick II the Great, it was perfectly deliberate to exclude any bourgeois from senior administrative positions because the aristocracy was considered a racial elite. And in most of Europe the central government was in part an extension of the royal court, ensuring the dominance of the court aristocracy and invoking the resentment and envy of the provincial nobility.<sup>309</sup> Similarly, the armies, which on the one hand helped the rulers to deal with the insubordination of the nobles, and on the other, were one of the main fields of service for the nobles. Here, for example, in Denmark 35% of the old and 17% of the new aristocracy occupy military posts; in Sweden all senior military and civil posts are reserved for the aristocracy under the 1723 Privileges Decree, with local administration entirely in the hands of the aristocracy, and this gives it certain economic advantages.<sup>310</sup>

Therefore, in almost all European countries, the privileged classes always represent a tiny fraction of the population and always distribute a huge part of the public goods to themselves (thanks to their positions of power). This is unequivocally confirmed by the development of classical French absolutism in Europe, whose indicators contain a whole bouquet of the most alluring privileges, permeating all possible spheres of social and political life.

### 3.2. Political privileges in absolutist France

It is a proven historical truth that under absolutism in the late Middle Ages, privilege became so widespread that it became a veritable social scourge and a restraining burden in the development of European societies. But when we speak of **absolutism**, it is customary to understand the monarchical form of government (the monarchy) during the period from the second half of the XVII century to the late 1780s. Here the most vivid manifestation of this form of political power is the reign of Louis XIV (1638 – 1715), the all-powerful French king whose famous phrase „The state, it's me“ has led a large number of

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<sup>309</sup> See **Gavrilov**, B. The Century of Absolutism... Op. cit., p. 67.

<sup>310</sup> See id.



researchers to liken his rule also to a personal regime. At this time, almost all European rulers sought to emulate Louis XIV (also called the Sun King), thus giving the whole era the name of the century of absolutism.<sup>311</sup> It was then that absolutism as a political system marked an extremely high centralization and bureaucratization of government,<sup>312</sup> which logically led to the rapid increase of all kinds of privileges.

In the XVI – XVIII centuries – points out **B. Gavrilov** – absolutism in Europe is generally characterized by the establishment of political regimes in which state power is exercised by a sovereign ruler over the entire territory of the respective state with the help of the military-bureaucratic machine under his unlimited authority. This definition includes both the most developed absolutism, that of France, and the most limited, that of the British Isles. Power in the XVII century, therefore, derives from descent and heredity, from unshakable privileged legitimacy. By the middle of the XVIII century, there was an assertion of the ideas of so-called „acquired power“ – power linked to property, carrying responsibilities, to be justified by action in the interests of the public good. Thus, power becomes entirely dependent on the specific abilities of those who exercise it,<sup>313</sup> enabling them to use it for different purposes (legitimate and illegitimate) depending on their personal desires, moods and intentions.

According to historians, absolutism is a personal regime, or a particular form of manifestation of political power. And as **A. Pantev** and

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<sup>311</sup> See **Pantev**, Andrey, et al. *Sire, This is Revolution*. Sofia: St. Kl. Ohridski, 2001, p. 15.

<sup>312</sup> In fact, absolutism had been established considerably earlier in Europe, when England started down the path of developing absolutism with the coming to power of the new dynasty, the Tudors (1485). At the end of the XV century absolutism was established in Spain, with the peculiarity that it resembled more the Asian forms of government than the absolute monarchies of Europe. Strong royal power was also established in France in the early XVI century, clearing the way for unlimited total and absolute monarchy. At the latest, absolutism conquered Germany – after the end of the Thirty Years' War, which ended with the Peace of Westphalia (1648). Then 300 petty states were born in which small princes, completely independent of the emperor, imitated in everything the great monarchs of Europe – glamorous courts, their own armies, cruel exploitation of their own subjects, etc. (See **Petrov**, N. *Political power through the ages (forms of manifestation)*. Veliko Tarnovo: Saints Cyril and Methodius, Centre for Training of Students and Postgraduates – Plovdiv, 2002, pp. 64-65).

<sup>313</sup> See **Gavrilov**, B. *The Century...* Op. cit., p. 31.

**B. Gavrilov** point out: „It reflects the balance of social and political forces in European society and, as a model, should not be confused with despotism outside the European continent. Absolutism was a method for the functioning of the state that managed to keep its former structure almost unchanged. It was a temporary equilibrium between the court, the aristocracy and the third estate, a temporary pause in their open contradictions on the eve of the revolution“<sup>314</sup>. This absolutism guaranteed the political equilibrium of society, but of course with the monarch leading the entire social system.

In this context, **the common institutional features of absolutism** (absolute monarchy) in almost all European monarchies of the mid-XVII and throughout the XVIII centuries, 1) **an authoritative king** whose legitimate reign is not subject to any discussion, i.e. The king is a god and possesses the divine right to reign; the will of the monarch is the will of the state; he is the embodiment of the state itself; 2) **the power of a sovereign ruler**, extending over the entire territory of the respective state and exercised with the help of a highly developed and centralized bureaucratic apparatus, specialized state organs and ministries directly subordinate to the monarch; 3) **a state (royal) council** with authority over fiscal policy and the administration of justice;<sup>315</sup> 4) **a fusion of the three powers into one**, since the monarch’s personality is at once legislator, executor of laws, and judge; 5) **the absolute monarch is legally unlimited** because he can unilaterally legislate, since he is answerable only to God;<sup>316</sup> and 6) **political (and economic) privileges** for the ruling oligarchic elite and the leading social classes tightly gravitating in its orbit – the nobility and the clergy.

The most striking embodiment of the above institutional features of absolutism, both as a political activity and as a way of life, is the Sun King of France, or the royalty of Louis XIV, during whose reign we shall henceforth examine in detail the nature of absolutist power, the realization of its functions, and the application of its various privileges.

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<sup>314</sup> See **Pantev**, Andrei et al. Op. cit., pp. 16-17.

<sup>315</sup> See **Petrov**, N. Op. cit., p. 66.

<sup>316</sup> See *ibid.*, pp. 501-503.

During the age of the Sun King in France, the king stood at the apex of the state, being at once supreme judge, landowner and commander-in-chief, sole helmsman of foreign policy, finance, government and, to a large extent, the church. That is to say, Louis XIV is the changing law,<sup>317</sup> on which literally almost everything in the development of the state depends. This is because: in an absolute monarchy the people are the objects of government, and there is an identification of the monarch with the state; all the functions of government are united in an abstract concept called „the state“; in it all private interests are crossed into a common interest, with the consequence that all individual wills are subordinated. That is to say, the physical and legal embodiment of the all-embracing state is the sovereign monarch,<sup>318</sup> whatever he may be called, king, tsar, emperor, etc.

According to **Prof. L. Vladikin** all the state power is gathered in the person of the monarch – he should be at the same time a legislator, an executor of laws and a judge. Such is the absolute monarch in reality, at least de jure; and this undifferentiation of the three powers is the characteristic mark of absolutism. Moreover, the executive and judicial powers are also at the complete disposal of the king, and, like the ancient monarchs, he exercises them with his own officials, appointed and dismissed either by him personally or by appropriate senior officials on his delegation. The civil service was organized in a pyramidal fashion, in strict hierarchy and complete dependence on the highest superior, but the highest offices were appointed by the king in person.<sup>319</sup> And one more thing – the more important affairs of state are decided by him alone, by decree, and the more minor ones are carried out in his name by the appropriate royal officials. Thus a powerful bureaucracy was formed, which, by its abuses and incompetence, contributed greatly to the failure of the regime. Justice is comparatively most independent; it is dispensed by crown (rather than feudal and mestizo) judges in the name of the king, the supreme judge and guardian of the laws. However, the monarch has the right to interfere with justice, to amend the law, to dismiss cases, to remit punishments, and to order

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<sup>317</sup> See **Schulze**, H. *State and Nation in European History*. Sofia: LIK, 2002, p. 69.

<sup>318</sup> See **Vladikin**, L. *General Doctrine of the State...* Op. cit., pp. 501-502.

<sup>319</sup> See *ibid.*, p. 502.

anything in this area as he pleases („cabinet justice“, which has been much abused, especially during the period of decline).<sup>320</sup>

The distinctive feature of absolutism is that all state power is vested in one person and he exercises it sovereignly without being legally constrained by any earthly will. Thus omnipotent and unlimited, the monarch is also legally completely irresponsible, because he professes the maxim „**The King cannot err**“, inasmuch as, in France in particular, the King's irresponsibility is a consequence of the divine ground of royal power,<sup>321</sup> which was repeatedly expressed by Louis XIV himself.

In legal terms, absolute monarchy does not mean complete lawlessness. The difference between it and despotism, for example, lies mainly in the fact that the despot does not comply with the legal order established by himself, while for the absolute monarch the laws are binding at least until he abrogates them.<sup>322</sup> This is an important feature of royal absolutist power which is not usually noted, as Prof. L. Vladikin.

It is generally accepted that the royal will is constrained, not by law, but by the norms of religion, morality and prudence. Numerous, therefore, are the cases in which an absolute monarch is in fact subject to the will of a noble (priests, princes) or of some high official,<sup>323</sup> though the king almost always conforms to his own interests, since power is his sole prerogative.

We should point out that under the existing social order, several very important **functions** performed by the king in French political life play a significant role in the realization of monarchical power: 1) **judicial**, according to which the king is the supreme judge and source of justice for the whole kingdom; 2) **administrative**, according to which, as responsible to God alone for the welfare of his country, he is the supreme „administrator“ and source of all legitimate political authority, and as supreme suzerain claims to exercise supreme authority over the whole domain of France; 3) **social**, in which the king is the leader of the traditional aristocracy of the sword, the first nobleman and father of all subjects; 4) **religious**, in which he is the defender and guardian of

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<sup>320</sup> See id.

<sup>321</sup> See *ibid.*, p. 503.

<sup>322</sup> See id.

<sup>323</sup> See *ibid.*, pp. 503-504.

the Catholic Church (in France); and 5) **magical**, in which the King with supernatural abilities heals from scrofula (on days of great feasts the King touches hundreds of sick people on their swellings and makes a sign of the cross accompanied by the words „The King touched you! May God heal you!“).<sup>324</sup> In essence, it is through the application of these functions that all the instruments of power in the French royal court are driven and implemented, thanks to which the absolute monarch's unquestioning will (and desire) is carried out.

As with any political power, and especially one with a pronounced authoritarian character, the role of **administration** has always been essential under French absolutism. The available official data on the size of the administration are indicative of this: simply comparing the number of officials per head of population in the time of King François I (1515) with those of Louis XIV (1665) shows the extraordinary development of the administrative system. For the total number of clerks in the fiscal and judicial systems under François I was about 5,000, i.e. one for every 115 square kilometres of territory and for every 3,000 people (with a total population of 15 million). While in turn Louis XIV now had 55,000 clerks to impose his will on 20 million subjects.<sup>325</sup> That is to say, the increase in the **administrative and clerical apparatus of the State in just two social spheres (the fiscal and the judicial system) in 150 years increases more than 10 times, given that the population growth increases by 5 million!** Moreover, a large part of this bloated civil service enjoys more than one and two privileges of power depending on the hierarchical positions they occupy.

In the reign of Louis XIV, one of the most solid levers of power was the highly **centralized hierarchy** on which the pyramidal structure of the state was built. Here the gradation of hierarchy is of particular importance, due to the fact that it (the hierarchy) reflects in a very interesting way the idea of the personification of the state in the person of the King and his associated family. In this case, of course, the person of **the king** rises highest in the palace pyramid, followed by that of **the dauphin** (heir to the throne). Next in the hierarchy come **the children of France**, in whose group are included the children of the king and the children of

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<sup>324</sup> See **Gavrilov**, B. The State... Op. cit., pp. 52; 65.

<sup>325</sup> See *ibid.*, p. 74.

the dauphin, who bear the title of „*Altesse Royale*“, the younger sons receiving this title at a comparatively early age, although for unknown reasons the royal family adopted the custom of naming the royal children at a comparatively later age, 5 or 6. The child thus became known by his title, announced by the king immediately after his birth.<sup>326</sup>

The next hierarchical rung is occupied by **the blood princes**, who within the court bear the title of „*très haut et puissant Prince*“. This group is more numerous, composed of the various offshoots of the Bourbons who have a nominal but not direct right to the Crown. The principal figures here are Prince de Condé (known as the Prince), his eldest son, the Duke de Bourbon (known as the Duke), the children of the „grandsons of France“, and the royal illegitimate children.<sup>327</sup> An edict of 1576 specified that all princes by blood took precedence over all others, and that they were hierarchized among themselves according to their proximity to the succession to the throne, not according to their titles. The hierarchy thus takes on a somewhat complicated form, with the children of the present sovereign and the dauphin in the first group, and the children of the previous sovereign and his eldest son in the second. These two groups form the extended royal family, in which the hierarchy runs: first, by groups (i.e., everyone in the first category stands higher than anyone in the second category); second, within the group itself, between men according to their proximity to the succession to the throne; third, between men and women, according to their right of succession; and fourth, between women, according to their degree of kinship to the king. Thus the son of a dauphin is superior in rank to a royal brother or younger son, but the daughter of a dauphin stands lower than a royal sister or daughter.<sup>328</sup>

The other hierarchical group is that of **the ecclesiastical feathers of France**, which includes the dukes bishops of Rheims, Lyon, Langres, Beauvais, Noyon and Chalon. Here there is already some confusion in the system, since some of them have both the titles of dukes and archbishops, while the cardinal archbishop of Paris has no rank of ecclesiastical per, although nominally a duke.<sup>329</sup>

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<sup>326</sup> See *ibid.*, p. 36.

<sup>327</sup> See *id.*

<sup>328</sup> See *ibid.*, p. 37.

<sup>329</sup> See *id.*

Next comes the group of **the secular feathers of France**, i.e. **the dukes**. But here we should not at all compare the position of the French dukes (more numerous) with that of the English dukes (a very limited circle). According to the theory, the dukes are the heirs of Charlemagne's 12 feathers, a sort of representative deliberative body of nobles sitting permanently under the king. Over time, however, their number in France increased beyond this figure, while in England it never exceeded the original 17 dukes (created by Richard III in 1483). For it is a rather complicated and complex procedure, which begins with the King's desire to raise an estate to the level of a Duchy, after which its owner must obtain ratification of his title by the Parlement of Paris. In addition, the group of secular feathers includes **the foreign princes**, who represent the group that causes the most problems and scandals in the daily observance of hierarchy within the court.<sup>330</sup>

Finally, we should also include here the relatively numerous group of representatives of the regular titled nobility – **the counts, marquises and barons**, who were no longer considered as feathers, and their titles were almost equalized among themselves. They are territorial in their meaning, and go with the corresponding earl's or marquis's manor, i.e. they are connected with the land, not with the individual. Within the court these titles have almost no significance and their holders are in a technical sense the same as without title.<sup>331</sup>

In the daily life of the court – notes B. Gavrilov – the hierarchy and its observance give order to the otherwise chaotic crowd of those wishing to show themselves as prominent nobles. However, a more prominent place brings advantages in the arrangement and participation in the various ceremonies, and ultimately it is also a struggle for access to the person of the ruler and the benefits associated with it. And at a more domestic level, hierarchical courtly squabbles over precedence and hierarchy are expressed in the so-called **The „battle of the three chairs“ – the armchair, the chair and the stool** – whereby each category of hierarchy corresponds to the right to use one of the three chairs, and furthermore it is meticulously specified who in the presence of whom on which chair is entitled to sit and who is not; in front of

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<sup>330</sup> See *ibid.*, pp. 38-39.

<sup>331</sup> See *id.*

whom the two wings of the door should be opened and in front of whom only one...,<sup>332</sup> etc. In a word, the „battle“ is not only and not so much to gain the King's trust, but thanks to this, the various hierarchical cohorts are able to sneak into the dozens of privileges and benefits around the delicious „table of power“.

It is worth noting that in the „battle between the three chairs“ for various power benefits, incomes and offices, the royal household, surrounded by the households of the other members of the royal family, occupies a significant place. In line with the practice tolerated by Louis XIV, more and more nobles arrived to seek service in these households, which steadily increased in size. For example, whereas François I's court numbered only 540 in 1523 and Henri IV's in 1595 1,500, Louis XIV's court in 1657 now numbered as many as 4,000; the court of the king's brother, the Duke Philippe of Orléans, numbered an additional 1,000 or so, and that of Marie-Therese another 200.<sup>333</sup> And quite naturally, these extended households became a magnet for some of the nobility and a field of fulfillment where, in addition to gaining opportunities for contacts and connections, they were educated and socialized. The royal court system of the absolutist era can be likened, depending on one's point of view, to a vast and well-oiled clockwork in which every screw knows and performs its function well, or to a huge billiard table on which everything moves chaotically around the personage of the all-powerful monarch.<sup>334</sup> Moreover, all administrative posts in France at that time were venial, i.e. they were bought and represented the personal property of their holder. This system in fact enabled the servants at court to multiply, thus on the one hand widening the access of the nobility to the person of the sovereign, and on the other, enabling him to control more people. Therefore, the nobility at the time of Louis XIV was about 200,000 (1% of the population), and of these about 4,000 to 5,000 were permanently at court (10,000 under the rotation system).<sup>335</sup> This further explains the undeniable historical fact of the never-ending struggle for noble titles, positions and benefits in the orbit of royal power and family.

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<sup>332</sup> See *ibid.*, pp. 39-40.

<sup>333</sup> See *ibid.*, p. 33.

<sup>334</sup> See *id.*

<sup>335</sup> See *id.*



It is perfectly logical to assume that the „nobles“ struggle for power privileges almost always took place in the Sun King’s court or in the vast and opulent **Versailles**, which from 1682 became the official seat of government. The buildings of this complex **by the end of the XVII century were inhabited by a total of 20,000 courtiers and servants, 5,000 of whom lived in the palace.** Or, the town of Versailles, built specifically to serve the palace, was populated by some 40,000 inhabitants, including merchants, while the nobles, housed in the north wing, moved among the crowds in a „flotilla“ of chair stretchers.<sup>336</sup> In other words, the palace offers all the necessary facilities for work, rituals, life, privileges, debauchery, intrigue, etc.

At the height of Louis XIV’s reign, the palace complex of Versailles, and especially the Grand Palais, **had 220 apartments and 450 rooms that could accommodate** no more than 3,000 people, with the remaining few thousand inhabitants having to seek shelter in the surrounding villages, including the nearby village of Versailles. **The palace complex thus became a vast mechanism within which 6 out of every 10 francs collected in taxes were spent.** In this sense, it seems, those writers are right who see the elite of the Old Regime as parasitic consumers, squandering vast material and financial resources<sup>337</sup> that could have been used for much more rational things in the state.

In fact, Versailles consists of many separate (and different) palaces – large, small, etc., which are, however, equidistant from the King and Queen, and so as not to interfere with their work, rest and life. Here, for example, is what is still today the famous Hall of Mirrors (referred to as the „Great Gallery“). It contains nearly 400 mirrors, which are supposed to reflect the views seen from the opposite side, which is occupied entirely by windows. In the evenings (the mirrors) amplify the light of the thousands of candles that are lit on the huge chandeliers, while the ceiling of the hall depicts scenes from the Sun King’s wars. While below, near the mirrors and windows, are statues of Roman gods and goddesses. This Hall of Mirrors was completed in 1684 and was immediately used for official receptions, the first being related to the

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<sup>336</sup> See **Williams**, H. Op. cit., p. 188.

<sup>337</sup> See **Gavrilov**, B. The State... Op. cit., pp. 34-35.

visit of the Doge of Genoa on May 15, 1685. This event is reflected in a huge tapestry that can still be seen in the palace today.<sup>338</sup>

Alongside the Grand Palace, Louis XIV built another, smaller palace in the park north of the Grand Canal. He wanted to have his own „love“ place, where he could seclude himself in peace with his then favourite, the seductress Madame de Montespan. Here they both hope that they will not have to observe strict etiquette and that they will not be watched by hundreds of eyes as they flirt serenely. In the beginning, it's a small but incredibly exotic pavilion clad in blue-and-white Dutch-style porcelain tiles. Its construction was a real extravagance at a cost of 3 million livres. And there can be no doubt that its main purpose is to be an altar of lascivious erotic pleasure, for a huge magnificent bed decorated with gold and silver takes centre stage, with a large mirror on the ceiling. On the walls are painted innocent cupids (little lovers), and from a cabinet waft a variety of scents, entirely predisposing to complete relaxation<sup>339</sup> and indulging in the indescribable sexual delights of the royal beds... And something else interesting: according to historians, **in peacetime the expenditure approached 3% of the kingdom's budget.** For example, for the first active building campaign (1670 – 1672), with an average annual budget of between 85 and 90 million livres, the expenditure was: in 1670 – 1,632,800 livres; in 1671 – 2,481,400 livres; in 1672 – 2,022,500 livres.<sup>340</sup> These colossal sums, of course, do not trouble the royalty at all, at least because, first, they are not any personal funds; second, they are expended from the state budget for personal pleasures, feasts and gratifications; and thirdly, they are due to the king by right, i.e. they are an expression of his legitimate privileged status, which is in fact inviolable and unchallengeable by anyone in an absolute monarchical state.

We will add another impressive picture in the words of Fr. Voltaire, as the recently reformed royal household: „It comprised 4 companies of guards, each of 300 nobles, among whom were many young younger sons without pay, doing regular military service like the others; 200 guard gendarmes, 200 light-armed horsemen, 300 musketeers, all nobles, and choice ones, splendid for their youth and good looks; 12

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<sup>338</sup> See **Botev**, R. The Private Life of Louis XIV. Sofia, p. 71.

<sup>339</sup> See *ibid.*, p. 73.

<sup>340</sup> See *ibid.*, p. 70.

companies of gendarmerie, afterwards increased to 16; even the Swiss Guards centurions accompanied the King; French and Swiss regiments of Guards guarded his house or tent. These forces, studded with gold and silver, were for the most part both a source of horror and admiration among a population unaccustomed to any splendour<sup>341</sup>.

It would be interesting to trace, in these fairy-tale surroundings of Versailles, the course of **a day in the life of the Sun King** as the most privileged of all other privileged members of the French nobility.

The Sun King's day usually begins at eight without fifteen, when the first valet, who sleeps in the antechamber of the royal bedroom, tucks up his folding bed and with that seems to set in motion a great but invisible mechanism.<sup>342</sup> He is followed (if it is winter) by **those in charge of the royal fire**, followed immediately by **the royal clockmaker**, who winds up the clock and thereby seems to set in motion another calendar day. At the same moment **the royal wigmaker** appears from the side door with the first two wigs of the day, by which time the King is still in his bed and his curtains are down halfway. At the first stroke of eight o'clock **the servant** wakes him with the words „Sire, it is time“, and the pleasant news of the royal awakening passes at once like a breeze into the other rooms filled with nobles. At that moment **the royal physician and the royal surgeon** enter the room, together with „Mamma“ Dufour, the King's old milkmaid, who kisses him and enquires how he slept, while the two medics rub him and help him to change his shirt! At eight-fifteen, **the Grand Chambellan** enters the bedchamber with those members of the royal family (the King's brother, the Dukes of Burgundy, Berry, Orléans and Bourbon; the Duc de Maine and the Count of Toulouse) who are admitted to the much-coveted *grand entrée*, when the King is offered holy water. After the King accepts the holy water, everyone leaves so he can say his prayer, then re-enters, but this time to enjoy the sight of the change of shirt and wig (the shirt is usually presented by the most senior nobleman present). Up to this point no one mentions

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<sup>341</sup> **Voltaire**, Fr. The Century of Louis XIV. Vol. I. Sofia: Iztok – Zapad, p. 133.

<sup>342</sup> The extensive presentation of the typical daily life of Louis XIV on the next few pages is made and moves according to the exposition of the Bulgarian scholar B. Gavrilov, whom we have quoted several times before (See **Gavrilov**, B. The State... Op. cit., pp. 40-46).

either washing or bathing, although by 1640 daily hand and face washing was already accepted. This, of course, should not be done with water, which was considered unhealthy, and the face should be wiped with a rag soaked in some alcohol.

After finishing dressing, Louis usually drank a glass of wine diluted with water or the popular at the time hippocras (white wine, sugar and spices – nutmeg and ambergris). For 4 whole months in 1696, wine was replaced by coffee, but Louis never reached for chocolate or tea. Then, now fully dressed (usually in brown, which was his favourite colour), the King knelt by his bed to pray, with all the clergy present kneeling with him. The King then passes into his study, where he speaks to his confidants, to whom he communicates his plans for the day. From there he heads to mass, followed by the entire court, and it is characteristic of the King to observe strictly the outward aspect of the rites – he takes communion 5 times a year (he only missed mass once in his long life).

On the subsequent completion of the rite, the King goes to work with the Council, which is usually held in the great royal dressing room or study. Sundays, Mondays and Wednesdays are set aside for meetings of the Council of State, and Tuesdays for the Council of Finance. Once or twice a month on Mondays a meeting is also held to deal with domestic political problems. Thursday mornings are set aside for private audiences, while on Fridays the king spends the time between morning mass and lunch shut up with his confessor. After the business of the Council is concluded, the King is in the habit of having the Dutch newspapers read to him, which is the responsibility of the Foreign Secretary, and then comes the sacred time of **the royal luncheon**.

Like most elements of the ruler's daily schedule, his meal was **an important public event**. It can be organized in three ways. The most lavish, the so-called „*grand couvert*“, is an extremely rare event and is usually given on certain important feasts or sometimes at Fontainebleau because of the presence of Mary of Modena (the dethroned Queen of England after 1688). Also relatively rare is the representative luncheon au public, which is a social event that any decently dressed citizen can come and watch. It should be noted here with some astonishment that royal palaces in the XVII century were much more accessible than the present-day residences of heads of state. All that was required of the ladies was only to have a decent dress and an attendant, and for the men to wear

a sword as a symbol of noble rank. To those who „forget“ theirs, the bearers hanging round the gates of Versailles are ready at once to „lend“ them one, for a fee, of course. Thus any decently dressed person passes the guard and finds himself in the palace, where he can watch the royal luncheon or lounge wherever he pleases.

The most common form of royal lunch is *au petit couvert*, and even in this case the ceremony remains long and impressive. It begins with the appearance of the maitre d' (the head of the royal dining room) on duty, along with the nobles and officials in the kitchen (one of the kitchens, in fact – there are five kitchens at Versailles). There, the maitre d' tastes the various dishes and then, in procession, they all make their way to the royal dining room. Everyone who meets the procession with lunch is obliged to bow, as if the sovereign's personage were passing before him. At the luncheon the king usually insists on the presence of his brother, the dauphin, some cronies and cardinals, but none of them is offered a chair and all stand straight. According to the rules, a well-arranged table must necessarily be laid with a Dutch linen tablecloth reaching the floor on all sides, as it is also used as a napkin, never mind that the napkin itself appeared by 1660. And as early as 1648, the plate replaced the slice of bread, which until then had served as a stand for the meat, although in some respects life in Versailles lagged a little behind Paris, as Louis XIV continued to eat with his fingers for the rest of his life (whereas in Paris the fork became common as early as 1648). Serving at table is not very different from today; knives usually have white handles, and those with black handles were only used during Lent. Strangely, during the early period of Louis XIV's reign, soup was not served on individual plates, but in a sort of two-handled tureen from which each guest took a turn at ladling. However, by the second half of the century, the meat was served cut into smaller pieces from which anyone could safely take a fingerful. After lunch, if there is no extraordinary meeting of the Council, the King devotes his time to his favourite pastimes – walking, shooting or hunting.

Absolutely three evenings a week, on Mondays, Wednesdays and Fridays (from October until Palm Sunday), are set aside for the so-called „*appartement*“, when Louis hosts his court at his home between the hours of 7 and 10 pm. The entertainment usually begins with a concert and continues with cards or billiards, the tone being more informal and

the stern laws about the right to sit in the presence of a superior being relaxed. The idea of these gatherings, which only began after the move to Versailles, is to emphasise the King's accessibility, but despite this apparent informality it is not a sign of good manners to be absent, as the King is always interested in the whereabouts of a person who is absent from dinner parties. In the later years of his reign, Louis abandoned this form of spending the evenings and usually worked from 7 to 10 pm in Madame de Menton's room, where he received the reports of his ministers...

**The royal dinner** is usually at 10 pm and is always served *au grand couvert*, which for this occasion means in the presence of the entire royal family. The symbolism of this event is to bring the father and his whole family together at the end of the day, but the atmosphere remains formal and dull. For Louis, however, it is the crowning meal of the day, which he loves and enjoys. In his good years, the King could usually eat quite serious amounts of food. For example, there was a famous occasion when **at one dinner the ruler consumed four plates of soup, one pheasant, one partridge, two slices of ham with salad, some mutton with garlic, sweets, fruit and a few hard-boiled eggs. For the night two bottles of wine and one of water, three cold dishes and two pieces of bread were usually served beside the King's head. No wonder that Louis's autopsy found his stomach to be twice the size of normal.**<sup>343</sup>

After dinner, the king takes the ladies' bows for a few minutes, then makes his famous bow himself and passes into his private chambers, where his family awaits him. Here the King and his brother usually sit on armchairs, the ladies on stools, and the other men (the Dauphin, his sons and the King's illegitimate children) remain straight. Then, after an hour or so, the King signals the end and passes into the next room, where he feeds his dogs, and then goes into the bedchamber, where all those who have the honour of being admitted to the royal bed are assembled waiting for him. After saying his prayers, the King chooses with a glance the one who has the singular honour of carrying the candle to his bedside. This is followed by a royal stripping of his clothes and a bow with which he sends the courtiers away. Finally,

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<sup>343</sup> See *ibid.*, p. 45.

there is only the small ceremony of *petit coucher*, in which selected nobles are allowed to make petitions or requests to the King, which ends with the King sitting on the toilet seat, which is, however, formal, as the King has usually already done his business earlier. With that, the long day at Versailles finally comes to an end and everyone retires until the next morning, when everything is repeated again and again,<sup>344</sup> and so on until the monarch's death.

Perhaps only the daily routine of the Turkish Sultan in the Ottoman Empire could rival the busy, heavy and exhausting schedule of Louis XIV.

In general, the privileged position of the Sun King in French feudal society was one of the mainsprings of his absolute power, which we will support with a few more striking facts and circumstances. In this sense, according to data from the last years of the reign of Louis XIV, **the sale of posts** reached its peak, and later, in the XVIII century, the total value of venial posts reached 585 million livres. This practice is one of the secrets of the vitality of most medieval and early modern royal regimes. Of course, there were certain management practices that did not sit well with officials, the most obvious being **the continual creation of new offices** that reduced the relative weight of the old ones.<sup>345</sup> Once sold, however, the offices rarely come back to the Crown for re-sale, but it does reserve the right **to levy fees** on them whenever they change hands. More importantly: the King manipulates the benefits received by these offices and thus squeezes more payments from their holders. Once tricked into buying a service, its holders are exposed to the King's continuous blackmail. Thus the King may offer to „confirm“ their privileges in return for some additional payment, and sometimes he reassesses the value of an office and again demands additional payment.<sup>346</sup> Thus not infrequently the king threatens to create new offices where he has already sold ones, thereby increasing the number and reducing the income of their former holders, creating a sort of „bureau“ of uniformed officials. On account of these inconveniences, however, this system makes it extremely difficult to pinpoint

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<sup>344</sup> See id.

<sup>345</sup> See *ibid.*, p. 77.

<sup>346</sup> See id.

responsibility, allowing members of such a „bureau“ to enrich themselves without burdening themselves with personal responsibility.<sup>347</sup>

**Life appointments** (recognised in 1467) were particularly highly regarded by the royal court, with the next step being to make them hereditary. The same principle allowed their sale to third parties. And so offices gradually became a commodity. In the XVI century this practice was extended and offices were sold not only by the King, but also on a sort of secondary market (from one person to another) carried out with royal consent. As early as 1522, François I created a **special treasury** to collect the proceeds of the sale and transfer of offices, and by the early XVII century the income from this office accounted for about a third of the net income of the royal treasury. Owing to the great interest, the number of offices steadily increased: in 1515 there were only 5,000; in 1610 there were already 25,000; in 1665, 46,000; and on the eve of the Revolution in 1789, about 70,000. Thus in 1789 about 1 per cent. of the adult French population held some venial post.<sup>348</sup>

In fact, the purchaser of the office makes a very good investment, which opens up the possibility of climbing the social ladder, such as rising from an overachieving merchant to a nobleman of the sword, within the space of three generations and which is not uncommon. Naturally, it takes more for them to be recognized as true nobles, especially by those families who **enjoy old and aged titles**. Furthermore, the Crown is aware of the problems that can arise from devaluing noble status, and therefore the number of posts that warrant it never exceeds more than 4,000. And to this must be added that different offices ennoble differently, since most require two and even three generations of constant presence in the same office, and only then does the coveted hereditary noble status become a fact.<sup>349</sup>

Another „modest“ royal privilege of Louis XIV should not be overlooked, which, besides being much sought after by the nobility, also served entirely to permanently strengthen the autocrat's authority. It is the indiscriminate **bestowal of offices, honors, pensions, and other benefits**<sup>350</sup> to the kingdom's most influential aristocrats (and

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<sup>347</sup> See *id.*

<sup>348</sup> See *ibid.*, p. 78.

<sup>349</sup> See *id.*

<sup>350</sup> See **Tasheva**, R. *Op. cit.*, p. 153.



nobles) and persons of privilege as a manifestation of the monarch's status as absolute sovereign and head of patronage in the system of privileges in society.

Here is the place to point out that **the privileges listed in absolutist France (the sale of posts, the creation of offices, lifetime appointments, the bestowal of titles) were explicitly the right of the Sun King, were aimed at amassing enormous wealth, and were but a tiny link in the endless chain of every possible privilege in late feudal society.** This is without calculating the massive „incorporation“ of privilege into all the fabrics of the French social system – economic, spiritual, cultural, religious, local, etc.

All in all, according to R. Tasheva's successful summarization, under the doctrine of absolutism „**the king is the source of privileges** – both personal and those bestowed on the various professional and territorial communities – and only in the case of serious misconduct or a threat to the „common good“ could he take away what he has bestowed“<sup>351</sup> (*emphasis mine* – G. M.). But tolerant treatment of the privileged is not only determined by the willingness of kings to abide by the precepts of doctrine, for to a large extent their policy is guided by quite pragmatic considerations. For, in the first place, in order to be effective, royal power is forced to draw almost constantly on the experience and influence of the nobles and their clients. Secondly, monarchs become to a considerable extent dependent on their connections with them and undoubtedly have an interest in maintaining them. Third, apart from purely political purposes, kings needed the cooperation of the privileged in their capacity as state creditors. Plus they often borrow from them or force them to pay various taxes and fees in return for the promise to confirm their rights and privileges. This practice was actually transformed by Louis XIV into a well-functioning system that remained relevant until 1789.<sup>352</sup>

Finally, the constant shortage of money continually pushes the kings to **sell new privileges**, thus the number of the privileged in France grows and they form the social group that is most strongly opposed to the projects of tax equality. The regime thus found itself confronted

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<sup>351</sup> See *ibid.*, p. 387.

<sup>352</sup> See *id.*

with a very serious internal contradiction, justly defined as „the more absolutism strengthens, the more it weakens“ (Denis Richet), which over time created new and new social upheavals.<sup>353</sup> In this sense, absolutist privileges consistently became an insurmountable barrier to the development of any kind of social equality, which is why they became one of the main causes of the outbreak of the revolution in France.

However, in the age of Louis XIV, almost all the groups that made up society had certain privileges. By this is meant the special rights guaranteed by law which (at least on the books) made it easier for a given group to carry out its duties. In those times when the state is so weak that it cannot ensure the performance of even the most important functions, such as the protection of territory and the collection of taxes, some groups are expected to help along these lines as well. This is why all privileges are arranged in a certain hierarchical order according to the positions held in the state.<sup>354</sup> In other words, **the privileges imposed in French society are not only a spontaneous or emotional act of the royal will, but are also the natural result of a generally accepted social need (for the elite and some of the people), which is why they (the privileges) receive state legitimacy through the relevant laws and regulations.** In this sense, privileges are legally recognised rights, benefits and advantages included within the scope of a special social system in the French feudal state, which are enjoyed to varying degrees by the three key classes of society – the clergy, the nobility and the third estate. These privileges included all social spheres – political, economic, spiritual, etc., and the leading estates in society, and we will therefore examine them in more detail.

Among these social groups, **the most privileged is the so-called „second estate“ (the nobility, the notables, the aristocracy)** as a specially distinct group with its own heritage and unconditional royal support. This nobility was formed towards the middle of the XVII century, when Louis XIV initiated a conscious policy in favour of the court nobility (whose families had hereditary noble status), who regularly attended the events of the royal court and distinguished themselves by their military function and valour. Thus, gradually, **two groups of nobles took**

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<sup>353</sup> See *ibid.*, pp. 387-388.

<sup>354</sup> See **Gavrilov**, B. *The Century...* Op. cit., p. 57.

**shape:**<sup>355</sup> the first is **the court nobles**, which includes all those represented and living at court, who have direct access to the king, receive almost all posts, pensions and benefits, with the so-called „great court nobles“ at the top, with huge incomes and high titles (below them are the lesser participants in court life); and the second group consists of **the provincial nobles**, comprising all those who, despite their titles, are not represented at court and lead a semi-forgotten existence in their provincial estates, without great means or any enticing prospects in life.

The total expansion of privilege reached its apogee at the zenith of Louis XIV's glamorous reign, when the royal court at Versailles numbered some 5,000 people, of whom, however, only a few hundred senior nobles had real influence and positions (with the king and at court) and naturally enjoyed a wide range of political and economic benefits. There was a **massive buying of titles, posts, offices, honorific privileges (e.g. the right to bear arms, precedence in court), etc., from which serious money was made for the time, and by an extremely small circle of nobles (and aristocrats) close to the King.** Moreover – as B. Gavrilov says, certain categories of the high court elite enjoyed exclusive rights, as was the case with the requirements for the life of the noble bachelor, namely: his household to include 37 servants; five of them to be personal servants of the senior servants; 14 harness and 16 riding horses, with the total cost of such a household amounting to 1,600 *ludiors* a year. Elsewhere, 16 persons are to be added to this staff on marriage, and 7 more if there are children, of whom one is to be the milkmaid's personal assistant; and if the family also maintains a villa, this requires 12 more. Thus around the young family of nobles as many as 72 persons are employed and receive income,<sup>356</sup> which forms a vast and difficult to manage army of lackeys and servants, many of whom are not on salary at all, but receive a little, and only what and when their master deigns to give them (probably owing to the financial difficulties of the benefactor concerned).

In any case, another privilege that is very important should not be overlooked, which is **the granting of apartments** in Versailles to „socially weak“ court nobles and aristocrats. This was considered to be a high

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<sup>355</sup> See **Gavrilov**, B. *The State...* Op. cit., p. 122.

<sup>356</sup> See *ibid.*, p. 126.

royal favour, which is why in 1722 a special list of apartments was drawn up, including 324 dwellings in the palace, of which 103 were granted to close courtiers and the rest to the King (5 pcs.) and his family (256 pcs.). Here the „battle“ to win the royal favour from the elite was so ruthless that even the famous socialist utopian Saint-Simon in 1709 threatened to ostentatiously retire to the countryside when he was deprived of his apartment<sup>357</sup> (for it was a matter of honour for courtiers to have a residence at Versailles). Is it any wonder, then, that only two centuries later the communist leader T. Zhivkov also specialized in giving away state apartments to his cronies, party members and intellectuals, probably drawing on the Sun King’s practice (if he had read about it at all)...

Similarly, there is the use of various kinds of privileges (in this case economic) by the local nobility and oligarchies who cleverly „juggle“ with the special tax preferences granted to them by the King. The rational use of the state’s tax policy, whose irrational mechanisms are implemented in the following perfect way: by setting the taxes of provincial and urban communities, the Crown allows local authorities to sell bills and annuities to raise the necessary funds. Members of the local oligarchies then buy these financial instruments, effectively lending their capital to local governments essentially controlled by themselves. **The Crown then allows the local governments to levy additional local taxes to service the municipal debts from which the elites are exempt.** At the same time, **the King provides the great aristocrats with prestigious posts for which they receive a generous living.** And on top of this, he allows them to take out loans against the future income from their landed estates, thus creating a huge debt that further binds them to the Crown. Thus the capital accumulated by the local elites is placed back at the disposal of the centre,<sup>358</sup> thereby in effect making a two-race oligarchic profit (at the top and local level) on the principle of „you can have your cake and eat it too“.

Incidentally, the French nobility are the most predatory consumers of the many privileges, as they possess enormous wealth (especially the aristocrats), which is subdivided into five main categories: 1) nobles who pay over 500 livres capitation (a tax paid by everyone except the

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<sup>357</sup> See **Ferro**, Mark. History of France. Sofia: Riva, 2008, p. 167.

<sup>358</sup> See *ibid.*, p. 35.

heir to the throne and the completely illiterate) and have at least 50,000 livres annual income, this group being no more than 250 families for the whole kingdom (incl. courtiers and the wealthiest members of the nobility); 2) wealthy provincial nobles (about 13%), whose income is between 10,000 and 50,000 livres and comprises no more than 3,500 families; 3) provincial nobles with incomes between 4,000 and 10,000 livres, which comprises about 7,000 families (towards 25%); 4) nobles with incomes below 4,000 livres, who own about 11,000 families (40%), and with whom one can live satisfactorily but without any excesses and extravagances; and 5) means below 1,000 livres as a level below which the noble lifestyle is almost impossible, at which level, however, about 5,000 families still live.<sup>359</sup> To put it another way, only **a few percent of the country's population (2 – 3%) and somewhere around 12,000 families are active beneficiaries of one privilege or another, depending on their closeness to the King and their participation in the endless court events, activities, ceremonies, rituals, etc.,**<sup>360</sup> i.e., the members and representatives of the various oligarchic circles – political, economic, commercial, spiritual, religious, etc. – that stand closest to royalty under the Old Regime (another name for French absolutism).

**The next privileged class** (or the first) is composed of well-educated clerics and members of holy orders. This **clergy**, which is usually differentiated into high and low, is highly educated, learned, and intelligent, and, as is well known, the high clergy is entirely selected from the ranks of the nobility, while the low clergy is selected from the ranks of the non-nobles. Thus, with the development of the Old Regime, and especially in the XVIII century, almost the entire composition of the

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<sup>359</sup> See *ibid.*, p. 65.

<sup>360</sup> These data are confirmed by the figures given by Joseph de Mestre, according to whom the number of heads of noble families who elect deputies to the Estates-General can be calculated at 25,000, and multiplying this by 5 (the ordinary number of members of a family) gives 125,000 aristocrats. Or, to round to 130,000, to be more certain; let us remove the women: we are left with 65,000. And from the last figure we must subtract: 1) the nobles who never left France; 2) those who returned; 3) the old; 4) the children; 5) the sick; 6) the priests; 7) all those who died in the war, those killed and those who died of natural causes (See **Maistre**, Joseph de. *Reflections on France*. Sofia: Kama, 1996, p. 104).

higher clergy began to be filled from the court aristocracy. This is evidenced by the figures for the period 1774 – 1790, during which 90 per cent of all bishops were of noble descent, compared with 84 per cent from 1682 – 1700.<sup>361</sup> Moreover, the number of clergy in France in the XVIII century numbered about 130,000, of whom 65,000 were priests, 25,000 – 27,000 monks and 38,000 – 40,000 nuns, with the senior clergy alone numbering about 8,000, including bishops, abbots, abbesses, cathedral canons, etc., with incomes of 10,000 livres and upwards. In addition, the French episcopate consisted (after 1689) of 139 bishops whose dioceses ranged from the small (in central France) to the huge parishes of 600 – 800 settlements in the north and east. The incomes ran in the same range: from 10,000 livres to 200,000 for the Archbishop of Strasbourg, and of course all the bishops in the XVII and XVIII centuries were of aristocratic origin. In this case, the wealth of the French Church is based on several sources, the most important of which is land, while the ecclesiastical landholdings occupy about 10% of the national territory, ranging from 4% in some southern provinces to over 30% in Picardy and Cambrai, and the cash receipts range from 60 to 180 million livres per year. This policy has borne good fruit, as can be seen from an address of the General Assembly of the Clergy to the Crown in 1680: „We are so closely linked to your Majesty that nothing can separate us“<sup>362</sup>. This is the main reason why **the clergy** enjoyed considerable protection and a number of **privileges** from the King, such as the **sales of offices** already enumerated, **buy-backs of posts, high salaries, loans (advantageous), sale of church lands (preferential), reduced taxes (local)**, etc., which confirms the thesis that the state and the church in the Sun King’s time were one and not the other way around (as some have argued). That – on the one hand. On the other – it is known that the church seigniors enjoyed almost the same advantages as the nobility in France. Bishops, abbots, and abbesses, for instance, hold estates or censures by virtue of their ecclesiastical functions; monasteries usually hold the seigniorial rights of the village in whose territory they are situated, and so on. French monasteries, then, still had serfs, used the *angaria*, established their rights over fairs and

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361 See **Gavrilov**, B. *The Century...* Op. cit., p. 85; **Furet**, Fr. Op. cit., p. 124.

<sup>362</sup> Cited in: **Gavrilov**, B. *The Century...* Op. cit., p. 39.

markets, owned their own bakeries, mills, wine presses, breeding bulls, etc.<sup>363</sup> And third, it would be curious to add that, according to established practice, the Crown regularly received income from all vacancies in the dioceses, plus regular „gifts“ from the clergy to the King, which amounted to nearly 2 million livres a year.<sup>364</sup> In this sense it is very difficult indeed to say which class is more privileged and more quoted by the King, the clergy or the nobility.

In passing, we will note that the composition of **the third estate** includes all other social groups, and here we will highlight the emergence and development of **the bourgeoisie**, which should only partially fit into the system of privileges of French absolutist society. Here, the division in the social fabric during the Old Regime era runs mostly along the lines of privileged-unprivileged, because there is a serious stratification of wealth, social prestige and status in favour of the first two estates.<sup>365</sup> For this reason, the emerging bourgeois class does not have the strong positions of the late capitalists and yet is not content with its subordinate position in society to the privileged strata of the time. A fact that did not at all prevent it from courting the rich palette of royal privileges as time went on.

When we consider the extent of privilege in absolutist France, we should not forget one of the most common and sought-after benefits in the state – **tax exemption**. This politico-economic privilege was widely applied as a powerful financial lever to alleviate the „burdens“ of the upper elites in the name of power, on the one hand. And on the other, to raise as much state funds as possible from all other social strata (old and new, small and large, middle and poor, etc.). In this way, the Sun King ingeniously managed to convince the elite in favor of a strong monarchy (royal power), creating new economic (tax) advantages for the elite classes in the imposed system of privileges.

What is the essence of this fundamental privilege?

In the first place, we should point out the fact that **the nobility and the clergy, together with the large group of civil servants, enjoy complete exemption from any form of direct taxation**. Thus, instead

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<sup>363</sup> See **Tocqueville**, Al. Op. cit., p. 119.

<sup>364</sup> See **Gavrilov**, B. The State... Op. cit., pp. 111; 114.

<sup>365</sup> See **Gavrilov**, B. The Century... Op. cit., p. 69.

of the growth of a strong and stable middle class in France, a heterogeneous and divided group of holders of all sorts of privileges was formed, connected with the system of absolutism. And we may judge of the quantity of those exempt from taxation by a report of 1664, which states that in the departments of justice and finance alone there were 46,000 persons enjoying this privilege, nearly 40,000 of whom were wholly unnecessary, and were counted in the service only because they had bought sinecure posts in order to be exempt from taxation.<sup>366</sup> Or, **virtually literally all the major (and ruling) estates and elites pay no taxes at all**, which is almost unparalleled in European countries of the late medieval historical era.

A similar privilege is enjoyed by the governors of **the local provinces, who determine the amount of their own taxes**, the portion they pay to the centre being negotiated by special arrangements with representatives of the king.<sup>367</sup> This practice, however, although disliked by Louis XIV, found for decades an extraordinary acceptance and approval among the clergy and nobility for the simple reason that the low tax rates made it much quicker, easier and legal to get rich at the time.

It is necessary to recall again that under feudalism privileges were based on the dominance of serf private property, the use of serf labour, and the use of power resources in the royal court. On this basis, a certain structure of privileges grew up, which ensured the monopolisation of socially important types of activities (governance, economy, protection of external borders, etc.) by certain social groups. This monopolisation of social activities is determined by the very social structure of feudal society, whereby the so-called „vertical mobility“ of the population is hampered and a permanent reproduction of privileged social groups is established.<sup>368</sup> People’s membership of these groups is determined by birth (by inheritance). Here (as already mentioned) the functions of each class are precisely defined and enshrined by the customs and laws of feudal society, and these are guarded and guaranteed by the feudal state itself.

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<sup>366</sup> See **Gavrilov**, B. *The State...* Op. cit., p. 163.

<sup>367</sup> See *ibid.*, p. 165.

<sup>368</sup> See **Tumbaeva**, I. Privileges in socialist society: are they necessary? – In: *Economic Sciences*, No. 3, 1990, pp. 59-60.



If we characterize **the system of privileges in French feudal society**, we should say that it has **three distinctive features**: first, it permeates all aspects of social life; second, it is strictly regulated; and third, it is mainly realized in the sphere of consumption (based on the relatively limited fund for the consumption of material goods, which is created through the use of traditional manual labor). The third feature of feudal privileges is further characterized by the fact that the advantages of the feudal estates in the sphere of consumption extend mainly to objects of luxury and to a far lesser extent to the activities of the people as the realization of their abilities.

As we have already stressed, feudal privileges have always been governed by the principle of hierarchy, which determines social status. This is because all groups constituting society have a certain place in the hierarchical system, as well as different rights and privileges. Thus, since in society people know no other relation than that of command and obedience, **privileges are naturally graded in a neat hierarchy**. It is believed that society must be built precisely on a priori inequality before the law, and that the relations of daily life are governed by a hierarchy that begins in the family and ends at the highest levels, where a strict hierarchy among rulers operates.<sup>369</sup> In this sense, inequality exists even among the nobility, with princes of royal blood and dukes having more rights before the law than minor nobles. Plus, each group has its own distinctive clothing and corporate privileges, which are gradually diluted to the lower levels.<sup>370</sup>

It is particularly important to note that **privileges are valued precisely because they are not available to all and emphasize belonging to one social group or another**. Often they are linked not only to the individual but also to his or her property, which means that not only the noble and the plebeian but also their property have a different legal status. Privileges themselves can be corporate and non-corporate possessions and are passed on either through common nobility status or through land, title and hereditary qualifications. **Privileges are further divided into seigniorial and noble**, the former providing the nobles with the power of lords over their estates and dependent population;

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<sup>369</sup> See **Gavrilov**, B. *History of the New Time*. Sofia: St. Kl. Ohridski, 2011, pp. 40-41.

<sup>370</sup> See *id.*

the latter giving them rights of political participation and exemption from certain obligations.

In turn, **the two types of privilege** are differentiated as follows:

**I. The seigniorial privileges** derive from the possession of the land and consist of 1) the right to claims in the form of private taxes and services; 2) patrimonial justice; 3) the performance of state duties, such as the collection of taxes and the recruitment of soldiers; 4) the appointment of local officials; 5) a monopoly over the mills, wine presses, hunting, fishing, and all the underground and above-ground resources of the domain; 6) control over the movements, marriages, and occupations of the dependent population.

**II. The privileges of the nobility consisted in:** 1) exemption from taxation; 2) the right of political participation, chiefly along the lines of participation in social representative institutions, and the right to various offices reserved exclusively to nobles; 3) insignia of honour – coats of arms, titles, a prominent position in public, and membership of military and knightly orders; 4) the exclusive right to own land; 5) exemption from certain tax obligations; 6) hunting rights<sup>371</sup> (*see Diagram No. 5*).

To this correct and accurate classification of the types of privileges in the society of French absolutism (by the Bulgarian historian Prof. B. Gavrilov) we should add four more privileges of the nobility, such as: **the endowment of offices, personal gifts, special privileges for the maids (and mistresses) and the granting of royal pensions**. These benefits are a constant occurrence, are of an important political nature, are granted personally by the King, and strengthen the Sun King's power annually. Here is just one, but highly revealing case. In 1680, Louis XIV gave the title of „Duchess“ and an annual pension of 80,000 livres to Mademoiselle de Scorailles (now Duchesse de Fontange), the first royal matron he officially declared,<sup>372</sup> after which she retired to a convent.

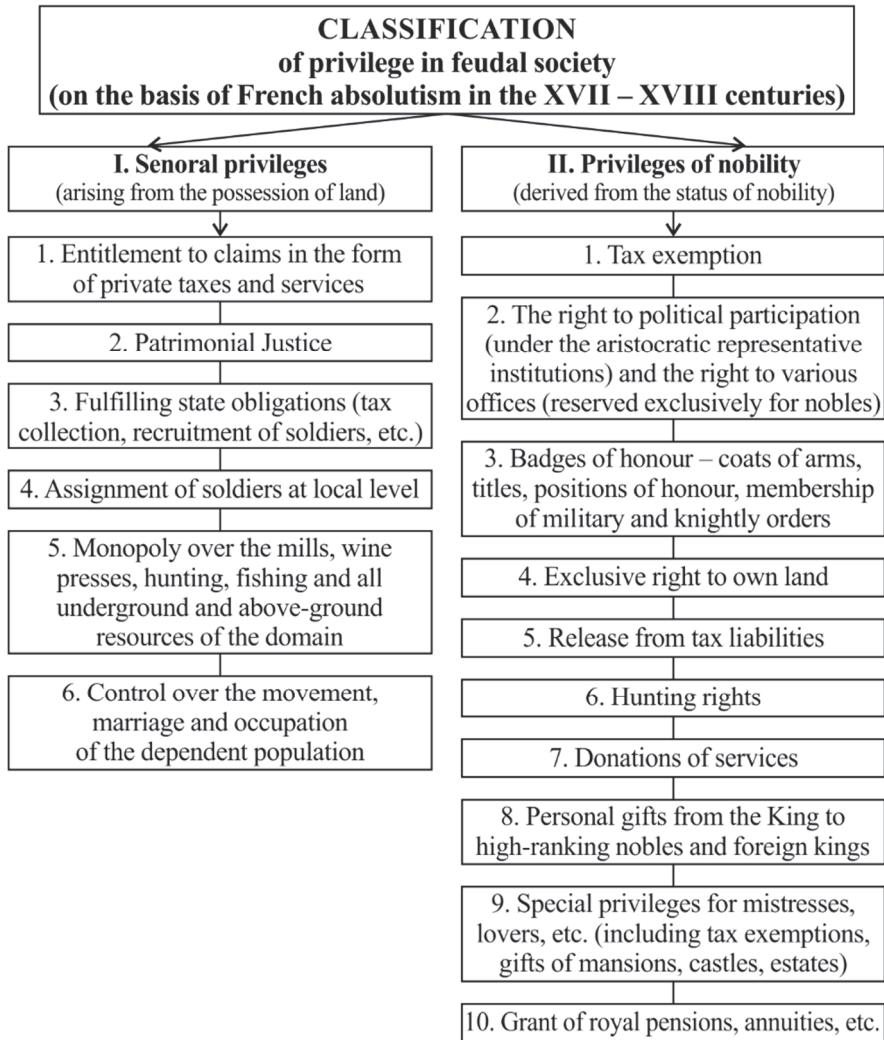
In this context, we can get an even more precise idea of the content and extent of the privileges of the nobility in the European type of feudal society from the extended picture of classical French feudalism at the end of the XVIII century.

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<sup>371</sup> See *id.*

<sup>372</sup> See **Botev**, R. Op. cit., pp. 123-144.

**Diagram No. 5.**



**Source:** *Gavrilov, B. History of the New... Op. cit., p. 41; and author's additions on the structure of privileges.*

In feudal France, as is already known, the greatest privileges were enjoyed by the two principal estates, the nobility and the clergy. Before the French Revolution (from 1789 to 1799), these two estates numbered about 270,000, and the highest and best rewarded offices in the French feudal state were granted to the nobility. For example, the

total number of offices providing a noble rank was 4,000, and 40,000 such sinecure offices<sup>373</sup> were created between 1693 and 1709 alone, something unprecedented in Europe at the time. And one more curious fact about French feudal privileges: **from the sale of such sinecure offices in the period 1701 – 1715, Louis XIV appropriated for himself 542 million livres of „income“.**<sup>374</sup> Plus, the nobility of France used a permanent system of receiving extraordinary gifts from the King, and vice versa, the King from the nobility. **In the period 1774 – 1789 alone, for example, some 228 million livres were distributed from the Treasury to the high nobility for pensions, gifts, etc., equivalent to about 60% of the total income of the State in a year then. And out of this state treasure (amounting to 228 million livres) the royal family appropriated more than 80 million livres.**<sup>375</sup>

Of all the privileges used by the feudal class in the Middle Ages, those of them relating to **hunting and fishing** make the most striking impression. Feudal privileges of this nature manifested themselves in two ways: on the one hand, hunting was turned into a special kind of „feudal“ sport, as an exclusively noble right; on the other hand, the serfs were obliged to make and preserve game, for which appropriate regulations were issued.

**What is peculiar about the privileges of the feudal nobility in France, according to Al. de Tocqueville, is that: first, once acquired, the privileges become an inalienable birthright; second, the nobility possesses almost all the knowledge and wealth of the community, owns its land and governs its subjects; and third, it (the nobility) thus permeates the overall governance of feudal society.**<sup>376</sup>

There is much more to be said about the extent and „wasteful element“ of feudal privilege in politics, and all sorts of credible things have been revealed in a number of authoritative sources of scholarship. We shall therefore here, as a further illustration, give a few more striking examples of these privileges, which have scarcely any parallel in world history.

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<sup>373</sup> See **Tocqueville**, Al. de. Op. cit., pp. 189; 192.

<sup>374</sup> See **Kautsky**, K. The class contradictions of the French Revolution. Sofia: Party Socialist Bookshop and Printing House, 1919, pp. 33-34.

<sup>375</sup> See id.

<sup>376</sup> See **Tocqueville**, Al. de. Op. cit., pp. 35; 37; 186.

**One example** stems from the fact that **the privileged estates in France were exempt from taxation**, so the court's need for money led to an even wider sale of services. Thus, for the Crown, their sale became a simple financial instrument that could be used whenever the need arose. In the last years of the reign of Louis XIV this practice was greatly expanded by a whole new class of offices created solely to be sold. The bureaucracy thus became huge, unwieldy and unmanageable, and the King also resorted to the sale of certificates of elevation to the nobility, which appeared in 1690 at a cost of 6,000 livres apiece. In this case the direct purchase of a patent of nobility was nothing new, but the fact that it enjoyed no particular prestige led those wishing to elevate themselves to resort to it as a last resort. It is far more practical, however, to buy a post directly, which carries with it the status of nobility. Thus the most expensive posts, which sell for around 100,000 livres, secure hereditary noble status provided they are worn for at least 20 years. And by the middle of the XVII century, most of the „nobles of the robe“<sup>377</sup> were in this category, while the lesser posts (those in finance and tax administration) were reserved for those who were content with more moderate social advancement, since they carried no hereditary status and were merely personal. It should not be forgotten, however, that most of the employees in the central and local administration apparatus do not receive fixed salaries, but derive their income wholly or partly from the fees which they levy on citizens for the performance of their duties. This, of course, creates the possibility of abuses, and these are by no means rare in the practice of the Old Regime.<sup>378</sup>

**The other example** relates to the **total process of buying and selling almost everything in feudal France**, which was carried out with the personal support (and participation) of the king. This process took **two main forms: the sale of certain taxes to so-called „tax-buyers“ and the sale of certain offices to various individuals**. For example, in

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<sup>377</sup> This social category is substantiated by the famous Bulgarian historian prof. Andrey Pantev, who defines it as a new administrative aristocracy that fits within the political and social boundaries of the emerging third estate in absolutist France (See **Pantev**, Andrey. *Revolution and Reform in Western Europe and North America, XVII – XVIII centuries*. Sofia: St. Kl. Ohridski, 1988, p. 53).

<sup>378</sup> See **Gavrilov**, B. *The Century...* Op. cit., p. 97.

the first half of the XVII century, the three main „ransoms“ (the *gabelle*, the „aids“ and the so-called „five great ransoms“ – *cinq grosses fermes* – which controlled the collection of customs duties after 1584) brought in more than 80% of the volume of all indirect taxes. In addition, in 1681, the various excise and customs duties were merged with the new tobacco monopoly, giving them to a syndicate of 40 tax collectors known as the „general collectors“, and providing for the amount of the collections to be revised every six years. Here, the main drawback of the tax ransom is more than obvious: left unchecked, the ransom-takers appropriate a much larger proportion of the revenue that passes through their hands than is due to them, violating the interests of the government. That is why half the revenue never reaches the French Government. And although attempts were made in the XVIII century to move to a system of so-called *regies* (where the government paid the usurers salaries and bonuses), the resistance of those concerned to this reform proved insurmountable. For this reason, the ransom headquarters (*Hôtel des Fermes*) has the unenviable reputation of being „a huge diabolical machine that grabs every subject by the throat and sucks their blood“<sup>379</sup>.

The next instrument on which the existence of the French Old Regime depends is the **now famous sale of services**, for which we will give a few more shocking facts and figures. This practice has been called „second public debt“ in the sense that the holder of the office invests a certain capital in it, the income from which is equal to the interest on a government bond. For example, by 1660 there were about 46,000 officials whose offices had an average capitalization of about 419 million livres. That is to say, this system might have some advantages from the point of view of the French monarchy. For it is certain that the existence of so many servants means the existence of just as many devoted people attached to the maintenance of the royal power, without which they would represent absolutely nothing. Its destruction, however, would mean for them the immediate loss of the large sums of money with which they have bought their posts.<sup>380</sup>

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<sup>379</sup> See **Ferguson**, N. Op. cit., pp. 133-134.

<sup>380</sup> See *ibid.*, pp. 134-135.

The problems, however, came from the fact that **the fiscal costs of maintaining the system outweighed its benefits, because as early as 1639 the annual payments to office holders exceeded the proceeds from the sales of new offices many times over.** This was the case under the financier Colbert, when the Crown received 2 million livres in taxes on office holders but paid them as much as 8.3 million livres in salaries, provided he (Colbert) managed to liquidate some 20,000 offices.<sup>381</sup> And otherwise everything that could be defined as „offices“ was sold, including such fictitious offices as „inspector of chauffeurs“, „conservator of oil“, and so on, and so forth.

**And the last example** of the profligate give-and-take of French absolutist royalty stems from the fact that **privileges granted in perpetuity have been constantly revoked.** And if they could be reconciled with the trouble which such foolish damage causes, it would indeed be a lamentable fate for those new nobles who are compelled in the XVII and XVIII centuries again and again to purchase their meaningless honours or their unjust privileges paid for in multiples. Thus **Louis XIV revoked all the titles of nobility of the last almost 100 years, most of which had been bestowed by himself.** Of course, they can only be retained in one case: if he pays for them again, since these titles were acquired extraordinarily, as claimed in the edict by which they were confirmed.<sup>382</sup> Naturally, this extremely „flexible business“ would then be the envy of more than one entrepreneur today, even though similar and many other „state“ mechanisms quite logically led to the collapse of the absolutist regimes in Europe (XVII – XVIII centuries), and thus to the total abolition of hated political privileges after the victory of the Great French Revolution (1893). Or, to put it more generally, the manifestations of **political privilege examined in absolutist France permeated the entire social system of the country, were elevated to the rank of state policy, and literally „corroded“ all parts and mechanisms of the state machinery.** However, these privileges were fully justified historically, insofar as the medieval-feudal societies of the time were at a low stage in their social evolution, unlike, for example, the later spread of totalitarian socialist privileges.

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<sup>381</sup> See id.

<sup>382</sup> See Tocqueville, *Al. de Op. cit.*, pp. 203-204.

Following the present reflections on the nature and species diversity of privilege in French absolutist society, the fundamental question inevitably arises: **were there theoretical views with which to oppose the indiscriminate royal privileges that brutally violated any possible social equality?**

The answer to this question is contained in the founding ideas of the Enlightenment in France in the XVIII century, which to a considerable extent oriented the development of political views towards the problems of power, property equality, natural rights, political liberty, the position of the people, the mechanisms of the state, etc. as a search for a way out of the domination of the Sun King. These radical ideas, which harshly criticized the king, the nobility, the clergy, and the church, aimed to restore political rights by drastically curtailing privilege in the context of profound social reforms. In other words, an adequate response to the privilege-equality dilemma was sought through the forward-looking ideas of their time, shaped by a host of French thinkers, philosophers and artists.

A vivid exponent of the theories of existing inequality was the eminent French encyclopaedist **Charles Louis Montesquieu** (1689 – 1755), who in his book *Persian Letters* (1721) already vehemently castigated the absolutist regime of the time, subjecting modern mores, behaviour and institutions to devastating criticism. With the splendour of French wit and a ruthless political irony, Montesquieu reveals the parade-like but rotten picture of the royal court, the vanity of Parisian salons and the „political gangrene“ of the high clergy. The author’s critique goes too far: neither the King nor the Pope is bypassed, which in fact means both a denial of despotic power and an unapologetic rejection of the right of that power to function. What is more, the royal court is qualified by Montesquieu as decomposed, because the source of the French king’s income is the sale of titles, which in 1711 alone brought him an income of 127 million livres, and that is why he calls him „the great wizard“. But the Pope, that old idol whom they censure out of habit, is described as an even „greater magician“.<sup>383</sup> And more – Louis XIV is very fond of rewarding and explicitly believes that his infallible

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<sup>383</sup> See **Montesquieu**, Ch. *Persian Letters*. Moscow: Russian Academy of Sciences, 1956, p. 87.



choices directly make a man worthy of the favor of the monks. In this vein, Montesquieu defines the law of the state in the absolutist state as a science that only teaches monarchs the limits to which they can violate justice without at all infringing on their own interests,<sup>384</sup> that is to say, to legally push through inflated and objectively unjustified privileges in favor of their personal well-being.

In his masterpiece **The Spirit of the Laws** (1748), Montesquieu developed his own political theory, covering a whole range of fundamental issues – political freedom, the nature of power, the forms of the state, politics and the history of law, the principles of government, etc. In this case, however, Montesquieu devotes special attention to **the concept of „powers“ („pouvoirs“)**, which is a fundamentally new point from a political science point of view. Building on this foundation, he goes further and develops his **doctrine of the separation of powers**, the core of his political theory. But let us see what the essence of this doctrine is.

Montesquieu's theory of the separation of powers contains two main guiding principles: 1) the notion of „powers“, understood as a complex concept that includes the exercise of certain functions for the realization of state power (Montesquieu himself does not use the term „functions“); and 2) the distinction of three separate powers – legislative, executive and judicial, independent of each other. The threefold separation of powers is necessary above all to avoid arbitrary use of power, since each power-holder (according to Montesquieu) is prone to abuse it. Therefore, the structure of the state should be such that **one power restrains the other and vice versa – there should be a balance of powers**. Otherwise, there can be no barrier to the united powers deterring arbitrary and unlawful use of power. That is why the separation of powers must be valid for every state.<sup>385</sup>

The meaning of the separation of powers has as its main objective the respect and guarantee of freedom. The essence of this freedom lies not in what you want to do at all, but in what the laws themselves allow: „Freedom is the right to do whatever the laws allow“. And **political liberty** means the establishment of lawfulness and safety for citi-

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<sup>384</sup> See *ibid.*, p. 221.

<sup>385</sup> See **Montesquieu**, Ch. *The Spirit of the Laws*. Sofia: Science and Art, 1984, pp. 231-233; 717-723.

zens by observing the laws, and vice versa: if a citizen does what is forbidden by the laws, he should not remain free because he violates the liberty of others.<sup>386</sup> Finally, the development of political freedom contributes to the development of the economy, industry, trade and, in general, all social spheres and activities.

Montesquieu was a proponent of representative government. According to him, the legislative power belongs to the whole people and they „should participate in government only by electing their representatives; this is perfectly within their power“. Through the representative assembly (parliament), the people are directly involved in government, and the assembly is the body that makes the laws and oversees their implementation. The established legislature has a dominant role in the state and control functions over the executive, which is concentrated in the monarch. The judiciary (Montesquieu believed that in a sense this power is no power at all) also finds a place in the system of state government.<sup>387</sup>

In deriving principles of governance, Montesquieu starts from a common guiding principle that underpins most Enlightenment thinkers: „rule by laws, not by men“. In this sense, he formulates two more basic governing principles valid for our modernity: **the principle of democracy**, which „decays not only when the spirit of equality is defended, but also (...) when the spirit of equality is carried to an extreme and everyone wants to be equal with the one he has chosen as his leader“; and **the principle of aristocratic rule**, whereby government degenerates „when the power of the nobles becomes hereditary“<sup>388</sup> and moderation and legitimacy in the state are lost as a result.

The political theory of Ch. Montesquieu's political philosophy had a profound influence on the progressive development of all human civilization, and in the same XVII century it found a natural continuation and further development in France, making an enormous contribution to the struggle against retrograde feudal law (and politics) and rampant privilege in all social spheres.

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<sup>386</sup> See *ibid.*, pp. 420-421.

<sup>387</sup> See *ibid.*, p. 231.

<sup>388</sup> See more on the views of Ch. Montesquieu in: **Manolov**, G. Introduction... *Op. cit.*, pp. 101-104.

**Denis Diderot's** (1713 – 1784) views on the current monarchical model of government in France and its main manifestations are particularly significant and interesting. These views were expressed by D. Diderot's views in the then promulgated Encyclopaedia, whose authors included a number of other luminaries of the Enlightenment (Voltaire, Holbach, D'Alambert), elaborating on various issues of social development, political power, political theory and practice, forms of government, etc.

In his encyclopedic articles D. Diderot analyzes in detail the role of **monarchical power** and the importance of the monarch in it as an institutional quantity. He believes that the power and rights of monarchs do not come from God, but are based only on popular consent. Alongside this, Diderot unflinchingly castigates the unlimited power of the monarch and postulates that it is perfectly natural for him (the monarch) to obey the laws, acknowledging the bitter historical experience where monarchs are not guided by reason but become the oppressors of nations.<sup>389</sup>

From such positions for D. Diderot, the legitimate monarch who constantly abuses his power, violates the laws, oppresses his own people, is not only a usurper of power, but also makes his subjects victims of his passions, because he replaces the laws with unjust claims.<sup>390</sup> Such a monarch, according to Diderot, sooner or later inevitably surrounds himself with immoral men, for whom justice serves only to violate it, virtue to debase it, and laws to circumvent them. In this way, the great French thinker provides an answer to the question of why the people's negative attitude towards monarchs and their predatory behavior to acquire various material goods (and privileges).

The idea of limiting monarchical power also reflects Diderot's opinion on certain or other feudal privileges. In his article in the Encyclopaedia against the current system of privileges, he elucidates **the vices of privileges**: the poorest citizens, who are most useful to the state, are burdened with exorbitant levies and obligations, and thus

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<sup>389</sup> D. Diderot's political ideas are revealed in detail by prof. M. Semov in his work „Politics. Theory and History“, to which we refer (See **Semov**, M. Op. cit., pp. 118-125).

<sup>390</sup> **Diderot**, D. Selected works. Moscow – Leningrad: Russian Academy of Sciences, 1951, p. 357.

they (privileges) alienate the talented and enlightened from the responsibilities of the state. Diderot is particularly critical of the system of privilege in the field of economics, and in particular of the so-called „exclusive privilege“ under which the monarch grants to one person or one company the right to produce and sell a certain kind of goods. Thus, on the one hand, these privileges are paid for, and more than once (for example, when the monarch changes, it is paid to confirm the privilege), and on the other, they lead to an increase in the price of goods. This system of privilege is opposed by Diderot to competition, which will force „to produce better, to lower the price of labour“, and the drive „to surpass the other in success will bring forward gift and ability“.<sup>391</sup> In fact, the author touches on a very significant issue, that of economic privilege, which, purely theoretically, has always received much less attention. However, in the context of the present problematic, we cannot help but note that this „exceptional privilege“ first came into the mental sight of the Enlightenment thinker Diderot precisely as an expression of his overall political views on French monarchical absolutism. In this sense, the thinker D. Diderot can be defined not only as a critic of monarchs and a denier of privilege, but also as a theoretical forerunner of the French Revolution in the struggle of the people for freedom, equality and justice.

The ruthless critique of absolutism and privilege finds even more remarkable expression in the original work of **Jean-Jacques Rousseau** (1712 – 1778), which is evident in his theory of the social contract, in the concept of popular sovereignty and in the ideas of political equality.

The main political science ideas of J.-J. Rousseau’s main ideas are developed in his remarkable work **The Social Contract, or Principles of Political Law** (1762). In this work, which is an extract from a larger study of political institutions, the great thinker addresses an important problem of his political doctrine: **the contract theory of the state**.

Based on the concepts of the contractual establishment of the state expressed before him (T. Hobbes, J. Locke, B. Spinoza), J.-J. Rousseau developed his theory on this issue much more thoroughly mainly on the antithesis natural state – civil state and in the context of the

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<sup>391</sup> Cited in: **Semov**, M. Politics... Op. cit., p. 122.

problem of freedom. According to him, „man is born free, but everywhere is in chains“. In this situation, the freedom of people is limited, as one part of them is in the position of slaves and another part of them is in the position of masters. The contradiction here is obvious – the people, in establishing state power, want to protect their freedom, and in return they receive slavery. This supreme injustice must therefore be corrected by a new social contract which is in the highest degree just and which provides every citizen with protection from the state and at the same time guarantees his individual liberty and equality. Or, the social contract is a form of association which, on the one hand, „protects and defends with all common strength the person and property of each...“ and, on the other, „each unites with all, but listens to himself and remains free as before“.<sup>392</sup> Furthermore, citizens join the „social contract“ entirely voluntarily, and in so doing they confer all their rights on the community (the state). Once citizens accept the social contract, it is final for all citizens and they are obliged to respect it.

Relying on the social contract, Rousseau developed the theory of **popular sovereignty**<sup>393</sup>, which belongs to all citizens and is a reliable guarantee of mutual consent in politics. The fundamental source of statehood is the absolute sovereignty of the people, and the essence of this sovereignty is the common will. Sovereignty, according to J.-J. Rousseau possesses the following substantive characteristic: **first**, it is **the exercise of the general will**, to which the people are bound to obey, since it (the will) is expressed by a universal law valid for absolutely all; **second**, the general will is the emanation of **the concern for the common interest** in society, and it alone can guide the forces of the state from its establishment and throughout its existence; **third**, sovereignty is **inalienable and indivisible**, because power can be transferred but the will cannot, which means that once expressed, the will of the whole people (the general will) is already an act of sovereignty and has the force of law; **fourthly, the common supreme will** (sovereignty) is „**a collective being** which can only represent itself“, and this excludes any form of representative government, i.e. Rousseau favours only direct

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<sup>392</sup> Rousseau, J.-J. Selected Works... Op. cit., p. 90.

<sup>393</sup> *sovereign* (French) – the holder of supreme power; supreme, independent; *sovereignty* – the right to exercise supreme authority; internal and external independence of the state

democracy, since citizens participate directly in government (he excludes parties from the struggle for power altogether); **fifth**, insofar as **sovereignty is just** and always right, Rousseau does not put an equal sign between the general will and the will of all: while the will of all is directed to the private interest (and is the sum of private wills), the general will appears to be an expression only of the common interest.<sup>394</sup> It is on these substantive aspects of sovereignty that the French thinker defines his understanding of types of power.

The theory of popular sovereignty is difficult to make sense of if one ignores the French thinker's democratic views on **political equality**. Rousseau's views on this issue stem from his central thesis that the very government of the state must ensure the common good of all people, the happiness of citizens and their liberty and equality. This is why he believed that it was impossible to have liberty without equality and equality without liberty. Starting from the premise that there is no true liberty without some equality, Rousseau focuses his attention on the property inequality of the people, which could turn political rights and liberties into a utopian dream. From this point of view, equality must be secured by a system of laws directed against opulence and limiting great property disparities. The essence of equality, according to Rousseau, does not at all mean the combination of power and property in large amounts in the same persons or estates. On the contrary, the equal distribution of property wealth is a social guarantee, first, against the degeneration of power into violence, and second, to secure equality and liberty. Rousseau recommends, „No citizen should be so rich that he can buy another, and no citizen should be so poor that he is forced to sell himself.“ The famous formula that all have equal political rights and yet are equally subject to the general will of the state. In this context, the thinker points out that man is free to do anything that does not harm others, and formulates the controversial „**paradox of liberty**“: namely, „whoever refuses to submit to the general will will be forced to do so by the whole body...“<sup>395</sup> But in spite of the antagonism of this statement, according to Rousseau, it is possible to regulate it by the force of laws as the most reliable guarantor of the equality of men.

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<sup>394</sup> See *ibid.*, p. 101.

<sup>395</sup> *Ibid.*, pp. 110-118.

Like most of the eminent thinkers of the New Time, J.-J. Rousseau in his work „**A Discourse on the Origin of Inequality**“ (1755)<sup>396</sup> defended the thesis of the „natural state“ and the „natural man“, on the basis of which he developed views on inequality that arose on private property (economic inequality) and feudal privileges (political inequality). Rousseau promulgated the idea that he was looking for those aspects of statehood in which „the right to legislate would belong to all citizens“, since no one knows better than they what conditions they would like to live under.

In his reflections on inequality, Rousseau points to the main differences in which inequality manifests itself, such as wealth, knowledge, rank, power, personal dignity, etc. According to him, the main source of inequality is private property, which ultimately gives rise to all forms of social inequality and various types of privilege.<sup>397</sup> Moreover, inequality is not some constant quantity, insofar as its forms are constantly modified depending on monarchical rule, economic development, the degree of privilege of elites, etc.

„In the human race – writes J.-J. Rousseau – I see two kinds of inequality: one, which I call **natural or physical**, because it is established by nature, consists in differences of age, state of health, bodily powers, and qualities of mind and soul; the **other**, which we may call **moral or political inequality**, since it depends on a kind of agreement and is established or at least resolved by the consent of men. **This inequality consists in the various privileges which a few enjoy to the detriment of the rest, such as being richer, more respected, more powerful than they, or even holding them in subjection**“<sup>398</sup> (*emphasis mine – G. M.*). What is valuable in this author’s judgement is the fact that he not only distinguishes between different types of inequality, but is also one of the first to **classify privilege as an essential component of political inequality** and as a mode of domination of ruling oligarchies in late feudal

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<sup>396</sup> In Bulgaria, this work was published under the title „Discourse on the following question proposed by the Academy of Dijon: What is the origin of inequality among men and is it based on natural law?“ (See **Rousseau**, J.-J. Selected Writings. Vol. I. Science and Art, 1988, p. 565).

<sup>397</sup> See *ibid.*, p. 66.

<sup>398</sup> *Ibid.*, p. 585.

societies. Moreover, Rousseau thoroughly criticizes both types of inequality arising from both economic (private property) and political conditions (political power) as they „breed“ all kinds of privileges. This is why the French thinker totally excludes from his political optics of equality the system of privileges in the future neo-feudal society.

The political ideas of J.-J. Rousseau’s ideas found a tangible place in the history of social thought as well as in the actual politics of the XVIII century. For already in the Declaration of the Rights of Man and of the Citizen, adopted by the National Assembly of France (26.08.1789), Rousseau’s original ideas underlie this historic document (including the abolition of privileges).

Resistance to the privileges of the Old Regime took on a large-scale character, which is vividly evident from the proliferation of critical writings about it by other prominent French Enlightenment figures. Among them, the aforementioned pamphlets „An Essay on Privilege“ and „What is this ‘Third Estate’?“ by the liberal theorist **Emmanuel-Joseph Sieyès** (1748 – 1836), which literally debunked with scholarly arguments and arguments the irrelevance (and retrogradity) of feudal privileges, represent a peculiar highlight. In them, he argued with ruthless categorical force against the diametrically opposed differences of class and, on this basis, against the existing feudal privileges. This – on the one hand. Second, for Abbé Sieyès the privileged class becomes a real burden for the nation, since it represents a permanent sickness for the people, forced to conform to the injustice of benefits. Third, the liberal thinker is extremely critical in his interpretation of the nature of the privileged classes, without hiding his negativity towards them, because anyone who goes beyond the law and claims some exclusive rights can be considered privileged.<sup>399</sup> In this context, the French argues that due to the nature of privilege, the privileged classes themselves have become a restraining factor and a brake on social development. And fourthly, Abbé Sieyès literally „erupts“ against the inflated privileges of the nobility and the clergy at the expense of the third estate, because **„the law provides for different punishments for the privileged and the unprivileged, (...) as if it tenderly follows the criminal**

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<sup>399</sup> Sieyès, M.-J. Op. cit., p. 112.



**noble, seeking to do him homage all the way to the scaffold**<sup>400</sup> (*emphasis mine – G. M.*). Or, to put it another way, as in previous societies, in French absolutist society privileges are „rights“ of the rich oligarchic classes, among which the emerging third estate is not at all included.

In his theoretical insights, Abbé Sieyès also raises the important question of the **equality – inequality ratio** in the then socio-political life of France. He was the first to propose a just formula, rising above the chaos, according to which inequalities of property should be explicitly treated as inequalities of age, sex, height and colour. That is to say, it must be taken as a given, and without allowing it to affect in any way „equality of citizenship“<sup>401</sup>. This formulation brings further clarity to the place of privilege in society as a kind of counterpoint (and antipode) to social equality and justice.

As a radical political thinker of his time, Abbé Sieyès passionately advocated for the complete elimination of drastic gender distinctions and related undue privileges of various kinds. This comes through forcefully in his exquisite pamphlet on the third estate, making him „the first and most profound theorist of the French Revolution“. And so it is no coincidence that „in a certain sense it is the most famous pamphlet of all times and nations, far surpassing in scope of dissemination and effect of influence both T. Paine’s *Common Sense* of the age of the American Revolution and the *Communist Manifesto* of the turbulent European spring of 1848“<sup>402</sup>. We fully agree with this high assessment as it is realistic, objective and thorough.

Having traced the genetic roots and manifestations of the various types of privilege, their individual and social bearers (kings, estates, classes), and the critiques of them by Enlightenment thinkers, it is now our turn to draw the relevant conclusions (arising from the present analysis) about the system of power advantages in French absolutism.

A closer look into the genesis, nature and spread of **privileges under Louis XIV** inevitably points us to the obvious historical and political fact that they (privileges) **grew in a new social environment – absolute royal power, a highly centralized state and an overly bureaucratized**

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<sup>400</sup> Ibid., p. 54.

<sup>401</sup> Citation in the introductory study of prof. G. Bliznashki „The Constitutional Views of Abbé Sieyès“ (See **Sieyès**, Em.-J. Citation, p. XL).

<sup>402</sup> See *ibid.*, p. XV.

**administration.** This was the result of the application of the mechanisms of unapologetic royal absolutism, as well as the need for the functioning of an adequate state organization in the era of late feudalism.

„Under absolutism in France – writes Assoc. Prof. Hr. Glushkov – the gentile character of the state takes on a complete form and all subjects in the kingdom are assigned to one of three genders – the clergy, the aristocracy or the third estate. The first two estates are few in number, but they are distinguished from the vast mass of French subjects who make up the third estate by their numerous privileges, which become a kind of social differentiator in French society, since they confer exclusive political, fiscal, and honorary advantages on the clergy and aristocracy. The emergence of privileges is associated with the long period of stabilization of royal power in the Middle Ages, when distinctions emerged between subjects who pray, those who fight, and citizens who work.“ Furthermore, „with the centralization of state power, the king was able to take away some of the rights of the aristocrats, but left them with social and economic privileges“<sup>403</sup>. Or, as the French historian Hubert Métiérier aptly puts it, the monarchy became an institution that had its own religion with its own god (the king), its own priests (the officials and royals), its own dogma (the theory of royal power), its own rituals (etiquette), its own temple (Versailles), and its own faithful (the subjects).<sup>404</sup> To put it another way, the French absolutist state can be defined as both a very strict but also a very fair mother for the privileged classes, because through the Sun King it both „hands out“ privileges and revokes them when the King (and his power) are threatened by excesses.

During the long historical times of the Old Regime, a kind of initial impetus was given to **the institution of the States-General** (first convened in 1302), or **the Parliament** of the time, which consisted of 300 deputies sitting separately, and in which each House had one vote. And although the Estates-General are formally preserved as an institution in legal terms (because they did not meet for a full 174 years and were not reconvened and for the last time until May 1789), they have an essential place in the preservation of the absolutist regime and the reproduction of privilege. For, according to the assertions of some writers of

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<sup>403</sup> **Glushkov**, Hr. The French Revolution (1789 – 1790). – In: *History of the New Time...* Op. cit., p. 161.

<sup>404</sup> Cited in: **Tasheva**, R. Op. cit., p. 254.

the XVI century, almost to the very end of the Old Regime the kings met their financial needs by levying a thalia (a permanent direct tax) without the services of the States-General. However, **the provincial assemblies**, created by the king initially as institutions with judicial functions but gradually acquiring wider powers, became more important. The members of these parliaments claim that royal decrees acquire the force of law only after their registration by these bodies. Over time, therefore, provincial parliaments became ultra-conservative institutions: **in the XVII century their members bought their seats, which became their hereditary domain**. Parliamentarians thus became a new nobility and large landowners, and provincial parliaments became a major problem for the Old Regime and a major obstacle to reform.<sup>405</sup> These parliaments should therefore be seen as an important political factor as an institutional glimpse of a future (and still) distant democracy on the one hand, and as an exclusive mouthpiece of power and privilege in the state on the other.

In the socio-political life of absolutist France there was a clear and precise **regulation** of the status **of privileges and their holders** by the monarch. That is to say, the „liberties“ or „privileges“ of particular communities, which are honorary, judicial and fiscal, are legitimized. For example, both the estates already mentioned (the nobility and the clergy) and whole provinces are exempted from paying the tax on salt; in many towns the direct royal tax talion (thalia) is not paid; there are intentional offices that are exempted from housing military men, and so on. Moreover, the king alone possessed the right to create knights, to „elect“ inferiors, to legitimize illegitimate children, to naturalize foreigners, to grant privileges, i.e., to exempt from the common law, to free serfs, to grant pensions out of the public treasury,<sup>406</sup> etc. And although formally-legally-the king could destroy the existence of privileges, their legitimacy under absolutism was beyond question.

**Feudal economic relations**, through their main levers – the supreme ownership of land by royalty, the distribution of landed estates in exchange for obligations to the central authority, the cultivation of

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<sup>405</sup> See **Katsarski**, Ivan. Op. cit., p. 190; **Khachaturyan**, N. A. The family monarchy in France (XIV – XV centuries). Moscow: Nauka, 1989, p. 318.

<sup>406</sup> See *ibid.*, pp. 266; 290.

land by dependent (or semi-free) peasants through *angiar*, the unequal relations between feudal lords and serfs, etc. – were of great importance for the gradual, permanent and irreversible expansion of privilege in French absolutist society. This is one correlation. The other stems from the fact that the church seigneurs enjoyed the same advantages as their „fellows“ in wealth, the nobles. Thus, for example, according to Al. de Tocqueville, bishops, abbots, and abbesses have numerous estates or censures by virtue of their ecclesiastical functions; the monastery usually holds the seigniorial rights over the village in whose territory it is situated, etc. Along with this, the clergy in France have the right to collect the tithe tax<sup>407</sup>, as, by the way, was the case throughout the Christian world of the time. Next, we will note the new moments connected with the development of the bourgeoisie (from the end of the XVII century onwards), whose economic dimensions are connected with the distribution of usurious loans, the crediting of the State through the redemption of indirect taxes, the sale for life of public offices in return for the payment of large sums of money, the stimulation of the manufactory, etc.<sup>408</sup> Through the application of these economic mechanisms, a kind of symbiosis was actually created in thought and action between the French feudal aristocracy and the newly emerging urban bourgeoisie to permanently satisfy the need for luxury items – chic furniture, expensive fabrics, porcelain goods, imported jewels, fine clothes, etc. Naturally, this elitist consumption was largely secured through sole royal power (and ownership) as a time-tested tool for regulating, maintaining, and increasing privilege.

The process of the consolidation of privilege during the absolutist regime had another essential characteristic: **the link between money and privilege**, on the basis of which vast fortunes were accumulated and political careers built by the highest representatives of the leading social classes (the nobility and the clergy). These classes, who hold exclusive rights, are most dangerous when their privileges are linked to money, since they (privileges) are in many cases less important than the holders of power compared to the possession of the Phoenician signs. Here, for example, is what **Alexis de Tocqueville**

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<sup>407</sup> See **Tocqueville**, Al. de. Op. cit., p. 119.

<sup>408</sup> See **Berov**, L. Op. cit., pp. 212-213.

justly argues on this point: „When the nobility possesses not only privileges but also power, when it rules and administers, its exclusive rights can be at once greater and less tangible. In feudal times, the nobility was regarded as the government is now – they bore the burdens it imposed because of the guarantees it gave. The nobility had irritating privileges, they had serious rights, but they secured public order, dispensed justice, enforced the laws. (...) The more the nobility ceased to do these things, the more the burden of privilege was felt, until finally their very existence became incomprehensible“<sup>409</sup>. And one more thing: what is peculiar about France is that when the nobility lost its political power, at the same time the nobleman individually acquired many privileges he had never possessed before. At the same time, each of these privileges of the nobility, once acquired, becomes an inalienable patrimony, which in turn turns it (the nobility) into a classical caste structure, losing its aristocratic character.<sup>410</sup> This, in turn, led to another „privileged measure“ towards the nobility, pushed through by Louis XIV – the reduction of various taxes, without changing the financial situation of the nobility. On the contrary, this further strengthened, once, the „marriage“ of money with privilege, and, secondly, the dominant position of total royal power.

The aggregate manifestation of the various types of privilege in French society needs to be differentiated in much greater detail, since, in addition to the King, these privileges extend not only to the nobility and the clergy, but also to such social groups as have specific functions. A deeper social dissection of Louis XIV's „solar orbit“ is therefore necessary if we are to reveal even more comprehensively the structure (and composition) of the various privileged strata in the French state.

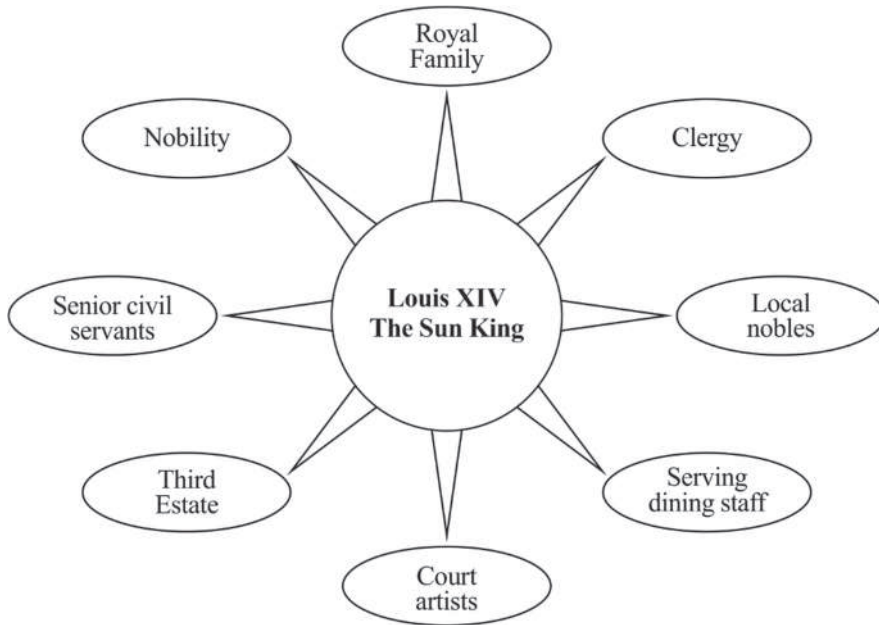
At a more precise level of specificity, **the structure and composition of the privileged layers** around the Sun King can be more clearly distinguished into two key types – primary („table“) and auxiliary (service) (see *Diagram No. 6*).

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<sup>409</sup> Tocqueville, Al. de. Op. cit., p. 121.

<sup>410</sup> See *ibid.*, p. 186.

**Diagram No. 6. Structure of the privileged layers („table oligarchies“) around the absolute royal power of Louis XIV**



The following „table“ communities of people should be counted among the composition of **the main privileged layers**: **1) the king and the members of the royal family** – the dauphin, the children of France (the heirs), the royal princes, etc. **2) the high nobility** – the nobles, the notables, the aristocracy (the counts, the marquises, the barons, the lay feathers, etc.); **3) the clergy** – the ecclesiastical feathers, bishops, abbots, cathedral canons, etc.; **4) the high-ranking civil servants** – the ministers, tax inspectors, usurers, etc.; **5) the representatives of the third estate** – the newly emerging bourgeoisie (urban, rural); and **6) the local grandees** – the persons in managerial positions in local administrations (governors, royal envoys, etc.). The characteristic feature of these layers is that they benefit to the greatest extent (and by the handfuls) from various royal privileges, of course depending on the social position they occupy in French society (mainly proximity to the King, family roots, „protection“ from the royal family, etc.).

In turn, the **auxiliary (service) privileged layers** of royalty are subdivided into two important categories: **1) court artists** – poets, writers, musicians, singers, scholars, etc.; and **2) service layers** – waiters, cooks, servants, guards, helpers, jesters, orderlies, butlers, coroners, horse-keepers, etc. These layers play an important auxiliary role in securing the king's existence, and at the same time have indirect contact with the great privileges – they court them, receiving in part one or other of the benefits of power (because they are concerned with keeping the king's good humour, whims and pleasures).

It is also worth highlighting something else that is still not given due credit in the scholarly literature when we talk about French absolutist privileges. It is the fact that through the „lavish“ application of royal privileges under Louis XIV, almost all the privileged classes became a kind of **„table oligarchies“** that „feasted“ in a heroic manner, pumping up state resources (material, financial, economic) for their own personal gain and quick enrichment. This notion is far and away not only metaphorical in meaning, since „table oligarchy“ (minority) by definition means the inclusion of a narrow circle of high-ranking people from (and to) the king, who thanks to his supreme command are amicably arranged around the state banquet („consuming“ some or other privileges). These „table oligarchs“ (members of the main privileged strata) have the enormous advantage that, as extremely close to the King, they enjoy superdiverse privileges (money, titles, lands, gifts, low taxes, etc.), despite the fact that many of them do not exercise any labour or socially useful activity. Their main occupation has always been to participate regularly in royal parties and ishmedemeetings, in fancy balls and soirees (at Versailles), in royal hunting parties (and fishing trips), in amorous lusts and sweethearts, and so on, etc. Or, **such „table minorities“ whose composition without any remorse can be called „unique political drones“, as they legitimately and illegitimately enjoy countless benefits, advantages and privileges from and to the detriment of the state and the people just because they are part of the top ruling elite.** And this for centuries without any public accountability and enforcement of any control over their privileged elite status, their illegitimate enrichment, their corruption schemes, etc., In fact, these „table oligarchies“ are very aptly characterised by the great French fabulist La Fontaine, who in his work „The Lion's Funeral“ presents the court lackeys

and fellow-travellers in the following way: „I will share with you for me what the court is – a bunch of cheerful and sad but indifferent people. (...) They look to serve their master most devotedly, or else they just pretend. Not people, but monkeys, a whole bunch of chameleons“<sup>411</sup>.

We will note, by the way, another important regularity in the evolution of the absolutist regime, which directly relates to the **correlation elites – privileges – corruption** in the French state. For, according to some researchers, for example, from the Middle Ages onwards the financial operations of the French monarchy were „managed“ by a whole host of bodies – the municipal authorities, the clergy, the provincial districts and, increasingly, the tax collectors who collected the levies and oversaw the Crown’s monopoly, receiving in return a percentage for their activities. At the same time they advance money to the French State at a rather high rate of interest on the expected revenue. But the corruptness of this system affects not only the collectors who collect the levies, but also the hierarchy of district collectors, district tax collectors and general regional tax collectors responsible for direct taxes. Thus, each of them takes his share before handing over the money to the superior and receives 5% interest on the price he originally paid for his service. This is why many of the more senior officials have been accused of paying sums directly to state contractors, sometimes in the form of a salary, but before they have handed over what they have collected to the Royal Treasury (these people also lend at high interest to the Crown).<sup>412</sup> In this sense, the institutions of the feudal state and royal power operate in a disorganised, chaotic and inefficient manner, thus bringing corruption within themselves and taking advantage of it to strengthen their material fortunes and privileged benefits. In fact, a contemporary historian was quite right to summarize on this occasion that „the real criminal is the system itself“ (Boscher)<sup>413</sup>, insofar as it is so structured as to wholly benefit the wealthy and the managerial classes.

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<sup>411</sup> Citation: **Ferro**, Mark. Op. cit., p. 166.

<sup>412</sup> See **Kennedy**, Paul. The Rise and Fall of the Great Powers. Economic Change and Military Conflict, XV – XX centuries. Sofia: Saint George, 1997, p. 112.

<sup>413</sup> Citation: Ibid., pp. 112; 395.



In the interest of objectivity, it should be pointed out that the absolutist regime of Louis XIV acted very flexibly towards the poor classes of the country, especially when there was a danger of violent social upheaval. Therefore, **the supreme royal power granted various privileges to commoners** depending on the town or district in which they lived, the artisan corporation of which they were members, the office they held, etc.<sup>414</sup> On this basis, the French researcher B. Barbiche rather optimistically points out, „It could almost be argued that all the French were privileged“<sup>415</sup>, since these „privileges“ or „liberties“ of communities enjoy the authority of custom, and absolute monarchs must respect, honor, and recognize them. And whether all this is indeed so, we believe that history has long since had its say by rejecting absolute monarchy as a form of government.

Finally, we will draw a final substantive conclusion about the results of the use of privilege **in feudal France under the Sun King** in three respects: **first**, on the basis of the data and facts so far presented about **the existing system of privilege in society, it should be emphatically pointed out that in both the political and all other social spheres (economic, financial, spiritual, cultural, etc.) these privileges are expanding on a massive scale, or literally everywhere and in everything, to the point of dangerous public gangrene; second**, as in other imperial states, the lion's pie of the dozens of privileges goes to the most elite social classes (the nobility and the clergy), from which they not only benefit politically but also make a profitable business for their time; and **third**, we do not need a political microscope to notice that, as a consequence of the regime of Louis XIV, a monstrous social inequality was formed in French society, the high values of which, thanks also to privilege, were of astonishing proportions: only 1.5% of the total population (about 300,000 nobility and clergy) is an active consumer of a large part of the royal privileges, and only 1.8% of the same population is a passive consumer, adding to it the palace officials and the civil service (with a population of 20 million people). And all this, provided we do not calculate here the fact that Louis XIV spent only 18 billion livres during his reign!<sup>416</sup> according to François Voltaire.

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<sup>414</sup> See **Tasheva**, R. Op. cit., p. 266.

<sup>415</sup> Citation: Ibid., p. 267.

<sup>416</sup> See **Voltaire**, Fr. The Century of Louis XIV. Vol. II. Sofia: Iztok – Zapad, 2015, p. 197.

It would be perfectly logical, therefore, to summarize that privilege in absolutist France was relegated to the ugly rank of state policy, leading to serious social defeats for the disadvantaged classes of society, to profound social collisions between old and new classes, and to the final rejection of the retrograde classes at a slightly later stage of historical time.

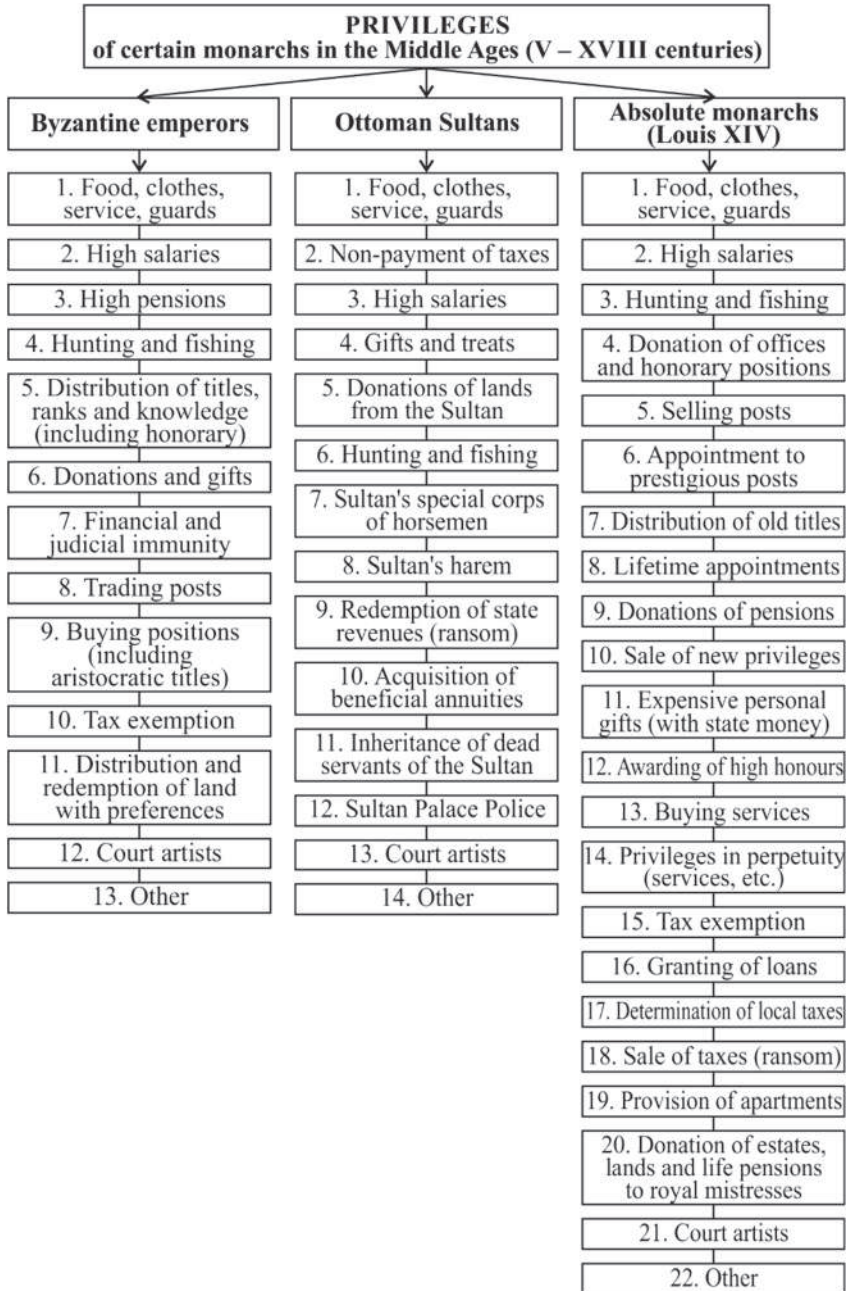
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As can be seen from the preceding exposition of this chapter, the historical evolution of privilege in medieval Europe contains too much rich and interesting factual material for a deeper understanding of this social phenomenon. We will therefore try to make some **broad generalizations** about the state, spread and extent of **privilege in the Middle Ages** in the context of the historical evolution of states, the formation of political development and social equality among people.

**First.** In all circumstances, it should be noted in the first place that **in the very historical course of the origin and establishment of privileges in the Middle Ages several important features are manifested, such as: the different rates at which they (privileges) penetrated into the states of early feudalism (Byzantium, the Eastern theocracies, etc.); their more comprehensive and widespread application in the classical medieval period (Ottoman Empire, etc.); and the extremely widespread introduction of privilege into late feudal society under absolutist regimes (France under Louis XIV) (see Diagram No. 7).** This is an essential moment in the development of the system of privilege in feudal societies, since its units and elements did not arise simultaneously in the different states because of their differences in socio-political and economic terms.

**Second.** The other distinctive aspect directly correlates with **the process of the emergence and development of the state in general, which generally passes through the so-called „commonwealth state“, „feudal state“ and „nation state“.** This process has many and varied dimensions, but for the development of privilege it is particularly important in that there is a positive trend towards the formation and imposition of new state institutions (parliaments) which, although not yet consolidated, play an important role in legitimising the system of **benefits of power.** For example, in France, according to some au-

**Diagram No. 7.**



**Note:** This outline has been prepared on the basis of the current analysis of privilege in the preceding paragraphs of the submission.

thors, the theory that the best guardian of aristocratic privileges against the encroachments of the central authority (the king) was the conciliar representative assembly, the Estates-General, as well as the functioning provincial parliaments, became widespread as early as the middle of the XVII century.<sup>417</sup> And although these institutions are under the total control of the absolute ruler, their importance in preserving various kinds of privileges is significant because they become their guardians and gatekeepers of a range of power gains. Later, the state institutions formed decisively changed their character as, according to Prof. Andrey Pantev „absolutism in France is one thing, the absolutist ambitions of the English kings are another, absolutism in Spain, Austria, Sweden is a third thing. But all these absolute monarchies, used as a political tool, contributed to the formation, or rather to the stabilization of centralized nation-states, which in turn was a prerequisite or condition for the development of modern bourgeois nationalism.“<sup>418</sup>

**Third.** The analysis of privilege inevitably leads us to another important fundamental conclusion: in medieval feudal states there was one key principle for the exercise of government and power – **the principle of unity of powers.** Its essence was that all **then existing types of power** (legislative, executive, judicial, religious), insofar as they existed effectively and rationally, **were entirely dependent on the personality of the autocratic monarch. Or, it is a question of a political and legal doctrine which unalterably concentrates the powers of the state in a single, comprehensive and empowered subject,** whether he be called emperor, sultan, king, czar, etc. By virtue of this circumstance (and as the sole vicar of the Almighty on Earth), the absolute monarch has exclusive governing rights, including the right to impose whatever privileges he wants.

As is evident from the scheme drawn above, **the privileges of omnipresent monarchs** have neither number and number, nor shame and shame, nor stop and end, for the simple reason that they **extend not only to all social spheres, but also to the universal goods and givens of nature.** The champion in this respect is the „exceptional“ Louis

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<sup>417</sup> See **Gavrilov, B.** The State... Op. cit., p. 89.

<sup>418</sup> **Pantev, Andrey.** The Birth of Modern Democracy. Sofia: Century 22, no year, p. 81.

XIV, whose personal privileges are the most numerous, the most varied, the most profitable, and, consequently, bring immense income and wealth against the background of the prevailing miserable existence of the French population. In this sense, both the Byzantine emperors and the Ottoman sultans could not measure their „privileged armour“ against the inimitable Sun King, the „leader“ in privilege of French absolutism, and why not of all medieval Europe.

**Fourth.** Throughout the medieval era, and regardless of which monarchy is in question, **privileges in society were formed as an irrevocable, binding and legitimate attribute of political power, i.e. they became a symbol, a mark and a sign of power**, through which it was not only identified, but also actually legitimated before the public. This also explains the gradual legitimation of **various kinds of privilege** in the social life of European states (partly in the Byzantine and Ottoman empires and more widely in absolutist France) in order to justify, on the one hand, the „proliferation“ of privilege and, of course, to maintain, on the other hand, the royal image and the aristocratic elite. In this context, in absolute monarchies for example (especially in France), the Crown always takes a very flexible approach, because it could not do without the „collaboration of the privileged“ (B. Gavrilov), which does not at all mean that the elites of the time (political, financial, judicial) had much of a say in the process of constructing the absolutist state. On the contrary, this consensus between the monarchs and the privileged classes actually manifested itself not so much in mutual concessions as in the tax exemptions of nobles, military, officials, local princes, etc.,<sup>419</sup> of which we have already given ample examples before.

**Fifth.** Taken as a whole, all the privileges considered in the Middle Ages in the individual states sooner or later formed **a privileged power nomenclatura** whose main „profession“ was to siphon off considerable financial and material resources from the state. In essence, this **parasitic structure** constitutes part of the apparatus of power, which, according to F. Brodell permeates all spheres of society because: it is the sum of hierarchies – political, economic, social, cultural, or a set of means of coercion, where it is the supporting stone in the

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<sup>419</sup> On the issue of the agreement between the Crown and the privileged elites see more in: **Gavrilov, B.** The State... Op. cit., pp. 73; 162-163.

whole and where it is almost never the sole master.<sup>420</sup> In these hierarchies, the most privileged is the over-boshevik nomenclature of the wealthy social strata, who are the main beneficiaries of the systems of benefits and advantages in feudal societies. It is this thin layer of senior nomenklatura cadres that is the most privileged in terms of privilege, since they hold certain power resources and are always servilely loyal to the next monarch.

**Sixth.** As a historical, political and logical process, the evolution of privilege in feudal societies, on the basis of the facts and data presented so far, automatically leads us to another essential generalization: **thanks to power, property and privilege, a significant part of the then elites, led by the monarchical subjects, secured for themselves an extremely prestigious standard of living, tens of times higher than that of the vast mass of the people. Moreover, a number of privileged rulers at the high and local levels received various kinds of privileges absolutely free of charge (food, clothing, security, donations, etc.), which essentially provided the self-supporting, aristocratic, and divine servants with a subsistence lifestyle, or a life at the expense of the state.** This, without putting in a drop of useful labor or any personal skill to at least justify government handouts in the form of necessary (representational) or contrived (unnecessary) privileges.

**Seven.** It is important to make one **final generalization**, which has a **threefold dimension**: one is that **privilege, with the help of political power, becomes a powerful incubator for the reproduction of different elites around the monarchical institution, besides being a major source of the exponential increase of social inequality; the other is that privilege is that firm foundation between power and property through which, all too often, rulers and owners merge into an oligarchic entity that distributes national wealth for its own benefit; and the latter dimension is reflected in the murderous social injustice created between elites and peoples in feudal society, to the extent that only a few paltry percentages of the population live normal lives.**

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<sup>420</sup> See **Brodell**, F. Op. cit., p. 501.

Thus, the contents of this chapter of the exposition have presented us with considerable convincing material on the genesis, condition and spread of privilege in the long medieval era (V – XVIII centuries). From their „invasion“ of social life it can be concluded that they steadily increased over the centuries, permeating all spheres of society, becoming an inalienable element of the life and being of the dominant feudal oligarchies and classes. At the same time, albeit incrementally, the scale of privilege in feudal states grew with gigantic dynamism over the centuries, to reach unbearable proportions after the collapse of absolutist regimes, and especially in the second half of the XVIII century. Conversely, the more privilege became a brake on social development, the more the abyss of social inequality (economic, political, spiritual) between the poor and the rich yawned. This logically led to the outbreak of the Great French Revolution, which abolished the hated feudal privileges, paving the way for a new equality between people (with the enacted legal acts) in the name of social justice. In other words, a long historical process has begun to solve the problems of political equality and privilege in Europe (under the aegis of the bourgeoisie), whose democratic roots we find already in the English and French Enlightenment, and whose problems we proceed to examine in the following pages.

## **Chapter Four**

### **MODERN POLITICAL PRIVILEGES**

#### **(FROM THE XIX CENTURY TO THE 1950S)**

Under the influence of the Great French Revolution, profound social changes took place on the historical scene in Europe. Throughout the XIX century, the development of European states was a never-ending series of dramatic social events: uprisings broke out, revolutions broke out, empires collapsed, wars broke out, new political and military alliances were formed, etc., through which a way out was sought to solve the problems that arose. In the rhythm of these changes, market-economic relations, national identity, and the cultural identity of peoples, including the evolution of political theories and doctrines, gain momentum. But the XIX century not only drew on known doctrines and currents, but also gave a strong impetus to the development of new political theories (and concepts) that directly addressed the problems of statehood, power, institutions, citizens' rights, etc. All this had an extraordinary impact on the development of political democracy on the European continent in the XIX and XX centuries, when Western states were embodying the fundamental common human values of equality, freedom, justice, democracy, human rights, fair elections, etc., into social reality. In this sense, not only in political theory, but also in social practice, the question of the privileges of power was formally resolved with the victory of the revolution in France, but substantively continued to hang like a sword of Damocles in the mass social consciousness, insofar as the privileges of the ruling elites acquired new, modified forms. In other words, privilege once again nested in the pores of power despite the assertive influence of universal suffrage and the first democratic steps of political power in European states at the time.



## 1. THE STATE AND SCOPE OF PRIVILEGES IN THE XIX AND EARLY XX CENTURIES

It goes without saying that the evolution and extent of privilege during the period under review had its own logic, its own specificity, and was applied differently from country to country. This is so because new socio-historical (political and economic) realities were already being created in Europe in the XIX century that drastically changed the remnants of feudal societies. It would therefore be very instructive to take a cursory look at the significance of the Great French Revolution, which not only led to the formation of democratic political systems, but also to a considerable extent points us to the reasons for the incarnations of privilege (in terms of condition, scope, size, scale) in the social conditions of the time.

### 1.1. The Great French Revolution (1789 – 1799) and the collapse of feudal privileges

In European political history, the Great French Revolution occupies a very significant place because it was a watershed between two different historical epochs, putting an end to absolutism and marking the beginning of the future democracy. With the victory of this revolution, a radical change took place in the view of the nature of power, which was based entirely on the ideas of the eminent French Enlightenment thinkers about new democratic political systems. Thus, already with the storming of the Bastille (14.07.1789) in Paris, the revolution gradually swept over the whole country, in which widespread unrest and riots broke out against the Old Regime. This led to a sharp intensification of the Constituent Assembly, which was forced to adopt a number of political documents, one part of which abolished old norms and another which introduced entirely new ones.

It is particularly important to stress that on 26.08.1789 **the Declaration of the Rights of Man and of the Citizen was adopted**, declaring **the French free and equal in their right to liberty, property and security**. At the latest, the law became the same for all and should reflect the general will of the people expressed through their elected representatives. But this revolutionary manifesto, according to B. Gavrilov,

does not answer some very important questions, such as: What exactly do the words „people“, „nation“ and „citizen“ mean?; What will be the new political constitution of the already legally equalized French?, etc. One of the most important things that becomes clear, however, is that France no longer belongs to Louis XVI so that he can rule it as absolute ruler. A constitution should therefore be drawn up which does not contradict the Declaration of the Rights of Man and of the Citizen. Furthermore, one of the main issues again comes down to voting rights and possible restrictions on those who can be elected.<sup>1</sup> Abbé Sieyès' political ideas have a very strong influence here, because he has serious doubts about direct democracy and, together with the liberal aristocracy, he definitely supports the idea that the constitution should ensure elite rule. His view of the enforcement of **a distinction between „political“ and „civil“ rights and between „active“ and „passive“ citizens** lies at the heart of the limitations on the right to vote. Therefore, **on 22.10.1789, the Constituent Assembly decided that only those who paid direct taxes of 1 silver mark (50 francs) had the right to be elected as deputies; those who paid direct taxes of 3 and 10 days' wages respectively were entitled to be electors in the primaries and electoral colleges<sup>2</sup>** (*emphasis mine – G. M.*). Fearing the chaos of democracy, the framers of the constitution divided the various powers unequally. The country was framed as a constitutional monarchy, with the king given a suspensive veto over legislation. The executive was thus deliberately weakened at the expense of the strong legislature, which had exclusive control over legislation, tax policy, spending, war and diplomacy.<sup>3</sup> These are new rules of electoral law which do create a different electoral regulation from the pre-revolutionary one, but which are nevertheless half-hearted (insofar as they do not introduce universal suffrage), since, despite the fact that privileges have already been abolished, they reconfirm them in the form of a property qualification.

Of course, the significance of this declaration is multidimensional, because for the first time in human history it puts and treats on

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<sup>1</sup> See **Gavrilov**, B. History... Op. cit., p. 163.

<sup>2</sup> See *ibid.*, p. 164.

<sup>3</sup> By comparison, at the beginning of May 1789, 500,000 privileged people had the right to vote in the Estates-General against only one vote, that of the Third Estate, out of a total of 23 million ordinary Frenchmen (See *ibid.*, pp. 164; 161).

a legal-institutional basis the problem of human rights, which until then had been totally neglected by the ruling oligarchy, huddled warmly under the mantle of the absolute monarch.

Putting itself under the sign of the Almighty, writes **Mark Ferro**, the National Convention recognized through **the Declaration of the Rights of Man and of the Citizen** the following important propositions: „...that men are born and remain free and equal in rights. Social distinctions may be based only on considerations of the common good. (Art. 1); that principle of any Sovereignty lies primarily in the Nation. No corporate body, no individual may exercise any authority that does not expressly emanate from it. (Art. 3); that liberty consists in being able to do anything that does not harm others (Art. 4); that the law is the expression of the general will, and that all citizens may take part in its making to the best of their ability (Art. 6); that man may be accused, arrested or detained except in the cases determined by the Law (Art. 7); that as every man is presumed innocent until he has been declared guilty, if it should be considered necessary to arrest him, any undue harshness that is not required to secure his person must be severely curbed by Law (Art. 9); that one may be disturbed on account of his opinions, even religious ones (Art. 10); that society has the right to ask a public official for an accounting of his administration (Art. 15); that property is inviolable and sacred, no one may be deprived thereof, unless public necessity, legally ascertained, obviously requires it, and just and prior indemnity has been paid (Art. 17)“<sup>4</sup>.

In the meantime, it will be recalled that the French Declaration was not the first attempt in the history of modern times to introduce certain principles of political rights into law. In England, for example, the *Bill of Rights* was passed in 1689, and long before that, the Great Charter of Freedoms (*Magna Carta*), in 1215. However, the French Declaration was arguably the first attempt to write all the basic principles of a fledgling democracy into a nation-state, and in that sense is an iconic historical document. The same can be said of the American Bill of Rights, but its function is radically different – the first nine amendments to the U.S. Constitution, adopted on December 15, 1791, were

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<sup>4</sup> Ferro, Mark. Op. cit., pp. 213-214.

proposed to limit the rights of the federal government. But they do not constitute an enunciation of a series of general principles of human rights in a manner comparable to the French Declaration.<sup>5</sup>

Depending on the objectives of this study, it is important to point out that one of the first measures of the revolution was the abolition of hated feudal privileges. This was done by a special **Decree on the abolition of privileges** (11.08.1789), which essentially laid the foundations for the future democratic arrangements of the country through a long, complex and protracted process in the XIX and XX centuries. Because of the historical importance of this decree, which pronounced the final verdict on feudalism, we will quote it in full:

„Art. 1. **The National Assembly hereby completely abolishes the feudal system.** It decrees that, among the existing rights and dues, both feudal and censuel, all those originating in or representing real or personal serfdom (...) shall be abolished without indemnification. All other dues are declared redeemable, the terms and mode of redemption to be fixed by the National Assembly. Those of the said dues which are not extinguished by this decree shall continue to be collected until indemnification shall take place.

Art. 2. **The exclusive right to maintain pigeon-houses is abolished...**

Art. 3. **The exclusive right to hunt and to maintain unenclosed warrens is likewise abolished...**

Art. 4. **All manorial courts are hereby suppressed without indemnification.** But the magistrates of these courts shall continue to perform their functions until such time as the National Assembly shall provide for the establishment of a new judicial system.

Art. 5. **Tithes of every description, as well as the dues which have been substituted for them, under whatever denomination they are known or collected** (even when compounded for), possessed by secular or regular congregations, by holders of benefices, members of corporations (including the Order of Malta and other religious and military orders,) as well as those devoted to the maintenance of churches, those impropriated to lay persons (...) and those substituted for the

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<sup>5</sup> See **Davidson**, Ian. The French Revolution. From Enlightenment to tyranny. Sofia: Millennium, 2017, p. 59.

portion congrue, are abolished. Some other method be devised to provide for the expenses of divine worship, the support of the officiating clergy, for the assistance of the poor, for repairs and rebuilding of churches and parsonages, and for the maintenance of all institutions, seminaries, schools, academies, asylums, and organizations to which the present funds are devoted...

Art. 6. **All perpetual ground rents, payable either in money or in kind**, of whatever nature they may be, whatever their origin and to whomsoever they may be due (...) **shall be redeemable**; Champarts<sup>6</sup> of every kind and under all denominations, shall likewise be redeemable at a rate fixed by the Assembly. No due shall in the future be created which is not redeemable.

Art. 7. **The sale of judicial and municipal offices shall be suppressed forthwith**. Justice shall be dispensed gratis...

Art. 9. **Pecuniary privileges, personal or real, in the payment of taxes are abolished forever**. Taxes shall be collected from all the citizens, and from all property, in the same manner and in the same form. Plans shall be considered by which the taxes shall be paid proportionally by all, even for the last six months of the current year.

Art. 10. Inasmuch as a national constitution and public liberty are of more advantage to the provinces than the privileges which some of these enjoy, and inasmuch as the surrender of such privileges is essential to the intimate union of all parts of the realm, **all the peculiar privileges, pecuniary or otherwise, of the provinces, principalities, districts, cantons, cities and communes, are once for all abolished...**

Art. 11. **All citizens, without distinction of birth, are eligible to any office or dignity, whether ecclesiastical, civil or military**; and no profession shall imply any derogation.

Art. 12. Hereafter **no remittances shall be made for annates or for any other purpose** to the court of Rome, the vice-legation at Avignon, or to the nunciature at Lucerne...

Art. 15. The National Assembly shall consider, in conjunction with the King, the report which is to be submitted to it relating to **pensions**,

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<sup>6</sup> *champaro* – a land tax paid with a portion of the harvest, usually ranging between 1/11th and 1/6th of it.

**favors and salaries, with a view to suppressing all such as are not deserved and reducing those which shall prove excessive; and the amount shall be fixed which the King may in future disburse for this purpose** (*the emphasis hitherto is mine – G. M.*)

Art. 16. The National Assembly decrees that a medal shall be struck in memory of the recent grave and important deliberations for the welfare of France, and that a *Te Deum*<sup>7</sup> shall be chanted in gratitude in all the parishes and the churches of France.

Art. 17. The National Assembly solemnly proclaims the King, Louis XVI, *Restorer of French Liberty*.

Art. 18. The National Assembly shall present itself in a body before the King, in order to submit to him the decrees which have just been passed, to tender to him the tokens of its most respectful gratitude and to pray him to permit the *Te Deum* to be chanted in his chapel, and to be present himself at this service.

Immediately after the constitution, the drawing up of the laws necessary for the development of the principles which it has laid down in the present decree. The latter shall be transmitted without delay by the deputies to all the provinces, together with the decree of the tenth of this month, in order that it may be printed, published, announced from the parish pulpits, and posted up wherever it shall be deemed necessary.<sup>8</sup> This Decree, which has the force of law, has epochal significance because it proclaims for the first time in Europe in a universal voice at least two essential things: one, that it breaks radically with an entire historical epoch, such as the feudal epoch, through the total abolition of privileges; and the other, that this Decree would not have been possible if it had not previously been seen as an opportunity for equality between people and the realization of human rights.

In this context is also the meaning of the **Decree on the abolition of noble titles** (19.06.1790), which liquidated the hereditary aristocracy for good. It abolishes the titles of „prince“, „duke“, etc. (they are not to be taken from anyone, nor given to anyone); it abolishes the title of

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<sup>7</sup> *Te Deum* – a song of thanksgiving beginning with the words „We praise you, Lord!“, sung at the end of the evening service or at some solemn ceremonies.

<sup>8</sup> **The French Revolution in texts and documents. 1789 – 1799.** Compiler and translation: Rositsa Tasheva. Sofia: St. Kl. Ohridski, 1992, pp. 57-59.

„monsignor“, and it is no longer to be given to any body or any person; it abolishes other titles, such as „excellency“, „highness“, etc.<sup>9</sup> A revolutionary act which found almost no support anywhere in the European countries of the time, which does not at all diminish its enormous historical value as an opportunity to realise some political equality.

However, it is a mistake to believe that eliminating privilege solves a significant part of society's social problems. On the contrary, the abolition of the system of privilege and the measures of the French Revolution against monarchical power had a full repercussion on notions of equality in society, and this as a counterpoint to aristocratic privilege (it is no coincidence that the slogan of the Revolution was „Liberty, Equality, Fraternity“). In this sense, notions of equality come to the fore both as a theoretical problem (the opposition of privilege and equality) and as a practical solution (the abolition of privilege or new privileges) on the agenda of revolutionary and post-revolutionary French society.

According to T. Parsons, the question of privilege depends on the hereditary attribution of status, which contradicts the criterion of personal achievement or equality or both. The revolution thus raises the question of whether privilege can be a justifiable **reward**, or even legitimated on instrumental grounds – unless no other way of institutionalizing responsible leadership is possible.<sup>10</sup>

It should be noted that the revolutionary concept of „equality“, linked to differentiated qualifications and the hierarchical dimension of social status, emphasises **equality of opportunity**. To the extent that this formative value is institutionalized, achievement and the possibilities of achievement become criteria for obtaining statuses with differential value. But the French Revolution is against hereditary aristocratic privileges and for equality of membership status, which in turn is not the same as equality of opportunity, although the two are interdependent. That is, the pattern of privilege under the Old Regime divided the social community into two classes of status: the commoner was a second-class citizen whose hereditary status denied him access to privileges; while under the second class, the aristocracy enjoyed all kinds of privileges (especially tax exemptions).<sup>11</sup>

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<sup>9</sup> See *ibid.*, p. 68.

<sup>10</sup> See **Parsons**, T. *Op. cit.*, p. 205.

<sup>11</sup> See *id.*

Based on the thesis that equality has three main components (civil, political and social), T. Parsons argues that **the political component** of citizenship is primarily concentrated in democratic suffrage. Although the principle of equality among citizens in the determination of government dates back to the ancient Greek polis, the French Revolution applied it to the governance of a society on a large scale and to all people. Naturally, modern government cannot give equal direct participation to all citizens. Therefore, the development is mostly in the direction of **representative institutions** in which political equality is focused on the election of leadership at the highest level usually through participation in a particular electoral system.<sup>12</sup>

For the enormous significance of **the Great French Revolution** in world history, a number of other facts, circumstances and examples can be pointed out that unequivocally confirm its timeless dimensions to this day. We believe, however, that this revolution **had another extremely important characteristic: it, the revolution, totally overturned the notion of the nature of power as a new kind of power that is built on democratic foundations – elections, institutions, sovereignty, unprivileged estates, etc., i.e. a power that is dominated by the values of the nation-state, of the separation of powers, of the emerging political pluralism, of human rights, etc.** It is true that these values did not immediately lead to the establishment of democracy in France after the Revolution, but it is also true that they lay at the foundation of the future democratic state that gradually took shape in the XIX and XX centuries.

The Great French Revolution also brought a radical turning point in the development of constitutional theory and practice: **for the first time in human history, a deliberate attempt was made to build the state from the bottom up**, or according to the goals of the individual, thus overcoming the top-down doctrine that had prevailed during the era of absolute monarchy. In this way, the fundamental rights and freedoms of the individual and the citizen are, to one degree or another, opposed to the political state, since they are perceived as a concretization of individual freedom. In sum, the individual is the yardstick by

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<sup>12</sup> See *ibid.*, p. 206.



which the institutions of public authority are to be built, and the social order is to be rebuilt.<sup>13</sup> Something that no revolution in Europe has been able to achieve since its completion as a historical process.

Under the influence of the Great French Revolution under Napoleon's rule, **a new constitution was adopted (December 1799)**, which regulated a number of important legal points: **suffrage was extended to all adult males**, but they elected only so-called „notables“, whom the government could then invite to certain public offices; it divided citizens into „active“ and „passive“, etc. In turn, the Tribunal only debates but has no right to vote on laws, while **the legislature votes** but has no right to debate. The Council of State has only an advisory function in the person of the First Consul. In fact, the whole system is designed to mask the main thing – the concentration of power in the hands of one man – the First Consul. Napoleon also applied another weapon, which later became quite popular, **the plebiscite**, which allowed the combination of democratic appeal to the people with dictatorial manipulation of the time and manner of its conduct.<sup>14</sup> And although some of these legal clauses are described as negative, semi-democratic and demagogic, this does not at all detract from their progressive character compared to the totally manipulated feudal-absolutist legislations of the past.

It is particularly noteworthy that after the victory of the Revolution in France a process of development and implementation of the principle of **universal suffrage** began. Its introduction practically „unblocked“ the path of development of modern political democracy in the world. Or, in the words of **Prof. M. Duverger**, universal suffrage is based on several key internal principles: *first, it is universal*, because every citizen of the country can vote and be elected if he or she has reached the legal age; *second, it is equal*, because the principle of one person – one vote is valid, which removes the privilege of double voting; *third, it is direct*, or the voters directly determine the recipients of mandates, without intermediaries; and *fourth, it is secret*, that is, no one has the right to know how an individual voted or for whom he cast his personal vote.<sup>15</sup> Subsequently, these internal rules form the basis of the general

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<sup>13</sup> See **Bliznashki**, G. Evolution... Op. cit., p. 150.

<sup>14</sup> See **Gavrilov**, B. History... Op. cit., p. 174.

<sup>15</sup> Cited in: **Manolov**, G. Elections and electoral systems... Op. cit., pp. 58-59.

principle (of universal suffrage) through which models of political democracy in Western countries have successfully evolved for decades.

It is essential to summarise that the Revolution in France had a major, immediate and lasting impact on the development of a number of other institutions through **the promulgation in 1804 of the first modern code of laws in Europe, the Civil or Napoleonic Code**. This code – points out Fr. Fukuyama – reaffirmed many of the gains of the Revolution by **eliminating feudal distinctions of rank and privilege**. From then on, all citizens had pre-approved and clearly articulated equal rights and duties. The new Civil Code introduced modern understandings of property rights: „the right to use and dispose of property in the most unqualified manner, provided only that no use is made of it which the laws forbid“. Moreover, land is freed from feudal and customary restrictions on inheritance, opening up opportunities for the development of a market economy. Finally, the seigniorial courts, controlled by local rulers, over which the peasants' discontent had hovered during the revolution, were abolished altogether and replaced by a unified system of civil magistrates,<sup>16</sup> paving the way for the establishment of democratic judicial institutions.

The next major achievement of the revolution was the creation of **a modern bureaucratic state** that explicitly respects, implements and enforces the adopted Code. Even in the absence of democracy, this represents a huge advance, because it sharply limits managerial arbitrariness, contributes to transparency of government, equal treatment of citizens<sup>17</sup> and the optimal functioning of state institutions. This is, among other things, a strong political impulse towards the future accelerated democratisation of society.

And one more essential thing as a conclusion: the decree adopted for **the abolition of feudal privileges during the Great French Revolution did indeed lay a good foundation for achieving some political equality in the state and society**. In this case, however, these privileges are liquidated only as inherited and used under the Old Regime, since very soon afterwards their reproduction in the new social conditions is again noticeable. That is to say, **there is a visible mimicry of different**

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<sup>16</sup> See **Fukuyama**, Fr. Political Order and Political Decay... Op. cit., p. 27.

<sup>17</sup> See *ibid.*, p. 26.

kinds of privileges (of course, on a more limited scale), which are primarily political in nature and which were introduced quite consciously by the new ruling elites in the face of their developing bourgeois class and their political organisations, the parties (in the XIX century). Or, it is a post-feudal renaissance of various political benefits and advantages that supposedly deny aristocratic and other privileges but practically legitimise them under the veil of the new state institutions.

## 1.2. The revival of privileges in the XIX century. The privileges of price

After the end of the French Revolution, and especially in the first half of the XIX century, European societies faced a number of complex political, economic and social challenges (problems) that needed adequate solutions. These problems are above all political in nature, insofar as they stem from so-called „liberal constitutionalism“, which (after the first written constitution, that of France in 1791) „...established a tradition of constitutional establishment (...) whose fundamental scheme corresponds to the original ideal of a formal rule of law, with fundamental rights and separation of powers“<sup>18</sup>. Thus began the construction of the first liberal states in Europe which, freed from the „vice of feudalism“, paved the way for new constitutions, the institutions they regulated and the rights and freedoms of the individual. In fact, this meant building new structures, radically opposed to the old state institutions, and **forming democratic political power**, since the principle of the separation of powers was enshrined in the constitutions themselves.

It is crucial to highlight the role of **Benjamin Constant**, who undertook the first major revision of Montesquieu's doctrine of the separation of powers, guided by an understanding of the need for a single centre in which to unite the various functions of the state.<sup>19</sup> In his conceptual scheme, the following **five types of power** are distinguished: 1) **the neutral power** of the head of state; 2) **the executive power**, i.e., the active power of ministers; 3) **the legislative power**, which encom-

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<sup>18</sup> See **Bliznashki**, G. Evolution... Op. cit., p. 156.

<sup>19</sup> See *ibid.*, p. 160.

passes the representative power of public opinion and the representative power of succession; 4) **the judicial power**, which is called upon to resolve any legal disputes; and 5) **the local power**, which is an expression of a tendency toward decentralization of public power so that the people on the ground „to be given as much political weight as it is possible to give them without damaging the common bond“<sup>20</sup>. Moreover, throughout the XIX century, thanks to the Industrial Revolution, profound structural changes occurred in the nature of civil society in European countries, and especially in their economic systems. As a result, new social groups (classes) emerged and established themselves in society, a small part of which possessed the basic means of production at the expense of another, large, part which was deprived of such means. The contradictions between labour and capital (and owners and non-owners) are thus exacerbated, forcing the state to look for new mechanisms to solve this problem. That is to say, not only could the then state not cope with the severe social problems that arose, but all too quickly its elites began to „reanimate“ the supposedly discarded feudal privileges of power. In this sense, the new dominant class holds the levers of political power in its hands and, orchestrating the young market economy, confidently adopts liberal constitutions and diverse legislation,<sup>21</sup> thereby legitimizing its historical mission as a counterpoint to the aristocratic feudal estates.

Indeed, one after another, European states in the XIX century not only became nation-states and transformed themselves into liberal states, but also consistently changed their legislations by introducing censorship political regimes that limited the voting rights of the bulk of the population.<sup>22</sup> It is under these conditions that new electoral laws are debated and adopted, which both de jure and de facto regulate the rights of the electorate, which, however, is far and away not the case. Here is what the historical facts show us in this regard.

It is extremely significant that **suffrage in a country like France** during the Restoration after 1814 was **turned into a privilege of the propertied classes**: the electoral corpus comprises no more than 100,000 people, and the persons who can be elected do not reach even

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<sup>20</sup> Citation: *Ibid.*

<sup>21</sup> See *id.*

<sup>22</sup> See *ibid.*, pp. 162-163.

1/5 of that number. Later, during the years of the July Monarchy (1830 – 1848), when the country's population numbered around 30 million, the electoral corpus included only 240,000 people, and repeated proposals to enlarge it were periodically rebuffed, Prime Minister François Guizot's response to such a proposal being: „Enrich yourselves“.<sup>23</sup> On this occasion, Karl Marx wrote emphatically: „The July monarchy was nothing but a joint-stock company for the exploitation of French national wealth – its dividends were distributed among the ministers, the chambers and the 240,000 voters and their companions. Louis-Philippe was the director of this company. (...) It was at the summits of bourgeois society that unhealthy and vicious desires manifested themselves in that unbridled form, clashing at every turn even with bourgeois laws, in which wealth accumulated through speculation seeks satisfaction according to its nature, so that enjoyment becomes debauchery and money, like blood, merges into one“<sup>24</sup>.

In spite of the different political doctrines during the time of the July Monarchy, the thesis of Fr. Guizot (1787 – 1874), which was based on the notion that civil equality and legitimate forms of political inequality developed simultaneously in society. According to prof. G. Bliznaski, based on this thesis, **a parliamentary regime with censorship restrictions** was established, which was based on the clear and open distinction between two parts of the people.<sup>25</sup> Thus, in „revolutionary“ France, the levers of suffrage effectively „halt“ the universal suffrage of citizens (until 1848); again divide society into oligarchy and majority; and finally legitimise the various kinds of „new“ privileges.

One of **Britain's** major political problems in the second half of the XVIII and early XIX centuries had to do with the extremely limited number of individuals – some 1,200 people – who fully held the levers of power.<sup>26</sup> For this reason, political reforms in Britain in the XIX century led to the successive extension of the franchise, with the lower classes gradually being incorporated into the constitutional form of government established in the country in the decades following the „Glorious

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<sup>23</sup> See *ibid.*, pp. 163-164.

<sup>24</sup> See **The** class struggle in France from 1848 to 1850 – In: *Marx, Karl. Man and the Future.* Sofia: Iztok – Zapad, 2013, pp. 458-459.

<sup>25</sup> See **Bliznashki, G.** *Evolution...* Op. cit., pp. 165-166.

<sup>26</sup> See **Kiselova, N.** *Parliamentary Control.* Sofia: Paradigma, 2021, p. 70.

Revolution“ of 1688. There, the first electoral reform was in 1832, and was given the name of the „great reform“: it resulted in a doubling of the number of voters to 400,000 in a population of around 24 million, as a significant proportion of the middle classes in the cities and some of the wealthy farmers in the villages relied on the franchise. And alongside this, roughly fifty „rotten seats“ that are particularly odious to the enlightened public are being closed.<sup>27</sup> Moreover, this reform marked the beginning of a „golden age“ of parliamentarianism that lasted several decades, when the House of Commons took centre stage in national political life and set the country’s policy and the government implemented it. In this context, the government acts as a kind of „committee“ of the parliamentary majority, being expected to formulate policy decisions which are then submitted to parliament for discussion and eventual approval. Parliamentarism thus reached its classical form as a result of a certain democratisation of political life, but before the introduction of universal suffrage. The evolution of parliamentarism is linked to the rapid decline of the traditional influence of the crown and the aristocracy on the governance of the country.<sup>28</sup> Later followed a whole series of legislative changes of the kingdom, as follows: 1867 – electoral reform, which doubled the number of the electorate to nearly 2 million, giving suffrage not only to the urban middle classes, but also to the enlightened section of the proletariat; in 1870, the Civil Service Act was passed, as was subsequently the Secret Ballot Act (1872); and in 1885, a new electoral reform, which expanded the number of voters to 5 million, at the same time changing the electoral geography so that every voter had equal political weight.<sup>29</sup> In this way, the state is, once, really getting closer to real democracy, and, secondly, „encroaching“ on existing privileges, since all candidates for public office will now be appointed after a competitive process (according to the Civil Service Law).

In contrast to Britain, the quest for a freer political order in XIX-century **Germany** was largely dominated by the struggle for „freedom and unity“, i.e. the constitutional and national question. Here the unification of Germany as a result of the Franco-Prussian War of 1870 – 1871 led to the creation of a powerful nation-state in the form of a

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<sup>27</sup> See **Bliznashki**, G. Evolution... Op. cit., p. 169.

<sup>28</sup> See *ibid.*, p. 169.

<sup>29</sup> See *ibid.*, p. 172.

constitutional monarchy. And although the first pan-German basic law, the Imperial Constitution of 1871, had no revolutionary history, it was the result of the agreement of the sovereign princes to establish a new state, to which a political form must naturally be given.<sup>30</sup> Thanks to this, two systems were exercised simultaneously in Germany from 1871 to 1919: universal suffrage in the Reich and the censorship system in the federal states. This is how Article 20 of the Imperial Constitution came into being, which states that „the Reichstag shall be elected by universal, direct and secret suffrage“<sup>31</sup>, which however (through the imposition of qualifications) secured the power of the Prussian Junkers and rich men forever, turning them into a lifelong political elite.

So far, we have revealed the political development of some leading European states in the XIX century as a consequence of the influence of the French Revolution and the process of democratization of states through universal suffrage and the electoral reforms undertaken. From here on, however, we should logically focus on the problem of the different types of privileges (and benefits) of ruling elites, seeking to answer the question of **whether new political privileges existed after the rejection and abolition of feudal privileges.**

The trivial answer here would probably be that the privileges of power were abolished after the Revolution in almost all European countries, which gradually shook off absolute monarchies. The objective answer, however, tells us something quite different: despite the profound socio-political changes in the power, form of government and state institutions of many states in the XIX century, privileges not only persisted (modified) but also evolved into new political modifications. In this sense, in the differentiation of power privileges, two main types can be distinguished: „**classical“ privileges**, or those that directly derive from the participation of various high-ranking persons in power; and „**censorial“ privileges**, i.e. those that derive from the new constitutions and electoral laws, affecting a very small component of eligible citizens, as various censorial restrictions (on property, age, education, etc.) are legally regulated.

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<sup>30</sup> See *ibid.*, pp. 175-176.

<sup>31</sup> See **Andreychin**, L. *Organization of the Democratic State*. Sofia: SPS, 1992, p. 297.

The most striking example of the use of the „classical“ privileges of power in the XIX century was the various kinds of benefits (and advantages) that the Crown (the King) had **in Britain**. In this country, the supreme privilege of the crown’s maintenance by parliament is defined as the so-called „Civil List“, which takes care of the royalty during the entire reign of the respective monarch (1); no property taxes are paid to the state by the royal family (2); the king can „produce“ an unlimited amount of feathers in order to establish „harmony“ between the members of the two houses of parliament (3); the system of honors is actively developed with the support of the king, through which various honors are sold (titles, orders, medals, etc.) and which system was banned only in 1925, etc.<sup>32</sup> These royal privileges, along with their attendant „by right“ perks (special services, low prices, free transport, private security, etc.) were characteristic of all statesmen in Europe at the time regardless of the form of government of the state – monarchy or republic.

In the struggle between the new and the old in the political reality of the XIX century, it is no coincidence that the so-called „**qualification privileges**“ developed extensively in place of feudal privileges, which practically revived (in another form) and preserved the dozens of benefits of political power. Yet here it should be pointed out that **the imposition of various qualificational restrictions within the framework of universal suffrage actually constitutes one of the most distinctive political privileges, successfully replacing through modified variants the feudal status quo of this phenomenon (privilege)**. Alongside this, qualificational privileges actually legitimate the emergence of a new social group, the bourgeoisie, insofar as it is the latter that is able to respond to the excessive property and non-property constraints. In this context, **qualificational privileges** are subdivided into two main types – **property and non-property privileges**.

What are these qualifications?

#### **a) Property qualification**

As the oldest in electoral law, this qualification originated in the feudal state and was extremely popular during the era of early parliamentarism. According to the regulation of the property qualification, as we have already said, citizens are divided into „active“ and „passive“,

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<sup>32</sup> See **Kiselova**, N. Parliamentary... Op. cit., pp. 108; 102; and **Ferguson**, N. Op. cit., p. 368.



i.e. those who are deprived of the right to vote and to be elected on the basis of various direct and indirect property conditions. For example, according to the Declaration of the Rights of Man and of the Citizen, adopted by the Constituent Assembly of France in 1789, all citizens have equal rights and are divided into active (about 4 million people) and passive (about 3 million people). Active citizens are defined by three main criteria: 1) economic independence; 2) significant assets; and 3) high education. These criteria limit suffrage to economically independent and relatively affluent or educated men and exclude women, poorly educated men, and those with low incomes from the electorate. Subsequently, the franchise and the composition of the electoral corps in France have been changed many times, with the greatest restriction being achieved after the July Revolution in 1830 (200 000 voters in a population of 33 million). Similarly, in the United States, suffrage has long been regulated mostly at the state level, where the existing property qualification has traditionally required possession of a minimum amount of land. The state of New Hampshire was the first to liberalize this regime (1792), and North Carolina remained the last with such a qualification (until 1856). Subsequently, under the reign of the seventh American president, Andrew Jackson (1829 – 1837), suffrage was expanded in most states and practical property qualifications were no longer applied.<sup>33</sup> Suffrage itself was not seen as something natural, linked to the human person and therefore not subject to restriction and alienation – it was treated as a „social function“, the exercise of which was made dependent on the will of the state.<sup>34</sup> Particularly revealing here are the censorship restrictions on the right to vote in Europe, of which there are dozens of examples and facts.

In **England**<sup>35</sup> for example, until 1918, when universal suffrage was introduced for those aged 21 or over (excluding women), it was not natural, but based on some property relationship – ownership, tenancy or residence. Under the pressure of Chartism, two reforms of the

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<sup>33</sup> See **Todorov**, Ant. Op. cit., pp. 269-271; 275.

<sup>34</sup> See details in: **Bliznashki**, G. Principles of Parliamentary Governance. Second edition. Sofia: St. Kl. Ohridski, 2007, pp. 11-12; **Bliznashki**, G. Parliamentary Governance in Bulgaria. Sofia: Stopanstvo, 1995, p. 140.

<sup>35</sup> Here and on the next few pages the discussion of censors is based on the analysis of Prof. L. Vladikin (See **Vladikin**, L. Organisation... Op. cit., pp. 276-278).

electoral system were carried out in England in 1832 and 1867, which gradually lowered the level of the property qualification by including wider sections of the political community; yet it remained in force for a long time. After the reforms of 1867, the status of elector was acquired only if the person lived in a town and permanently in one building for at least 12 months; the premises, though rented, brought in an income of at least 10 pounds sterling; and paid taxes. Much later, in 1885, peasants owning or legally renting immovable property also became eligible to vote. And one more thing: in England, which is justly regarded as the birthplace of parliamentarianism, the elector is required to have some gainful occupation, and participation in local elections remains dependent on the ownership or tenancy of real estate. However, women become eligible to vote at the age of 30, and only if they are the wife of a local voter. In 1928, suffrage for both sexes was equalized and was acquired at the age of 21. Thus, according to L. Vladikin there was one elector for every 24 inhabitants in England after the reform of 1832, one for every 12 inhabitants after the reform of 1867, one for every 7 inhabitants after 1885, one for every 2 inhabitants after 1918, and 55 electors for every 100 inhabitants after 1928.

Another, widespread, way of limiting the franchise in Europe and America after the French Revolution of 1789 was to tie the voter to the payment of a certain amount of **direct tax** as a consequence of possessing some real wealth. In **France**, for example, the National Assembly of 1789, while recognizing the equal right of all citizens to form the general will, adopted a restrictive **qualification** system, namely: a primary voter was one who paid a tax equal to at least three daily wages, and a secondary voter (a two-tier electoral system was adopted) was one who paid ten daily wages.

Purely associational restrictions on the right to vote are also possible. An example is the so-called „**Prussian three-class system**“ applied in **Germany** (1871 – 1919). According to this system, voters were divided into three classes according to the amount of direct tax they paid. That is, each class elected the same number of representatives to parliament, even though the number of voters in each class was completely different. This is the number of electors in Prussia in 1850, divided by class: class I, 4.7% of the total number of electors; class II, 12.6%, and class III, 82.7%. Similar was the Austrian system of four curiae applied in

**Austria-Hungary** in the period 1873 – 1907. No less original is the **Belgian qualification system**, adopted in 1893 by a special amendment to the constitution, which provides for **multiple voting**, consisting of the following: every full citizen is entitled to one vote, but whoever is the father of a family (or owns property worth up to 2,000 francs, or at least 100 francs a year in capital rents) **is entitled to one additional vote**.

After excruciating historical torment, the property tax has been completely rejected by humanity. For the giving of more votes to the wealthiest and the disenfranchisement of the lowly lived out their time in the XIX century, when the property requirement was finally abolished in England (1918) and universal suffrage for men was introduced. Until then, however, land had been the leading source of privilege, but the landed gentry gradually ceded some of their rights to Parliament. Here is how things stood in other countries: in France the fiscal requirement in voting dominated, and after the French Revolution the bourgeoisie took over the leadership of politics, establishing a censorship system on tax payments; in Germany until 1919, as already noted, the two systems (universal suffrage in the Reich and the qualification system in the federated units) operated simultaneously; in Belgium, too, supplementary votes were provided for, where the better-off had a double vote and the best educated a triple vote; in our neighbour Romania, universal suffrage was introduced in 1917, In Serbia, a tax qualification was used, which was abolished with the adoption of the 1921 constitution; in Italy, universal suffrage was introduced in 1912; in Spain, in 1980; in Sweden, Austria and Norway, in 1907; in Finland, in 1920.<sup>36</sup> etc.

#### **b) Non-property (educational) qualification**

This qualification is a kind of disguised form of the previous one, because it assumes that **the need for some training and a certain amount of knowledge is a prerequisite for voters to vote reasonably**, whether they own property or are unable to pay a certain tax. Of course, education is not an absolute indicator of a successful political orientation, or indeed of maturity in thinking. Because in the states there are always very well oriented in political-public affairs uneducated people as well as extremely incompetent in political terms individuals with too high education. Depending on this, the introduction of

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<sup>36</sup> See **Vladikin**, L. Organization... Op. cit., pp. 277-278; 279-281.

such a qualification in terms of active law has no logical justification from a human rights perspective.

The world's first educational qualification normatively found a place in the Acts of the American Revolution, unlike those of the French Revolution, which did not provide for such an act. For it is well known that the first democratic republics of the New Time from the beginning treated suffrage as a public office, whereby civil equality by no means implies any political equality either.<sup>37</sup> Here the leading activity is governance, which requires great competence, knowledge and responsibility, which is why for the „founding fathers“ of the USA education was an important factor (and criterion) for the presence of such qualities in citizens.

### c) Other electoral qualifications

Historically, the total abolition of property censors has been accompanied by other, non-property, restrictions on suffrage, which can be systematized as restrictions by religion, age restrictions, occupation restrictions, gender restrictions, etc. Here we will further illustrate these restrictions with some examples from electoral practice in history.

Among the **qualifications** mentioned, the most ancient are those that **relate to religion**, such as in the United States, for example, where initially only Protestants were granted the right to vote in the XVIII century (New Jersey, Georgia, Carolina), while Catholics and Jews were excluded and disenfranchised (only in 1825 in Maryland, USA, Jews were granted voting rights), and in Romania the modern constitution adopted in 1886. The modern constitution of 1886 did not grant citizenship to Jews (they were granted the right to vote in 1923), but only to Christians; **age restrictions** were also high in the more conservative constitutions (21 – 25 – 30), in contrast to the liberal ones, which sharply lowered the voting age to 18 – 20 (in Brazil, 16); and **occupational restrictions**, where most often military and religious officials had their voting rights suspended, as for example in France from 1872 to 1995, in the State of Texas, USA, under the Constitution of 1876, etc.<sup>38</sup>

There is no doubt that since the removal of all censors and the granting of **voting rights to women** have been the greatest expansion

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<sup>37</sup> In this case, the purpose was to restrict the voting rights of black Americans (See **Todorov**, Ant. Op. cit., pp. 269; 275).

<sup>38</sup> See *ibid.*, p. 275.

in the size of the electorate in the country. No similar effect can be achieved by removing any other qualifications (including property qualifications). We will therefore note that the first instance of women's suffrage was the adoption of the Second Constitution of Corsica (1794 – 1796), but after the French invasion it was repealed and the French legal regime giving suffrage only to men came into force (1848), with French women gaining the vote a century later. And otherwise universal active suffrage was first granted to women in New Zealand in 1893 (passive only in 1941), unlike most European countries, etc.<sup>39</sup>

If we are to synthesize what has been said so far about privileges in general and censorial privileges in particular, we should note **a few significant things: first, ever since the victory of the Great French Revolution in the XIX century, the French have been in the process of establishing a new system of privileges; second, in contrast to the European Middle Ages, during which privileges were entirely the priority of the aristocratic feudal and other wealthy classes, after the victories of the bourgeois revolutions, and especially from the beginning of the XIX century, censorial privileges were totally imposed as politically motivated by the authorities, becoming the foundation of the new ruling elites led by their core political oligarchies; third, with its dozens of modifications, privilege in general and censorial privilege in particular have always served the dominant minorities, as evidenced by the percentage of voters who vote (In England, for example, only 8% of the population vote, and that after 1885; in Italy, 1% of the population, between 1871 and 1882, and so on.)<sup>40</sup> and which constitutes a drastic form of inequality in politics, to the detriment of the huge electoral masses in European countries.**

### 1.3. The Paris Commune and privileges

Among the many social political events of the XIX century, we must foreground the Paris Commune in France, which lasted only 72 days, from March 26 to May 28, 1871. The importance of this event is usually

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<sup>39</sup> See **Manolov**, G. Elections and electoral systems... Op. cit., pp. 64-65.

<sup>40</sup> See **Pantev**, Andrey. The Birth of... Op. cit., p. 105.

underestimated because it is either judged from extreme ideological positions or quietly dismissed under the heading of „communist“. However, this is the wrong approach because, although short-lived, the Paris Commune represented an attempt to change power from which very serious lessons (for social development in general) can be drawn. Moreover, during its existence the Commune made some very meaningful institutional changes that had not been implemented at all until then.

In fact, the history of the Commune – writes the French scholar Marc Ferrault – must be sought in an older revolutionary past, which resurfaced with the emergence towards the end of the Second Empire of a strong republican party, expressed in the programme of the town of Groningen. Belleville. Contributing to the strengthening of the party was the labour movement, whose activists, inspired by Proudhon, believed that „no reform can be achieved unless the old political state is destroyed“. The republican idea and the workers' movement meet in most of the large cities which receive the emigrants from the countryside and where the working and „dangerous“ classes flock, and where great strikes break out – Le Creusot, Lyon, Marseilles, Rouen. It can be said that in opposition to the Empire there is also a republic of cities, which won victory in the elections of 1869, most notably in Paris.<sup>41</sup>

It is known that the Paris Commune is headed by the Central Committee of the National Guard, which is composed of two delegates from each of the 20 districts and one battalion commander, all elected by the general assemblies of the companies, battalions and regions (direct democracy in action). Furthermore, the Commune calls on all French communes to establish their own political and social order, with nationwide interests to be realized by a special congress of the communes' delegates.<sup>42</sup> Subsequently, in the municipal council elections held on 26 March, 160,000 people declared themselves in favour of the Commune and 60,000 against it, bringing 71 Communards and 21 opponents into the Paris Commune, the latter taking virtually no part in its work. And after the by-election of 16 April, the Commune now has 19 representatives of the International Workingmen's Association, 20 Blanquists, revolutionary Jacobins and Socialists.<sup>43</sup> That is to say, power

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<sup>41</sup> See **Ferro**, M. Op. cit., p. 305.

<sup>42</sup> See „*Novo vreme*“ *magazine*, No. 3 – 4, March-April 2021, p. 166.

<sup>43</sup> See id.

has been almost entirely taken by the Communists and their allies. Later, on April 19, the Commune adopts a Declaration to the French people, which will very soon become its testament.

As a new organ of power, the **Commune Council implemented both executive power and legislative activity.** On 21 April, the Paris Commune approved 10 commissions: executive, military, financial, public security, food, legal, labour and exchange, foreign relations, public service, and education. A salary ceiling of 6,000 francs is also introduced for members of the Commune, and in most cases it is considerably lower.<sup>44</sup>

As for the social decisions of the Commune, they were: the citizens were released from the accumulated rent debts from October 1870 to July 1871; the payment of debts was postponed; items pawned before 26 April (clothes, furniture, books, work tools) with a value of up to 20 francs were returned without ransom; wage deductions, night work in bakeries, and child labour were prohibited; a minimum wage was set; and the wages of clerks were equalized with those of skilled workers.<sup>45</sup>

One of the most thorough assessments of the Paris Commune as a new form of republican government was **Karl Marx's** work *The Civil War in France*, which has not lost its political relevance to this day.

„The commune – points out K. Marx – was made up of city councillors **elected from the various districts of Paris on the basis of the common suffrage.** They were responsible and could be recalled at any time. Their majority consisted, of course, of workers or recognised representatives of the working class. The Commune was to be not a parliamentary but **a working corporation, both executive and legislative.** The police, until then an instrument of state power, was at once stripped of all its political functions and turned into a responsible organ of the Commune, replaceable at any time. The same happened to the officials of all other branches of government. Beginning with the members of the Commune from top to bottom, every public office was to be performed for the wages of the worker. **The acquired privileges and representative money of the higher dignitaries of the State disappeared along with those dignitaries themselves.** Public offices ceased

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<sup>44</sup> See *ibid.*, p. 167.

<sup>45</sup> See *id.*

to be the private property of the protégés of the central government. Not only the city government, but the whole initiative which had belonged to the State, passed into the hands of the Commune...

**Judicial officials** have lost that semblance of independence which served only to mask their subservience to successive governments, to each of which they in turn swore allegiance and then broke it. Like all other officials, they **had henceforth to be elected openly, to be accountable and replaceable**<sup>46</sup> (*emphasis mine – G. M.*). From these reflections of Marx something very essential is evident, which a number of other thinkers have not noticed, namely: the author admires the universal suffrage, speaks for the merger of the two kinds of power – the executive and the legislative (and not the three) and unconditionally supports the abolition of the privileges of the highest dignitaries of the state.

It is not difficult to observe that in the course of the Paris Commune **many privileges of power** were literally **liquidated**, some of which are of an age-old character, and which are as follows:

**First. Recall of MPs from Parliament at any time** (by dissatisfied voters).

**Second. A drastic reduction in the salaries of MPs** (not to exceed the average workers' wage).

**Third. Prohibition of all representational expenses of senior state dignitaries** (officials, employees, experts, etc.).

**Fourth. Abolition of the privileges of the families of the Commune's activists** (for example, the wives of high-ranking Commune officials now wash clothes on the banks of the Seine, along with everyone else).

**Fifth. Impose a salary cap of 6,000 francs on the leading members of the Commune** (in many cases this money is less).

Amid all this, the leaders of the Paris Commune introduced a number of **social privileges** for the working class, such as: establishing a compulsory minimum wage; writing off workers' indebtedness in connection with high rents; setting pensions for the families of fallen combatants; providing housing for the poor; giving free books and breakfasts to schoolchildren, etc.

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<sup>46</sup> Marx, Karl. Man and... Op. cit., p. 535.



It would not be an exaggeration, therefore, to say that **the Paris Commune as a phenomenon attempted to impose a kind of restrictive standard for the enjoyment of political and social privileges that did not exist in any other European country until then. In other words, it was the first recent attempt in the XIX century to introduce some kind of universally acceptable order in the enjoyment of different kinds of privileges in order to regulate in some way the problems of socio-political equality. This – one the one hand. And another – the failure of this social experiment comes both from the utopian views of its development (the merger of the two powers, the participation of unskilled workers in senior positions, the imposition of public self-government, the ignoring of state institutions) and from the unpreparedness and unwillingness of French society to accept a new type of political system imposed by the Paris Commune.** In fact, this conclusion is confirmed by the subsequent development of European states in the XX century, when totalitarian political regimes with left and right flavours and with their claims to messianism on planet Earth came to light.

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And so, it is our turn to make some fundamental generalizations that arise from the analysis of the present issues during the historical period under consideration.

One generalisation is related to the fact that the XIX century saw **a contradictory development of democracy, which, although in its initial stages, was already developing legal rules of interaction and functioning between parliament, government and the head of state** (monarch and president). Or, it is that such important institutions (of power) have been formed and are actually working in the state, which are entirely based on parliamentarism, constitutionalism and suffrage. This is a key moment in the historical evolution of European states, because they are, albeit slowly, consistently shaking off feudal orders in politics.

The other generalisation stems from the fact that **universal suffrage is becoming the main indicator of the degree of democratisation in individual countries.**<sup>47</sup> This is undoubtedly the case, although we

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<sup>47</sup> See **Pantev**, Andrey. The Birth... Op. cit., p. 105.

cannot call everything democratic, because until the end of the XIX century, and in many respects until the First World War, women did not have the right to vote. Until then, the percentage of women with the right to vote in most countries in Europe was around 30% to 35%, and in the United States it was below 50%.<sup>48</sup> That is, the big question here is to what extent the elections held actually legitimised the representativeness of the institutions in the various countries, and whether adequate mechanisms were sought to limit censorship privileges (because they gave more rights to a minority of voters, i.e. to wealthy, rich and propertied people).

The third summary follows from the previous two because it interprets **the emergence, nature and development of political parties in the XIX century**. This came about with the creation of the so-called „notables parties“, which were the offspring of the early capitalist period, expressing the interests of the bourgeoisie and of the mass parties, which were the defenders of wage labour. Thus, in the course of time, the first political parties were formed during the period under consideration, such as that of the Tories on the basis of their Carleton Club structure (1831), or the Conservative Party, and the other of the Whigs through the Reform Club (1836), i.e. the Liberal Party. Together with these appeared a little later the first mass political party in Europe, the English Liberal Electoral Registration Society (1861), the General German Workers' Union (1863), and so on. Or, in the second half of the XIX century (and especially at its end) parties occupied an important place in the political life of societies as intermediaries between the electorate and the state in direct dependence on the application of universal suffrage.

The following summary refers to **the critique of political democracy in general and universal suffrage in particular** by the classical liberal thinker **John Stuart Mill** in his books *On Liberty* (1859) and *Reflections on Representative Government* (1861). In them he makes several strong arguments against universal and equal suffrage. He begins with the classic argument that „**an assembly which votes taxes, whether general or local, should be elected only by those who pay something in the way of taxes imposed**“. The idea that only the taxpayers should

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<sup>48</sup> See id.

vote is the opposite of the principle of „no taxes without representation“,<sup>49</sup> which was the watchword of the English and American Revolutions. Mill therefore believed that it was better to impose direct rather than indirect taxes, which meant that „the receipt of poverty relief should entail unconditional disenfranchisement“. In other words, people on welfare should not be allowed to vote, as they are parasitic on the backs of taxpayers.<sup>50</sup>

Mill's second argument against equal voting rights has to do with voters' qualifications and sense of responsibility. He does not dispute the principle of the universality of voting rights, since „the possession and exercise of political as well as electoral and other rights is one of the chief instruments of the moral and intellectual education of the people.<sup>51</sup> And as we have noted before, he **criticizes the principle of „one man, one vote“** and on this basis points out that Louis Napoleon was elected President of France by millions of „peasants who could neither read nor write and whose knowledge of public men, even of their names, was limited to what they had heard of them“<sup>52</sup>. Furthermore, Mill writes, „To the assertion that all men should be equal in respect of all rights recognized by society, my answer is, Not until all deserve equality as human beings“<sup>53</sup>. And while he is right in some respects, John St. Mill is implicitly defending the censorship privileges serving the new bourgeois class with this trenchant critique of universal suffrage.

The fifth summary sees **the growth of the modern constitutional state** from the ruins of rotten absolute monarchies. Here, as Prof. L. Vladikin, **the propertied ruling classes** do not lose all their influence in state affairs because they **manage to compensate somewhat for the loss of political privileges with the privilege of personal material well-being**. Parliament becomes the most important organ of the state, and the plutocracy (the Third Estate, the bourgeoisie), aided by the surviving patrimonial aristocracy, makes an effort to capture it through the

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<sup>49</sup> Cited in: **Fukuyama**, Fr. Political Order and Political Decay... Op. cit., p. 470.

<sup>50</sup> See id.

<sup>51</sup> See id.

<sup>52</sup> See *ibid.*, pp. 470-471.

<sup>53</sup> See id.

electoral system adapted for the purpose.<sup>54</sup> In other words, the privileges of power are preserved by means of elected parliaments as modified benefits and advantages for the ruling elite.

The following generalisation is of the utmost importance, because in the censorship regimes of the first half of the XIX century it was believed that MPs who worked for the common good of the nation should not be remunerated, the understanding later being that they should only be reimbursed for their expenses. Hence the term „parliamentary indemnity“ (*indemnité* – from the Latin *indemnitas*, i.e. indemnification for damage or loss) in French literature. And insofar as parliamentary sessions were rare and brief in the XIX century, indemnity was intended to cover the expenses of individual deputies during sessions. Subsequently, however, things changed abruptly.<sup>55</sup>

On this occasion, it is interesting to note, for example, that the 1871 Constitution of the German Reich contains an explicit prohibition on members of the Reichstag receiving remuneration or compensation. Thus, Otto von Bismarck, Chancellor of the United Reich, kept both the „proletarian elements“ and the „professional deputies“ out of parliament. But the affirmation of universal suffrage entailed **the introduction of full remuneration for parliamentary labour**. Moreover, the sessions became lengthy and the problems faced by MPs became increasingly complex. Parliamentary intemperance thus proved to be an important element in the democratisation of political life, for: in France it took place after the Revolution of 1848, in Germany after 1906, in Britain after 1911 and in Italy after 1912. At that time, parliamentary intemperance was seen **as a means of protecting MPs against potentially divergent pressures, temptations, corruption and privilege**. In this sense, parliamentary indemnity is nothing other than the remuneration received by MPs primarily to ensure their material independence, whereas nowadays this remuneration should provide MPs with a decent standard of living and protect them from corruption.<sup>56</sup> This is an essential moment in the historical development of parliamentarianism in Europe, since the introduction of parliamentary salaries also put some initial legal barrier to political privileges.

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<sup>54</sup> See **Vladikin**, L. Organization... Op. cit., p. 276.

<sup>55</sup> See **Bliznashki**, G. Parliamentary Law... Op. cit., p. 196.

<sup>56</sup> See *ibid.*, p. 197.

The seventh generalization is reflected in the preservation of the **so-called „system of honours and titles“**, which was particularly strong towards the end of the XIX century in many European countries, especially in Britain. This system aimed at maintaining a distinction between distinguished contemporaries and the hereditary aristocracy, according to which the highest aristocratic title was „duke“ („duc“), followed by „marquis“, „count“, „viscount“ and „baron“. In this case, most of the 26 dukes with no blood connection to the royal family hold titles dating back well before the XIX century, and they include some of the country's wealthiest private landowners.<sup>57</sup> And another thing – the vast majority of the feathers (the aristocracy) are barons, with titles given to almost all of them in the XIX century. That is to say, the system of titles was more than a small ritual of recognition for „services rendered to the country“, for it expressed cohesion between the rich and the powerful and gave a formal expression of acceptance to newcomers.<sup>58</sup> Or, it is such a system of honors and titles that democratically preserves its privileges – we would add.

The eighth generalization corresponds to the realization of **the ideas of the Paris Commune** in their part of **abolishing most of the privileges** then enjoyed by the authorities. Although sporadic, this attempt to change the status quo in terms of the consumption of parliamentary and other privileges was highly contagious for the masses, even though it remains only an initial ray of light in the closed spaces of wealth and power.

A final generalisation in the context of the present issues is that in the XIX century in Europe there was **an ongoing struggle to establish first male and then universal suffrage**. The founding document for the campaigners for electoral reform was the *People's Charter* issued by the Chartist movement in Britain in 1838. It set out the following few aims: **suffrage for all men over 21 (if not convicted), with no property qualifications; secret ballots (in this era, voting was open everywhere); abolishing property requirements for candidates and giving MPs a salary in the House of Commons so that working-class people could also become MPs; new redistricting and districts equal in size**

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<sup>57</sup> See **Giddens**, Anthony. Op. cit., pp. 393-394.

<sup>58</sup> See **Vinarov**, Iv. B. The Bulgarian electoral system... Op. cit., p. 37.

**and population; and fixing MPs' terms of office at one year (to reduce corruption).<sup>59</sup>**

Driven by these demands, most forward-thinking politicians of the second half of the XIX century implemented fundamental and electoral reform. In Switzerland, universal suffrage for men over 20 was introduced immediately after France (which did so after the February Revolution in 1848). The other „old“ democracies introduced it later: in Belgium, it was in 1893 for men over 25; in the USA, by the 15th Amendment as early as 1869, but did not really begin to be applied in the full sense of the term until 1920; in New Zealand, property qualifications were abolished in 1879; in Spain, the universal right for men was introduced in 1869; in Britain, the Weimar Republic and Sweden, after the First World War (in 1918, 1919 and 1921 respectively). The introduction of universal suffrage in the late XIX and early XX centuries inaugurated a new stage in the development of the theory and practice of representative government, marking the beginning of so-called „mass politics“ and leading to the formation of party and political systems of a modern (contemporary) type. Politics thus turned from a concern of the elite into an occupation of the masses and millions of people became involved in political organizations. And with the expansion of voting rights, millions are now directly involved in determining state and local government.<sup>60</sup> Put differently, **the affirmation of universal suffrage „breaks“ the entrenched notion that only a limited political (and wealthy) minority has exclusive prerogatives to participate in the electoral process and to enjoy all kinds of power, governance, and censorship privileges from state institutions.** Therefore, and quite logically, with the widespread implementation of universal suffrage in European countries, censorship privileges are gradually being abolished as a proven political archaism.

Such is the result of our „research wanderings“ through the now distant XIX century, in which we attempted to chart the evolution of political privilege during this important historical period.

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<sup>59</sup> See *ibid.*, p. 37.

<sup>60</sup> See *ibid.*, pp. 37-38.

## 2. TOTALITARIAN POLITICAL PRIVILEGES IN THE XX CENTURY

Following the historical logic of exposition, we should continue our analysis with the manifestations of political democracy and the imposition of its forms (along with privileges) of the late XIX and the first half of the XX century. However, since the new totalitarian regimes (as the antipodes of democracy) appeared on the European scene already at the beginning of the XX century, it is necessary to look a little more closely at their characteristics as power and state in order to penetrate as deeply as possible into the reasons for the total spread of privilege in these societies.

### 2.1. Power under totalitarianism

The emergence and development of totalitarianism is one of the most striking and distinctive forms of social organization in the last XX century. Its existence is a logical consequence of the political struggles between opposing social forces and a legitimate result of the action of a whole range of objective and subjective factors that predetermine the totalitarian existence of societies in different countries. This makes it necessary to examine totalitarianism and its main forms, fascism and Stalinism, in more detail from their theoretical and historical genesis to their total collapse. Moreover, social thought in the former „socialist“ countries is still burdened with a number of dogmas and postulates concerning the real nature of totalitarian societies. Not only that, today, more than 30 years after the collapse of totalitarian socialism, there are still scholars, experts and specialists who continue to believe that totalitarianism was nothing but some ideologized theory...

„Totalitarianism“<sup>61</sup> as a concept dates back to the early 1920s in Italy, when the then official opposition (to fascism) used the term to characterize the interference of the executive in the overall social life

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<sup>61</sup> The term derives from the Latin word *totalitarian* – common, general. Its etymological root is *toto* – whole. The literal semantics of this term means „universal“, „all-encompassing“, „complete“, and in modern times (and in literature) „totalitarianism“ and „totalitarian regime“ are very often considered synonyms. And the word „totalitarianism“ itself first appeared in the early XX century in one of the works of the Italian philosopher Giovanni Gentile, after which it acquired mass usage from the early 1930s in Europe.

of the country. Gradually, the concept was extended to the Bolshevik regime in Russia after the October Revolution of 1917 and finally legitimised in the 1930s, following the imposition of National Socialism in Germany, Fascism in Italy and the Francoist dictatorship in Spain.

Almost at the same time, the initial studies of totalitarianism by the Italian politicians and historians Francesco Nitti, Filippo Turati and Luigi Sturzo emerged. In these studies we also find the first attempts at a comparative characterisation of the two types of political regime (fascist and Stalinist), without, however, precisely differentiating the nature and meaning of the term „totalitarianism“.

A more serious, albeit initial, step in the evolution of totalitarian theory can be defined as the scientific conference held in the USA in 1939 on this theory. Above all, its significance lay in two things: first, in the differentiating analyses of the categories „authoritarianism“ and „totalitarianism“; and then, in the systematic generalizations (for the first time) of the most important features revealing the character of totalitarian forms and methods of domination. During this period – **until the end of the Second World War** – one of the first major researchers of fascist totalitarianism, **Franz Neumann**, developed the theory decisively in his work *Behemoth. Structure and Practice of National Socialism*, which **basically ended the first stage in the evolution of the theory of totalitarianism**. The most distinctive feature of the stage is the fact that almost all scholarly directives are concentrated on the specifics of the totalitarian fascist state, while Stalinist „socialism“ is given comparatively less attention.<sup>62</sup>

As is well known, **the classical theory (and concept) of totalitarianism was „born“ in the 1950s, and its founders were the American political scientists Hannah Arendt, Carl Friedrich and Zbigniew Brzezinski**. But before examining this concept, a brief logical digression is in order.

As early as 1835, **Alexis de Tocqueville**, in his landmark work *Democracy in America*, predicted with astonishing scientific accuracy the future totalitarian nature of XX-century society. And although he did not directly use the term „totalitarianism“, he was strikingly clear in defining

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<sup>62</sup> See **Manolov**, G. *Stalinism...* Op. cit., p. 3.



this type of social order (totalitarian), noting that the words „despotism“ and „tyranny“ were inapplicable to characterizing this society.

**„The first thing that attracts attention“,** Tocqueville writes, **„is the innumerable multitude of men, all equal and identical,** incessantly pursuing petty and insignificant pleasures to fill their existence. (...) **Over these human beings stands a vast stewardship** which has taken upon itself the satisfaction of their needs and the guardianship of their destiny. **This power is absolute, all-pervading, immutable, caring and moderate** (...) It seeks to keep human beings in a state of eternal childhood. (...) **This supreme power lays hands on the whole of society.**<sup>63</sup>

Al. de Tocqueville’s insightful thoughts not only largely defined the nature of totalitarianism, but also directed classical researchers (of totalitarianism) in the XX century to its rooted genetic origin.

Indeed, in his seminal work *The Origins of Totalitarianism* (1951), **H. Arendt** derives the roots of this phenomenon from the process of the development of European civilization, and in particular as early as the XVII and XVIII centuries. According to her, the primary prerequisite and **the broadest basis for the emergence of totalitarianism are mass social movements** based on a certain historical context and a specific social-psychological motivation. On the basis of this her thesis the most important **characteristics of totalitarian society** can be formulated by H. Arendt: **the first is the nature of totalitarian movements**, which are formed and created where there are huge masses of people striving for political organization. **In the second**, the main place **is given to totalitarian domination**, which (unlike totalitarian movements) is unthinkable unless the whole social sphere of life is collapsed, i.e., unless it simultaneously crushes both people’s political capacities and their individual private lives. **In the third characterization of totalitarianism** by H. Arendt examines in detail **the mode of functioning of the totalitarian state itself**, in which two key levers of government stand out: **the first is the anti-democratic character of power, where „...the demand for unlimited power is enshrined“;** and **the second is the so-called „dual power“ of party and state** as an inevitable attribute of the one-party monopoly. **And in the fourth characterization**, made by H. Arendt, par-

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<sup>63</sup> Tocqueville, Al. *Democracy in America*. Moscow: Progress, 1992, pp. 496-497.

ticular attention is paid to certain **political mechanisms, such as totalitarian ideology, totalitarian propaganda, totalitarian terror**, etc., by means of which total domination is established over both the individual and the state, and over civil society, i.e., over the entire social space.<sup>64</sup>

**The merits of H. Arendt, are many, but if we have to point out the most significant of them, in our opinion it is the problem of power, of totalitarian domination and the mechanisms of their functioning as key transmissions for the establishment and enforcement of any totalitarian political regime.**

In the development of the question of the nature of totalitarianism, a serious scientific contribution was made by the famous American scholars **C. Friedrich** and **Zb. Brzezinski**. In their renowned work „Totalitarian Dictatorship and Autocracy“ (1956), the two political scientists argued that totalitarianism is „**a totalitarian dictatorship which is organized into a system of domination and is designed to carry out certain totalitarian designs in modern political and technical conditions as a new type of autocracy**“<sup>65</sup>. On this basis they also define the characteristics of totalitarian regimes, which the authors call the „totalitarian syndrome“ and which are valid for all totalitarian societies.

After the classical period in the development of the theory of totalitarianism, **in the last three decades of the XX century** a number of new views, concepts and ideas about the immanent nature of totalitarianism (and about the characteristic features of totalitarian societies) appeared, such as those of Robert Nisbet, Alain Turenne, Karl Popper, Giovanni Sartori, etc.

In the sense of what has been said above, **totalitarianism can be defined as such a regime of domination and rule in which power is absolutized to the extreme (to the point of absurdity), is concentrated in a single political subject (leader, elite, oligarchy) and with the help of dictatorial (and centrally coercive) methods it (the regime) subordinates human individuals, the rule of law and civil society to its goals.**

From the concepts and definition of totalitarianism presented, several **common and identical features (elements)** valid for both fascist and Stalinist totalitarian regimes can be derived, namely: **a monopolistic**

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<sup>64</sup> **Arendt**, H. Totalitarianism. Sofia: Panorama, 1993, pp. 25; 44.

<sup>65</sup> Cited in: **Totalitarianism**. What is it? Part II. Moscow, 1993, p. 85.

**party (political monism) with a single leader (political leader); a single ideology (ideological monism); comprehensive social control and over-centralized social structures; and social terror in a variety of forms.**

In this context, in our view, **the most essential components of totalitarian power** can be codified as follows:

1) A totalitarian government is a **one-party political power** that consists of one supreme center, one ruling party, and one exclusive leader.

2) Totalitarian power is **absolute, pervasive and irreplaceable**, and as such it is thoroughly anti-democratic and anti-human both in its profound nature and in its content.

3) Totalitarian power is **pseudo-institutional**, since the state and institutions function in a completely formal way and are essentially appendages of the supreme subject in the person of the „party state.“ That is to say, there is an inverse concentration of power: solely in and at the top at the expense of its diffuse distribution among state institutions, linked to their legal prerogatives.

4) Totalitarian power organically contains within itself a **specific kind of power – party power**, insofar as the roots of pluralism are liquidated, and with this is legitimized (in most cases) the de facto domination of the single ruling party. In this sense, party power is the core of all totalitarian political power.

5) Totalitarian power is **dominant pyramidal power** in absolute and unlimited proportions because the power mechanism is over-centralized and the party-political elite concentrates in their hands all the power resources of the state and society.

6) Totalitarian power manifests itself as a particular **axiomatic coercive power**. Under it, irrational and unjustified coercion is the only means of imposing the will of the ruling political subjects. Or, power under totalitarianism atrophies to such an extent that it gradually becomes the power of coercion (without persuasion), the power of domination (without consent), the power of violence (without dialogue), and the power of manipulation (without influence).

7) Totalitarian power is **charismatic dictatorial power**, because the totalitarian regime itself and the party-political oligarchy cannot exist without recognizing and upholding the „exclusive rights“ of the one-man leader and his forceful methods of influencing society.

8) Finally, totalitarian power can also be defined as **total power**, because it immanently accumulates („absorbs“) the negative of almost all known historical forms of ugly political power: dictatorial, autocratic, authoritarian, despotic, tyrannical, cultish, etc., i.e. it is **power unrestricted by any laws**. In this sense totalitarian rule differs significantly from the various types of authoritarian dictatorship and despotic regime, since „total domination is the only form of rule with which co-existence is impossible“ (H. Arendt).

Based on these substantive aspects of totalitarian political power, it is possible **to conclude** that: **firstly, in the totalitarian state power is all-pervasive and immense regardless of the degree of its utility and applicability (under Nazism and Stalinism); secondly, totalitarian power is such a power in which party power (and the new political class formed) occupies a central and exclusive place as a bearing construction of totalitarianism in general; and third, totalitarian power is a power of antivalue, at least due to the fact that the existing relations of domination and subordination between political subjects and objects are entirely used by (and belong to) the totalitarian political elite. This is, in our view, broadly the social philosophy of power in totalitarian political systems.**

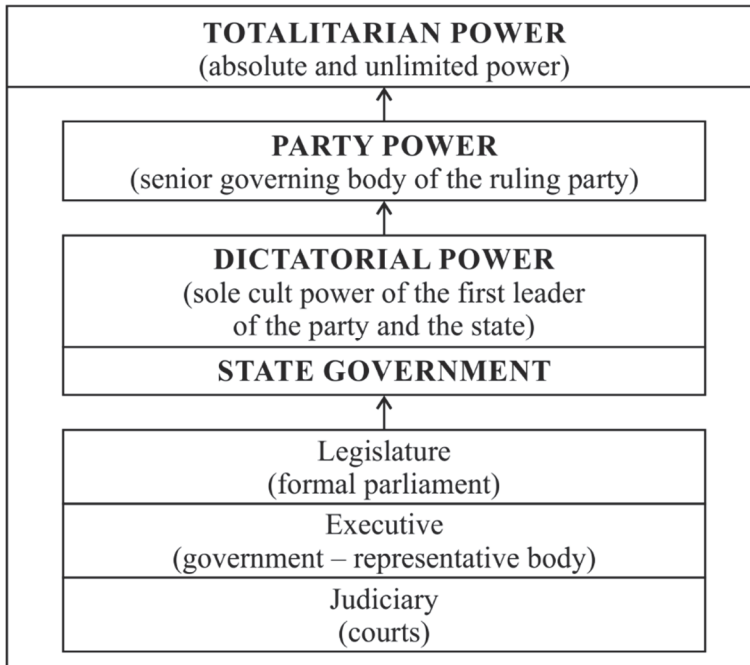
When we consider the problem of totalitarianism from a theoretical point of view, another question also arises: what are the nature and functions of the state in the political system of a totalitarian society? Perhaps the most succinct and meaningful answer to this question is given by one of the famous Nazi theorists, Prof. P. Ritterbush „**A totalitarian state is one by means of which a party or an ideology has risen to totality and has claimed exclusiveness in the political construction of national life**“<sup>66</sup>. This claim effectively nullifies both the security of the state and its basic functions, and essentially ends the functioning of the rule of law in favour of the totalitarian state. Alongside this, the totalitarian state opposes civil society by liquidating democracy, abolishing political pluralism and forming caste-based social organizations. In this way, the totalitarian-type state is able to penetrate, control, associate with and absorb almost all spheres of social life. In this context, it is even difficult to distinguish between the concepts of

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<sup>66</sup> Ritterbush, P. Democracy and Dictatorship. Sofia: Balgarski podem, 1941, p. 61.

„totalitarian state“ and „totalitarian society“ because the state under totalitarianism is anti-state compared to the rule of law, and society is undemocratic compared to civil society (see *Diagram No. 8*).

**Diagram No. 8. Structure of totalitarian power in the state**



The diagram shows that in the political model of totalitarianism, power has all the essential features of totalitarian power – over-centralisation, pyramidity, unlimitedness, etc.

In turn, the structure of totalitarian power manifests itself at two **main levels**: the macro level and the more specific, functional, level. At the **first, macro, level**, totalitarian power in general acquires vast and unbounded dimensions in time and space, which is where its anti-value essence is inferred, i.e. it has become an anti-value power. Within the **second, the functional level**, three sublevels of the manifestation of power can be defined: **in one**, the functions of power (and types of power) operate in contradiction to all legal and other norms, because the gradation of types of power is inversely proportional – **party, dictatorial and state**, in which party power is dominant in opposition to

the classical separation of powers, i.e. State power has a subordinate, secondary importance in the totalitarian hierarchy; on the **other sub-level**, the specific place of **dictatorial power** (with its inherent authoritarian symbols and attributes) comes to the fore, constantly possessing one or other representatives and all possible functions vertically and horizontally (of the authorities), thus further blurring even the relative boundaries of the existing totalitarian powers; and **on the third sub-level**, the party-state elite of the ruling party emerges as the main subject of power, gradually becoming a new political class with its own image, composition and specificity.

In the course of these reflections, the essential question of what is the functional nature of the state in the political system of totalitarianism logically arises. The first and synthesized answer to this question is: it is **the totalitarian state** that encompasses the whole of society, places itself above it, and through the dictator possesses the state itself through the commanding heights of power and reduces it (power) to its narrow and personal interests.<sup>67</sup> And further, the totalitarian state uses all the familiar dictatorial means and methods to exercise power – coercion, violence, repression, terror, dictatorship, etc.

Finally, in deriving **the characteristic features of the totalitarian state**, we will rely on **two interrelated** (but also specific) **criteria**: one is power, according to which this state is a „party state“ (or party state) a dictatorial state, an apparatus-bureaucratic state, an over-centralized and ideologized state; and the other is the principles of governance, according to which there is unity of powers, pseudoinstitutionalism and total control over state organs.

From the above characterization of totalitarian power in the state, a generalizing conclusion is drawn: both in terms of its nature, structure, and institutional functionality, the state is more akin to anti-stateism than to the civilized democratic norms for the existence of any state, regardless of the form of its government. This is also the main reason why totalitarian states develop endlessly all possible political privileges (with no one to control them), such as those of the nomenklatura in the former Soviet Union, and which have served the socialist elite for more than seven decades in the name of a bright communist future.

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<sup>67</sup> See **Semov**, M. What is Political Science? Sofia: St. Kl. Ohridski, 1991, p. 14.

## 2.2. The privileges of the nomenklatura class in the former USSR

More than 30 years after the collapse of „socialism“ in the former USSR (and the countries of Central and Eastern Europe), it is still disputed whether there was a new nomenklatura class and whether its leading elite enjoyed some or other privileges. And while there are many worthwhile publications on the subject, the shadow of disbelief continues to weigh on them, casting doubt on the veracity of the new class thesis under socialism.<sup>68</sup> We will therefore take a brief historical excursion into the development of theoretical thought on the question of the nomenklatura<sup>69</sup>, after which the place of privilege in socialist totalitarian society will be highlighted. This is important to do because with the outbreak of the October Revolution in Russia on 7.11.1917 and the victory of Lenin’s Bolshevik Party, it was subsequently proclaimed to the whole world that a new, socialist, society was being built and that a new, proletarian, state was being built. Or, a state of workers and peasants in which the basic principles are equality, justice and humanism as the antipodes of the bourgeois class state. That is to say, such a workers’ and peasants’ power headed by the Bolshevik Party, with the help of which all other parties are liquidated (as happened until 1922)

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<sup>68</sup> The terms „socialism“ and „socialist society“ are used in this text as the equivalent of „totalitarian socialism“, „Stalinist totalitarianism“, „Stalinist society“, „Stalinist model“, „Stalinism“, etc., because with them is identified the first totalitarian state in Europe in the XX century, such as the USSR. Moreover, this is indeed the case, since in all the terms used, the basic essence is the same: a one-party monopoly in power and a dictatorship of the first leader. Of course, this does not negate the role of Lenin and the Bolshevik Party in imposing and consolidating totalitarianism in Russia.

<sup>69</sup> *nomenklatura* (Latin *nomenklatura* – list of names). Its genesis comes from deep antiquity, in particular from the existence of despotisms in Egypt, Persia, Rome and other countries. The actual dominant social stratum composed of the party-state elite in the former socialist societies of the USSR and Eastern Europe; a list of managerial positions whose occupation is determined by a superior authority; „the ruling exploitative and privileged class of Soviet society“ (M. Vosselensky); an unofficial (secret) principle of personnel selection for the more important positions in the former socialist countries of Eastern Europe; a phenomenon characteristic of countries with centralized national capital and a one-party political system (See **Encyclopedic Dictionary of Sociology**. General scientific direction and editing: Corresponding Member, Prof. St. Mihaylov. Sofia: MM, 1996, p. 295).

in order to establish a one-party monopoly with the aim of subordinating state institutions to the Communist Party (and its ideology).

Back in the 1870s the famous Russian anarchist **M. Bakunin** was the first to significantly object to the Marxist concept of the „state of the dictatorship of the proletariat“, stressing that behind this Marxist doctrine „...lies the despotism of the ruling minority“<sup>70</sup>.

The Dutch left communist **A. Pannekoek** predicts that in a future socialist society „the bureaucracy will rise above the proletariat as the dominant exploiting class“<sup>71</sup>.

In his book „The Preconditions of Socialism and the Tasks of Social Democracy“ **E. Bernstein** wrote that „where the working class does not yet possess (...) strong organisations of its own of an economic character, where it has not reached a high degree of mental independence (...), there the dictatorship of the proletariat will be the dictatorship of the orators and literati of the clubs“. Or, according to Bernstein, what emerges as a result of the victory of the working class is not the power of the workers, but „centralized absolutism“, or „the dictatorship of the club orators and party literati“.<sup>72</sup> Similar thoughts were expressed later by the representatives of the so-called „workers' opposition“ in the Bolshevik Party itself, the All-Union Communist Party (Bolsheviks), who in a 1921 platform declared that the Soviet bureaucracy represented a new exploiting class.

Later, in 1918, one of Lenin's oldest associates in Russia, **Pavel Axelrod**, was extremely harsh in his criticism of Lenin's views, calling Bolshevism „Asiatic“ because it represented a betrayal of the most elementary principles of Marxism and because it was a „dictatorship over the proletariat“ (and the peasants).“ It was such a group of people (the Bolshevik Party) that resurrected the barbarism, horrors and inhumanity of times long past and, within the framework of a hitherto unseen „slave regime“, constituted itself as a „new dominant class“.<sup>73</sup>

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<sup>70</sup> Cited in **Bakunin**, M. A. Statehood and Anarchy. Sofia: Iztok – Zapad, 2011, p. 217.

<sup>71</sup> See **Pannekoek**, A. Lenin als Philosoph. Frankfurt am Main: Europa Verlag, 1969, p. 19.

<sup>72</sup> See **Bernstein**, E. The preconditions of socialism and the tasks of social democracy. Varna: St. Georgiev, 1901, p. 251.

<sup>73</sup> Cited in **Nolte**, Ernst. The European Civil War. National Socialism and Bolshevism. Sofia: Kama, 2011., p. 110.



Alongside this, a number of representatives of public thought in the West (including Marxists) expressed serious concerns that the former USSR did not appear to be a genuine socialist state. In this sense, as early as the 1920s, the question of the emergence of a new dominant class in the USSR began to be raised in some Western countries. Such views were developed by the Russian scholars E. Steinberg and N. Berdyaev, the Yugoslav communist functionary Ante Siliga, the Italian Trotskyist Bruno Rizzi and others. For example, in his book *The USSR: Bureaucratic Collectivism*, **Bruno Rizzi** argues that the October Revolution in Russia gave birth not to a ruling working class, but to a ruling bureaucracy, which he sees as playing the role of a new dominant class. By becoming the owner of all the means of production in the country, this class became even more exploitative than the bourgeoisie. Defining the bureaucracy as a class, Br. Rizzi is far from defining its social limits. In the composition of the new bureaucratic class he includes in some cases only ruling functionaries and technicians, and in other cases politicians, officers, journalists, writers, trade union bosses, and finally, as a plus, the entire ruling Communist Party.<sup>74</sup>

In his novel *1984*, the famous English writer **George Orwell** depicts Stalinism as a class society in which three social layers coexist: an inner party, which includes the party-political apparatus that has become the dominant class; an outer party, which includes the intelligentsia subordinate to the inner party; and a proletariat, which represents the lower class of totalitarian society.<sup>75</sup>

The Russian historian **Abd. Avtorkhanov** in his work „Technology of Power“ comes to the opinion that the Stalinist dictatorship has turned into a power system of a partocratic type, which consists of political bureaucrats, the backbone of which is the party apparatus.<sup>76</sup> But despite this interesting formulation, Avtorkhanov does not clearly and explicitly define whether the composition of the political bureaucracy represented the new political class in Stalinist society.

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<sup>74</sup> Cited in: **Voslensky**, M. *Nomenklatura*. Second ed. OPI London, 1990, pp. 34-35; **Manolov**, G. *Stalinism...* Op. cit., p. 57.

<sup>75</sup> See **Orwell**, J. 1984. Sofia: Narodna Kultura, 1989, p. 43.

<sup>76</sup> **Avtorkhanov**, Abd. *Technology of Power*. Vol. II. Sofia. Botev, 1994, p. 279.

After the Second World War, when the first serious symptoms of a crisis in the imposed Stalinist model of socialism appeared in the Eastern European socialist countries, a book by the famous Yugoslav theoretician **M. Djilas**, *The New Class* (1957), appeared in the light of day, in which the thesis of this new class was argued, the essence of which was as follows: already in the transitional period of the development of socialism, all the exploiting classes of the previous class societies were destroyed. At the same time, however, a new dominant and exploiting class gradually emerged in the so-called „socialist states“, which had not been known at all before in history. This class very quickly began to acquire an immense absolute power more than any other class in history. Moreover, according to M. Djilas, the new class possesses all the characteristic features of the previous classes, but together with them it has new features peculiar to itself. Thus, subsequently, through the monopolization of state power, this new class carries out the nationalization of the means of production, unceremoniously appropriating for itself almost all the property of society. It thus became the principal owner of almost all the means of production and became a class of exploiters, maintaining its dictatorship through the methods of terror and total ideological control, and above all because it was the collective owner of power and property. That is to say, in the process of its development, an astonishing „rebirth“ of its hitherto recent composition takes place: the former self-denying revolutionaries (as the original nucleus of this class) who fought for the broadest democratic liberties, coming to power, become „soul-killers“ and „murderers“ of human freedom,<sup>77</sup> for which they themselves have been fighting for decades.

Of whom the new class consists, according to M. Djilas? In his book we find two definitions of the composition of this class in the countries of Stalinist socialism.

Above all **in the composition of the new dominant class M. Djilas includes the members of the entire Communist Party.** „In the Communist State and in its government – writes Gilas – the Party holds the

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<sup>77</sup> See **Djilas**, M. *The Face of Totalitarianism. The New Class*. Moscow: Novosti, 1992, pp. 198-199.

greatest power. It appears as the engine of everything (...) and everyone's belonging to the Party means that a given person is part of the whole privileged class". To this definition M. Djilas adds a qualification, noting that the new party (*the ruling party – my note, G. M.*) and the new dominant class are not identical and that „not every member of the party belongs to the new class in the same way as not every member of the industrial and urban parties was a bourgeois“ in capitalist society.<sup>78</sup>

**In his second definition of the new class**, M. Djilas includes in its composition **only the political bureaucracy of the totalitarian state**, i.e. the entire administrative layer of ruling bureaucrats.<sup>79</sup> This definition of the new ruling class also contains some ambiguity. **It obviously does not take into account the well-known fact that bureaucracy is a type of administrative rule and not a form of political power.** Moreover, it (bureaucracy) can exist wherever state governance is highly centralised, i.e. it can flourish under dictatorial, monarchical, aristocratic forms of state governance as well as under democratic modes of governance.

As can be seen, in the theory of M. Djilas there are several definitions of the composition of the new class in totalitarian socialist society. These definitions contain a number of true things about this new class, which determines their scientific significance. Yet they do not provide an accurate and precise answer to the question of **which social groups comprise the new political class in the countries of Stalinist socialism.**

A more successful and serious attempt to define the nature and composition of the new class in Stalinist totalitarian society was made by **the Russian scholar M. Voslensky, who was the first to refer to it as the „nomenklatura“.** In his book „The Nomenklatura“ he advocated that the new ruling class in the former USSR was the nomenklatura, which included the composition of the ruling party-state layer. In particular, Voslensky argues that the nomenklatura primarily carries out the political leadership of society, and the main thing for it is not the possession of property, but the exercise of political power.<sup>80</sup> On the occasion of this staging of M. Voslensky's account of the new class, it should be noted here that it is far from reflecting the actual realities

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<sup>78</sup> See *ibid.*, pp. 199-200.

<sup>79</sup> See *ibid.*, p. 198.

<sup>80</sup> See **Voslensky**, M. *Op. cit.*, p. 123.

regarding the domination of this class, despite its accuracy. For the nomenklatura class is able to exercise its monopoly domination thanks to the fact that it is at the same time the subject of both power and property, and when this monopoly domination has already been imposed, what becomes central and determining for it is not only power itself, but also the ownership of the alienated means of production as the secure and most important support of its political power.

In passing, we would note that even if we return to one of the nuances of **Lenin's definition of classes**<sup>81</sup> (albeit with some qualifications), we could find ample grounds for defining and differentiating the main structural defining features of the new ruling class under Stalinism, namely: 1) in the system of Stalinist socialism there was no other social group (class) than the nomenklatura that occupied the primary importance (and place) and held the key positions in all the managerial units and structures; 2) the actual state of affairs shows that the dominant ruling group (the nomenklatura) is the actual collective, not personal, owner of property, although legally this property belongs to all workers; 3) under the domination of the Stalinist economic model, only the ruling layer, i.e., the nomenklatura, plays the most essential role in the social organization of labor; and 4) the major share in the distribution of national wealth goes primarily to the new ruling class, given that the party-state apparatus has virtually unlimited power over the distribution of all the goods of life.

And so, the analysis that has already been made gives us sufficient theoretical-methodological, concrete-historical and substantive-factual grounds **to conclude that in totalitarian „socialist“ society there really is a ruling social group that has all the qualities to be defined as a new historical type of political class and which we can quite rightly call „nomenklatura“.**<sup>82</sup>

If we have to specify this opinion, we should say that **the nomenklatura is in fact a list of all leading positions in the whole party, state, economic and social apparatus.** The candidacies of persons for these positions are discussed and approved definitively (which no one can change afterwards) and only by the various units of the ruling party.

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<sup>81</sup> See **Lenin**, V. I. Op. cit., p. 15.

<sup>82</sup> See the more detailed and comprehensive treatment of the nature, composition and evolution of the nomenclatural class in **Manolov**, G. Stalinism... Op. cit., pp. 56-65.

It should be stressed that **the new ruling class has its own socio-historical content.** Represented in the most general social parameters, **this new class consists of all the nomenklatura cadres who occupy: full-time and non-full-time party positions, full-time state and economic nomenklatura positions; full-time and non-full-time socio-political positions in the social management system of the whole totalitarian society (located at all levels and grades in the party-state, economic, and socio-political hierarchies).** In this diverse composition of nomenklatura positions, **the main nucleus is the entire cadre of the ruling party's leading party cadres, who hold both full-time and non-full-time party positions.** However, this is the more general definition of the new class, and if we want to understand its nature, it is first necessary to clarify **the genesis and development of the nomenklatura** in the former USSR.

Historically speaking, the roots of the nomenklatura system can be found in Russia's feudal past. In their study „History of Russian Statehood“ the historians T. Korzhihina and A. Senin, for example, argue that the Stalinist nomenklatura is an improved version of the „Table of Ranks“, compiled in 1722 by Peter I in order to improve the work of the state mechanism.<sup>83</sup> According to the rules of this Table (according to Korzhihina and Senin), Stalin also constructed the system of nomenklatura positions, which in his time were developed into three main lists.

According to Russian historians **M. Geller** and **A. Nekrich**, the nomenklatura emerged in the first half of the 1920s as a list of positions supervised by the Central Committee of the RCP(b). It included all leading positions of the party, state, trade union, army and cultural apparatus of the country. This list is formed in a strict hierarchical system: the nomenklatura of the Central Committee, of the republican parties, of the districts and of the district party committees.<sup>84</sup>

The question of the genesis of the new class under Stalinist socialism was first developed by **M. Djilas**, who noted as early as 1957 that **the roots of the new nomenklatura class were to be found in the composition of the Bolshevik Party created by Lenin, and in particular in its main core – the professional revolutionaries.** In this sense, M.

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<sup>83</sup> See. „*Trud*“ newspaper, 22.06.1995, p. 11.

<sup>84</sup> See **Geller, M., Al. Nekrich.** The Utopia of Power. Part II. Sofia: Hr. Botev, 1994, p. 394.

Djilas stresses that „the rudiments of the new class are not to be found in the Bolshevik Party taken as a whole, but only in its layer of professional revolutionaries, which took shape as the main party core even before the seizure of power“. And this, according to M. Djilas is by no means accidental, for Lenin himself repeatedly pointed out that only professional revolutionaries were capable of creating a party of a new, Bolshevik, type. Even less coincidental is the fact that Stalin, as the future creator of the new ruling class, continually exalted the role of the professional revolutionaries, who gradually developed and grew into a new ruling class. Thus revealing the roots and development of the new class, M. Djilas also points to three main phases in its formation.<sup>85</sup>

It is fair to note that as early as 1924 the Bolshevik leader **Leo Trotsky** drew attention to the fact that the germ of the future Stalinist bureaucratic apparatus was to be sought in the composition of the professional revolutionaries of the pre-revolutionary period. Trotsky points out that within the Bolshevik Party itself two groups of individuals are forming: at the top of the ruling pyramid is nested a higher ruling layer that makes the decisions, and down the hierarchy to the lower levels, they only learn about these decisions and are only obliged to implement them.<sup>86</sup>

The analysis and evidence concerning the genesis and formation of the nomenklatura is a logical prerequisite for the discovery of the categories, social composition and numbers of the new political class.

It should be stressed in advance that the scientific treatment of this knotty issue encounters complex and convoluted difficulties of various kinds. The greatest of these difficulties is the circumstance that reliable statistical (and other) figures and indicators concerning the size, strata and categories of the new class in different countries are difficult to find. In this sense, the first and best researcher of the nomenklatura as a class, Milovan Gilas, points out, not without reason, that „it is practically very difficult, even impossible, to define the limits of the new class and to name all those who belong to it“. According to Djilas, the new class can include those persons who, thanks to the monopoly of power, enjoy some privileges and material advantages.<sup>87</sup> We

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<sup>85</sup> See **Djilas**, M. Op. cit., pp. 199; 212-213.

<sup>86</sup> Cited in: **Manolov**, G. Stalinism... Op. cit., p. 60.

<sup>87</sup> See **Djilas**, M. Op. cit., p. 200.

accept this criterion of M. Djilas as the most reliable for determining the composition of the political class in the countries of Stalinist totalitarianism, and especially in the former USSR.

In spite of the existence of many difficulties in more accurately defining the numbers, strata and categories of the nomenclatural class, a significant contribution in this area has been made by **M. Voslensky**. His contribution, which applies only to the former USSR, boils down to two main points: the derivation of some of the main categories of the nomenklatura; and the determination of the approximate size of the Soviet nomenklatura. In his book *The Nomenklatura*, M. Voslensky proceeds from three main criteria (a party organ which includes a person in the nomenklatura; a higher organ which draws up the nomenklatura list; and the character of the nomenklatura position as a reporting or elective one), on the basis of which **he divides the composition of the nomenklatura class into two main categories: the basic and controlling-reporting nomenklatura and the staff and elective nomenklatura**. According to him, the basic nomenklatura includes only the Party organs that decide on the appointment (confirmation and recommendation) of the nomenklatura cadres, and the control and accountable nomenklatura includes the persons who enter the control and executive apparatus. Under his classification, the category „staff and elective nomenklatura“ again refers to the persons in the basic and control and accountability nomenklatura, with the distinction that staff nomenklatura posts are apparatus posts and elective posts are only confirmed or recommended posts. With such differentiation of the nomenklatura there are the purely formal criteria used by the ruling party. Relying on this differentiation, M. Voslensky concludes that the composition of the dominant political class includes, first of all, the cadres who appear on the list of the staff nomenklatura of the party organs, i.e. the persons in staff nomenklatura positions, throughout the hierarchy of the party structures. According to him, the elected non-permanent nomenklatura is not included in the composition of the dominant nomenklatura class, but represents a kind of managerial elite. In this case, the content of the concept of „non-electoral electoral nomenklatura“ is too vague, because with the exception of the lowest electoral party posts (party secretaries of primary party organisations and party group officers), all other electoral posts in the ruling party are provided with corresponding

staffs.<sup>88</sup> Thus, in handling the categories of „staff“ and „non-staff“ party nomenklatura, Voslensky expands the circle of the nomenklatura class to include (along with the responsible cadres in the party organs) the leaders of state institutions, as well as those holding key positions in co-operatives, collective farms, scientific organizations, etc.<sup>89</sup>

According to M. Voslensky on the composition of the nomenklatura class, it (this class) mentions only one part of the party, economic, state, social, etc. apparatus, without being entirely clear which persons are more precisely meant.

According to our view, the composition of the new nomenklatura class should include all full-time and casual managers who participate in the units of the overall social management of totalitarian society. **The main criterion for such a definition of the composition of the nomenklatura class is the use of one or other privileges by its individual subjects.** We find justification for this, first of all, in the historical fact that the existence of privileges in society is the main mark of the existence of one or another political and class domination.

If we were to define things with greater scientific precision, we could divide the new political class in Stalinist society in the former USSR into **two main categories: an active part of the nomenklatura**, which participates directly in managerial decision-making and enjoys various kinds of privileges and material advantages; **and a passive part of the nomenklatura**, which is only an executor of decisions and partially touches upon some or other privileges.

This most general classification of the composition of the new nomenclatural class must be supplemented by another, more specific classification by which the social-functional structure of this class can be revealed. Depending on this, the ruling nomenklatura class in the countries of Stalinist socialism **can be divided into the following categories: party, state, economic, trade union, military, Komsomol, Home Front, scientific and cultural nomenklatura, and nomenklatura of other social organizations and movements.**

**From a hierarchical point of view, within the whole of social management, the new class can be divided into three main groups of**

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<sup>88</sup> See Voslensky, M. Op. cit., pp. 157-159.

<sup>89</sup> See id., p. 160.



**nomenclatural cadres (persons): senior nomenclatural cadres**, who function at the central and higher levels of social management; **middle nomenclatural cadres**, at the middle level of social management; and **lower nomenclatural cadres**, who function and dispose at the lower levels of social management.

The classifications of the nomenklatura as a political class used so far are far from sufficient to reveal the deeper social layers, labyrinths and mechanisms of its domination. In this sense, **it is necessary to pay special attention to the question of the actual composition and structure of the layers through which the total political domination of the ruling class under Stalinism was realized.**

Revealing, distinguishing and pinpointing the social strata and groups within the circle of the nomenklatura political class is not only an undeveloped but also an extremely difficult question to unravel. And this is because the political domination of the nomenklatura would have been unfeasible without the multifaceted participation of various social strata and groups. Some of these layers are specific constituents of the nomenklatura class itself, other layers are directly linked to it, others are its proximate layers, and still others function as indirect social groups, with privileged and unprivileged material advantages. Here, in greater specificity, **the four categories of social strata and groups** can be structured and represented as follows:

**Eight social strata (or groups) are included** in the composition of **the actual nomenklatura** in the various spheres of social life, most of which are a specific but little visible and elusive part of the composition of the nomenklatura class.

**The second category of social strata**, which is immediately related to the nomenklatura, comprises a very diverse composition of groups and subjects specifically serving the class. **These groups and subjects** (within two categories) **are total eight** and perform specific functions in ensuring the political and ideological domination of the nomenklatura class.

**The third category** includes the social strata that are **close to the nomenklatura** and gravitate in its orbit. This layer consists of **three main groups.**

And the last category of social strata, these are **two particular, indirect (privileged and unprivileged) groups**, also fitting into the system and structure of political domination of the nomenklatura class. (The different categories are set out in more detail in *Table No. 3.*)

**Table No. 3. Categories and layers of the nomenklatura class in Stalinist totalitarian society**

No.	Main groups and layers of the nomenclatural class
<b>I.</b>	<b>Categories of composition of the actual nomenklatura (actual nomenklatura in the narrow sense)</b>
1.	All full-time party cadres in the ruling Communist Party
2.	All non-permanent party leaders – members of plenums of central, regional, district and regional committees of the ruling Communist Party
3.	All full-time state and economic nomenklatura executives (members of the ruling Communist Party)
4.	All leading nomenklatura cadres in social, political, cultural, scientific and other organizations and movements (members of the ruling Communist Party)
5.	Nomenklatura executives recruited from among the non-party masses and from other political (non-communist) parties
6.	Nomenklatura leaders in non-communist political parties (in countries where such parties exist)
7.	Reserve nomenklatura cadres for leadership positions in various spheres of public life
8.	Members of the ruling Communist Party placed in low-level non-party leadership positions
<b>II.</b>	<b>Social layers and groups immediately related to the actual nomenklatura (nomenklatura in the broad sense)</b>
1.	The composition of the social subjects in the security, safety and service bodies of the higher and some of the middle nomenklatura (including the management staff of party and state residences, rest homes, sanatoriums, special villas and representative hunting farms)
2.	Specially selected cadres and experts from public institutions providing the theoretical and ideological justification for the policy of the Communist Party
3.	Directly (directly) servicing the leading nomenklatura personnel (personal secretaries, personal drivers, etc.)
4.	A small number of representatives of the artistic intelligentsia directly serving the nomenklatura class

5.	The composition of the political police and state security organs serving and preserving the political interests of the nomenklatura
6.	Non-state party cadres (and activists) – members of smaller party committees in enterprises, institutions, institutes, educational institutions, etc.
7.	Non-staff members of party bureaus of primary party organizations and group party officers
8.	Rank-and-file members of the Communist Party exercising Party leadership of non-Party subjects in the various collectives and social units
	The eight layers of the proper nomenklatura plus the social layers and groups immediately related to it (8 in number) form the composition of the nomenklatura class in a broader sense
<b>III.</b>	<b>Social strata of those close to the nomenklatura, gravitating in the orbit of the nomenklatura class</b>
1.	Privileged persons with historical merits in the revolutionary movement
2.	Privileged members of artistic unions
3.	Various privileged entities in the field of elite sports and other social areas
<b>IV.</b>	<b>Indirect privileged and unprivileged social groups in the system (and structure) of the nomenklatura class</b>
1.	Privileged representatives of the working class – „working aristocracy“
2.	Wealthier non-privileged social groups whose interests are identical with those of the nomenklatura class (social subjects in the sphere of trade, services and some others)
3.	The composition of the nomenklatura class in the broad sense plus Groups III and IV of the social strata (5 in number) formed the scope and content of the political domination of the nomenklatura (and its satellites) in the Stalinist totalitarian society

In order to be more specific and precise about the classification of the categories and layers of the new (nomenklatura) class in Stalinist society, we need to make a few clarifications: one refers to the categories of the actual nomenklatura, or the active part of the nomenklatura class, whose definiteness also derives from its key positions in the power structures of totalitarian society; the other clarification concerns the sixth, seventh and eighth layers (of the second category), which have a dual nature, because if, on the one hand, they can hardly be perceived as organically linked to the new class, then, on the other hand, their social role and place in the overall mechanism of the political domination of the nomenklatura makes them (consciously or not) a

functional attribute of the dominant class in society; and the third clarification is dictated by the need to quantify the composition of the nomenklatura class, which numerical composition, however, is the subject of a more specific elaboration and is therefore not made here.

This extended structural analysis of the nomenklatura as a class (including its composition, layers and groups) in the „socialist“ society of the former USSR gives us every reason to assume that **the deep social fabric of the Stalinist totalitarian model inevitably contains many and many political privileges, without which it is impossible for this type of social system to exist. They (privileges) are an immanent expression of the nature of totalitarian socialism insofar as they are designed to serve the new dominant political class – the nomenklatura (in all socialist states).**

In the overall structure of Stalin’s totalitarian society, one of the key elements that characterized its political system was undoubtedly the legally regulated and unregulated privileges. These privileges permeate almost all pores and fabrics of society and are naturally associated with certain social groups (and strata) representing a small fraction of the population of totalitarian society.

The formation of the system of privileges in the political system of „socialism“ goes back to the earliest development of the Stalinist model in the former Soviet Union. **Only a month and a half after the outbreak of the October Revolution (1917), Lenin wrote a decree of the Council of People’s Commissars setting their maximum salary at 500 rubles a month.** But in spite of this (the salary limit) privileges grew rapidly, and in September 1920 the so-called „Kremlin Control Commission“ had to be formed, which had the task of investigating the unjustified growth of privileges and bringing them within some reasonable limits (the commission was then disbanded).<sup>90</sup> It is important to note here the contradictory attitude of V. Lenin’s attitude to privilege in the new society. For along with his known negative opinion on social, class, etc. privileges, **Lenin wrote in a 1920 letter, „...a democracy with few privileges for the Communists is permissible“**<sup>91</sup>. Moreover, Lenin’s opinion was expressed in relation to the constitutional foundations of

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<sup>90</sup> See *ibid.*, p. 341.

<sup>91</sup> See **Lenin**, V. I. Op. cit. Vol. 54, p. 431.

the new Far Eastern Republic. And further, during the Civil War Lenin personally ordered to provide privileged supplies to the comrades in charge, instructing the People's Commissariat of Supply on 22.07.1922 to organize a special store (warehouse) for selling products (and other things) at lower prices only to foreigners and to Cominterns.<sup>92</sup>

A little later, according to a **decision of the XI Congress of the RCP(b) in the spring of 1922, under Stalin's leadership**, the first decrees were passed, laying the foundations for the privileges of the ruling elite. With one such **decree („On Improving the Living Conditions of Party Workers“)**, **three types of privileges began to be applied in practice to the nomenklatura cadres in the ruling apparatus: these were privileges for these cadres to receive additional income, privileges for these cadres to secure increased additional rations, and special privileges for the same cadres in the areas of health and recreation.** These types of privileges covered, at the time, some 18,000 party and other senior cadres who represented the original privileged elite of the political regime.<sup>93</sup>

A particularly great impetus for the development of privileges in Russia was given by the decisions of the XII All-Russian Party Conference of **August 1922**, at which a special secret section was formed to regulate political privileges. At the suggestion of this section, the conference adopted a **new decree which further extended the range of privileges of the political elite.** This decree made **special provision for the housing of members of the senior political elite.** A third document was adopted a little earlier, which obliged the ministries concerned to provide several other types of privileges with priority.<sup>94</sup>

In addition to these initial types of privileges already mentioned, the new political class in the former USSR created many more privileges in the spheres of commerce, everyday life, transport, pensions and culture. And in 1932 the last barrier to the flowering of political privilege fell when Stalin abolished the party wage maximum for party workers introduced by Lenin. The result of all this **was the formation and establishment of a comprehensive system of political privileges that can be defined as a new historical type of social class privileges.** This Stalinist

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<sup>92</sup> See Voslensky, M. Op. cit., p. 347.

<sup>93</sup> See „*Argumenty i fakty*“, No. 27, 1990, p. 2.

<sup>94</sup> See „*Sobiesenik*“ newspaper, No. 39, 1990, p. 6.

type of privilege was later carried over and implemented in almost all former „socialist“ countries. And since this is so, we should clarify more specifically **the nature and extent of nomenklatura privileges**, and attempt to classify them.

Perhaps one of the most painful questions that excites and oppresses the minds of people in the countries of Stalinist socialism to this day is **the question of the formal-historical incompatibility of nomenklatura privileges with the thesis of actual (real) equality between all classes and strata of society**. In this case, the shortest scientific explanation of the question of the formal-historical incompatibility of privileges with the values of socialist society could be the following: **while the system of feudal privileges is a natural historical social phenomenon, political privileges in Stalinist society arose and were imposed forcibly, which means that they grew as an unnatural extra-historical and alien to the spirit of the New Time social phenomenon**. In other words, **the emergence and development of the system of privileges stems from the nature of the very social structure of Stalinist socialism and from the very internal logic and structure of its mechanisms, which could not function without the formation of a monopolistically privileged domination of the new nomenklatura class**. For in order to realize this domination, this same class is objectively and subjectively „obliged“ to build and implement in society a comprehensive system of privileges which we have defined as totalitarian and nomenklatura.<sup>95</sup>

**The system of privilege in the countries of Stalinist socialism, and above all in the USSR, was built, developed and maintained by three main means.**

**The first and all-encompassing means is the monopolistic use of political power** by the ruling party and the new political class that has since emerged. The specific content of this basic political means is the total use of power by the ruling party, which in itself represents the greatest privilege in the entire political space of Stalinist totalitarian society.

**The second main means is the monopolistic domination of the state ownership of the means of production in the economy of the**

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<sup>95</sup> See the detailed elaboration of this issue in **Manolov**, G. Stalinism... Op. cit., pp. 67-68.

totalitarian society, which enables the ruling class to distribute social wealth as it sees fit.

**The third essential means** of establishing the system of privileges is **the unlimited legal possibility of the government to adopt special regulations** (laws, decrees, decrees, decisions, etc.) for the use of privileges, thanks to which **many of these privileges become legally regulated**. The most characteristic feature of this type of privilege is the fact that the adoption and application of the regulations governing it are always carried out in secret and hidden from the public, thus depriving the public of any possibility of scrutiny of these acts. The operation of such a secretive system of legally regulated privileges **opens up the additional possibility of many unregulated privileges in society**, which in many cases have a richer content than the legally regulated ones.

The practice of Stalinist socialism shows that these two kinds of privileges are equally significant and advantageous because there are neither legal nor social mechanisms of control against their use. In this sense, they are something completely opposed to the laws in force in states governed by the rule of law, before which all citizens of those states are equally equal.

What is most characteristic and what are **the systemic scope and structure of totalitarian political privilege?**

The answer to this question is not straightforward, since a more complete uncovering and delineation of totalitarian privileges can be done by way of a consistent differentiation of the different types of privileges in the different spheres of society.

From the outset, it should be stressed that the system of privilege in communist societies extends and accommodates literally all areas and spheres of life in them. This, of course, is the most general picture of it. However, when we proceed to concretise and differentiate things in the system of privileges itself, we can come to the conclusion that **this system is spread over eight main spheres of life in totalitarian society in the former USSR (and later in all other socialist countries) with 39 types of specially differentiated nomenclatural privileges**. In a more generalized and synthesized form, the shape of this system of privileges can be seen from the classification made below (*see Table No. 4*).

**Table No. 4. Classification of the system of nomenklatura privileges in the totalitarian society of the former USSR (1917 – 1991)**

No.	Type of privilege in a totalitarian society
<b>I.</b>	<b>Privileges of the nomenklatura class in the sphere of natural conditions, goods and resources</b>
1.	Preferential use of the most favourable natural resources and assets (the most complete part of the natural common landscape)
1.1.	Establishment and use of mountain, sea, health and other reserves and places for beneficial recreation and rest
1.2.	Establishment of special nature reserves and protected nature spots with residences, farms, luxury villas and hunting and fishing facilities (of the upper and middle nomenklatura)
1.3.	Building special farms to produce wholesome, top quality and environmentally friendly food products only for the elite layer of the upper and middle nomenklatura
1.4.	Construction of special sanatoriums, health resorts and sanitary homes to strengthen the health of the nomenklatura cadres with natural healing means (geothermal waters, mineral springs, mud baths, etc.).
2.	Secret creation of special underground environmental shelters and anti-nuclear facilities for the elite of the nomenklatura class (in case of emergency)
<b>II.</b>	<b>Privileged (specially guaranteed) „employment“ of nomenklatura cadres in the social management system</b>
1.	Absolutely guaranteed leadership positions for the composition of the actual nomenklatura
2.	Providing comfortable offices, positions and good jobs for some of the layers serving the nomenklatura class and for all layers of the „privileged feeders“ category
<b>III.</b>	<b>Establishment of a special system of privileged pension insurance for non-high and middle-level nomenklatura personnel</b>
<b>IV.</b>	<b>Privileges of the nomenklatura class and its satellites in the distribution and use of the national income of society</b>
1.	Higher „legal“ incomes for top managers (salaries according to salary schedules, without fixing their amount for higher-level positions)
2.	Hidden (illegal) additional income received by the senior and middle nomenklatura personnel
2.1.	„Black“ crates for the receipt of special income by the senior nomenklatura elite



2.2.	Supplementary income in the form of „representation“ money, special bonuses and other awards granted to various categories of nomenklatura cadres
2.3.	Special privileges for the purchase and use of foreign exchange for business and private travel abroad of the senior and some of the middle nomenklatura (acquisition of foreign exchange through a special preferential regime)
2.4.	Additional income derived from malpractices, bribes, kickbacks and various other illegal machinations
2.5.	The „Politburo“ (diamond and gold) Special Fund created by Lenin in 1919, intended only for members of the Politburo of the Bolshevik Party, with whose shares they (the members) could cross the border and live abroad in the event of extreme social upheavals in the country
<b>V.</b>	<b>Privileges of the nomenklatura to acquire a variety of material goods and services for consumption in a deficit type of „socialist“ economy</b>
1.	Preferential acquisition of housing and villa properties through „legal“ and illegal routes
2.	Purchase and acquisition of private cars with priority by a certain circle of nomenklatura cadres
3.	Special supply of imported goods and services to the upper and part of the middle nomenklatura
4.	Special assortment stores (and other outlets) for preferential supply of goods and household items (at reduced prices or free of charge)
5.	Special supply of the senior nomenklatura with high-quality and environmentally friendly food products (including free food for this part of the nomenklatura)
6.	Special canteens and bars for the upper and middle (party and other) nomenklatura, providing a wide variety of products for consumption at significantly lower prices
7.	A rich system of free treats and banquets for a certain circle of nomenklatura persons
8.	Overindulgent consumption of communist leaders and „greats“
<b>VI.</b>	<b>Preferential use by the nomenklatura class of various social goods and services</b>
1.	Transport service privileges
1.1.	Free use of personal official transport – air, road, water and cargo
1.2.	Free intra-city transport for certain layers of the nomenklatura
2.	Nomenklatura privileges in the field of health care – specialized hospitals, treatment centers, treatment abroad, special conditions and health care for the senior and part of the middle nomenklatura

3.	A specially created network of rest homes, stations, hotels and bases for the recreation and rest of party and other types of leading nomenklatura cadres
4.	Advantageous supply of some of the nomenklatura cadres with scarce and imported medicines and free supply of such medicines to some layers of the nomenklatura
<b>VII.</b>	<b>Privileges of the nomenklatura class in the spiritual sphere (education, science and culture)</b>
1.	Preferential acquisition of secondary education by the representatives of the initially forming nomenklatura class in the form of working-class faculties (the so-called „Rabfak“)
2.	Priority admission of sons and daughters of the nomenklatura to elite secondary schools and universities
3.	Opening and use of a special network of Party educational institutions for the privileged acquisition of higher education diplomas (higher Party schools, Party universities, academies of social sciences, etc.).
4.	Preferential selection of candidates from among the nomenklatura class to pursue higher education at foreign institutions (sons and daughters of senior nomenklatura members pursue such education at elite institutions)
5.	Using party posts to fast-track careers in science
6.	Nomenclatural privileges in the cultural sphere
7.	Privileges for the acquisition of honorary titles, orders, medals and for various other material and moral awards
8.	Privileges of the senior nomenklatura with regard to its afterlife
<b>VIII.</b>	<b>Privileges of the international communist nomenklatura (with financial resources from the former USSR)</b>
1.	Funding the Communist nomenklatura in the Communist Parties in Western and Third World countries
2.	Hidden funding channels for Communist Party print and media publications in different parts of the world
3.	Special funds to finance communist leaders and support their activities from the top nomenklatura of the former USSR <sup>96</sup>

To this detailed classification of the privileges of the nomenklatura in the Soviet Union we shall add only two other things: First, the

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<sup>96</sup> This classification scheme of nomenclatural privileges in the former USSR is based on the following sources. Stalinism... Op. cit., pp. 69-70; **Gribachev**, D. Drama... Op. cit., pp. 238-240; **Voslensky**, M. Op. cit., pp. 306-337; and **Bunich**, Igor. The gold of the party. Sofia: Prozoretz, pp. 129-130; 179-180; 275-280.

majority of privileges are political in nature, directly derived from the respective positions in the power structure of the nomenklatura hierarchy, and totally enjoyed by members of the new class (mainly its upper stratum), and in this sense privileges can without any hesitation be defined as primordial political privileges; and secondly, the derived system of privileges of the nomenklatura class, which was conceived immediately after the revolution, was too quickly assimilated and extensively applied in absolutely all „socialist states“ after the Second World War (which will be discussed later).

To sum up, through the implementation and use of **the system of privileges of the nomenklatura in the former USSR, a special communist world, or a special society for the nomenklatura is literally created, where, according to Igor Bunich, everything is special for the nomenklatura: special housing, built by special construction and assembly departments, in which the absence of a swimming pool was considered to be the same as the absence of a window in an ordinary room; special villas, boarding houses, sanatoriums, hospitals and polyclinics; special products sold in special shops, special stores, special buffets and special barber shops; special gas stations, service stations, and car license plates; an extensive network of specialty stores, specialty telephone networks, specialty child care facilities, specialty clubs and movie theaters, specialty waiting rooms at train stations and airports; specialty maternity homes, and even specialty cemeteries. In that special world, the nomenklatura lived, rested, ate, bought, travelled, entertained, learned and was treated without ever coming into contact with the people on whose backs its fabulous prosperity was built. Enclosed by impenetrable walls and armed guards are its sumptuous houses and villas, hunting lodges, parks, tennis courts, swimming pools, gazebos, greenhouses, greenhouses, stables with expensive elite horses, and so on. The mansions and villas of the nomenklatura grandees are surrounded by solid stone walls, with attached houses for the guards and maintenance staff, whose silence is guaranteed by their personal signatures and rewarded with huge salaries. This is the life style of the nomenklatura elite, established by Lenin and elevated to the rank of law by Stalin, then maintained by his successors and the communist leaders in**

**other socialist countries. All this the nomenklatura possesses and enjoys with the consciousness that it is entitled to it on „legal“ grounds.** Moreover, in its quest to exploit its privileges, the nomenklatura is insatiable and increasingly greedy. These privileges, which cannot even be dreamt of in the sweetest dreams of the ordinary unprivileged members of society, seem insufficient to it. So it quietly and unnoticed switches to Western currency and, as it is constantly in short supply, does everything it can to secure it. And its constant trips to the West cause it new and new attacks of greed...<sup>97</sup>

All in all, the difference in lifestyle and standard of living between the no-menklatura and all other classes is so drastic that even L. Trotsky wrote indignantly: „**The Soviet Union has never known such inequality as now, almost two decades after the October Revolution: a salary of 100 rubles and a salary of 8 – 10,000 rubles. Some live in shacks and walk with torn shoes, others ride in sumptuous cars and live in magnificent apartments. Some hustle to feed themselves and their families, others have servants besides cars, villas near Moscow, villas in the Caucasus, etc.**“<sup>98</sup>. Or, this diametrically opposed difference between the rulers and the ruled confirms in a very definite way the existence of a new political class, which is very far from any social ideals of justice and equality between people, as it redistributes national wealth through the levers of power for its personal benefit and advantage...

In order to illustrate in even greater detail the actual extent of **the totalitarian nomenklatura privileges** in the former USSR, we will give a few meaningful examples of how they (the privileges) **were used by the nomenklatura proper and its layers** in an absolutely arbitrary, indiscriminate and wasteful manner, even though these were popular funds accountable to the state.

**First**, in spite of Lenin’s attempts to impose some real control over the demands for **increases in the wages of the nomenklatura** under Stalin, they steadily increased, and at times compared to those of the workers and peasants. Already with the introduction of the first nomenklatura privileges in Soviet Russia in 1922, a generous provision of

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<sup>97</sup> See **Bunich**, Igor. Op. cit., pp. 192-194.

<sup>98</sup> Cited in: **Geller**, M., Al. Nekrich. The Utopia of Power. Part I. Sofia: Hr. Botev, 1994, p. 431.

state funds began to ensure the privileged life of the ruling nomenklatura apparatus.<sup>99</sup> With the help of secret (clandestine) decrees of the Bolshevik Central Committee, the „responsible“ nomenklatura cadres in the party, state and economic apparatus (who then numbered 18,000 people, and, together with their family members, 70,000 people) **began to receive monthly salaries and incomes that were 30 to 43 times greater than the average monthly salary of industrial workers at the time.**<sup>100</sup> Later, by Decree No. 274 of the Council of People's Commissars of the USSR and the Central Committee of the All-Union Communist Party (b) of 11.02.1936, the salaries of the leading district cadres were increased as follows: 1) promotion from 1.02.1936 of the salaries of the chairmen of the district executive committees and of the first secretaries of the district committees of the Party for 50% of the districts to 650 rubles and for the other 50% to 550 rubles, and for the deputy chairmen of the district executive committees and for the second secretaries of the district committees to 550 rubles and to 450 rubles respectively, for the heads of the agrarian, commercial and financial departments, the heads of the district branches of the State Bank, the heads of cultural propaganda in the district committees and the secretaries of the district committees of the All-Union Leninist Communist Youth Union up to 500 and 400 roubles respectively; 2) for the chairmen of the 250 district executive committees and the first secretaries of the 250 district committees of the All-Union Communist Party (b) in the largest districts, according to a special list approved by the Orgburo of the Central Committee of the All-Union Communist Party (b), to fix their salaries at 750 roubles; for the deputy chairmen of the district executive committees and the second secretaries of the district committees of the All-Union Communist Party (b) in these districts, at 650 roubles; and 3) that the additional remuneration should not exceed the funds fixed for 1936.<sup>101</sup> This Stalinist tradition continued in the

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<sup>99</sup> This powerful managerial apparatus of power includes: about 1 million full-time party workers, about 3 million full-time civil servants, 5 million Chekas, 5 million strong army, etc. (See **Semov**, Mincho. *Theory of Politics...* Op. cit., p. 162).

<sup>100</sup> See **Gribachev**, D. *Drama...* Op. cit., p. 177.

<sup>101</sup> See **Voslensky**, M. *Op. cit.*, p. 353.

following decades until 1989, when, without any official announcements in the press, the already high salaries of the nomenklatura party apparatus were considerably raised: from 250 to 370 – 400 rubles for an instructor in the regional committee; from 380 to 600 rubles for a department head in the regional committee; from 450 – 500 to 700 – 750 rubles for a secretary of the regional committee; and from 550 to 850 rubles for the first secretary of the regional committee.<sup>102</sup>

Of course, all of these wages are well above the average, not to mention the actual wage of Soviet workers. Their special shops, their wonderful food, their cars, their homes, their villas, are only one aspect of all. For the wage rise is not only in the regional committees – it covers absolutely all levels, up to and including the Politburo. In those years the members and candidates of the Politburo received 1100 rubles a month, and the general secretary 1200 rubles; at the same time, as in Stalin's time, their life was penniless, inasmuch as for the higher nomenklatura everything was free. And since the first half of the 1930s was a period of the coupon system for foodstuffs and household goods, additional rationing for the nomenklatura was introduced, closed shops appeared, the many special canteens, restaurants (and special rations),<sup>103</sup> as well as many other additional and „necessary“ nomenklatura extras.

Here we will add one more important touch of the pay of the senior nomenklatura, to which Stalin's daughter Svetlana Alliluyeva testified. She recalls the wads of money delivered to Stalin every month, and how the drawers of his desk in a nearby villa were filled „with sealed envelopes of money“. But the story itself is actually plausible, because **Stalin** really had no need to carry money around: **„He didn't spend, and there was nothing to spend it on. His daily life, his villas, his apartments, his staff, his food, his clothes – all this was paid for by the state. (...) For his table they brought fish from special breeders, Georgian wine from special vintages, fresh fruit was sent by plane from Georgia“** and he did not give a penny for anything. All his money problems were settled by the special department of the **Ministry of State Security of the USSR. The sums are enormous: even the head of his guard, Gen. N. Vlasik „spun millions on his behalf“**<sup>104</sup>

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<sup>102</sup> See *ibid.*, p. 354.

<sup>103</sup> See *id.*

<sup>104</sup> Cited in: **Voslensky**, M. *Op. cit.*, p. 375.

(*emphasis mine – G. M.*). Well, how can we not admit that this is pure communism, since the „father of nations“ lived entirely at the expense of the Soviet state!

**Second**, while for the Soviet worker there is a **norm of 9 – 12 square meters of living space per person**, for the ubiquitous nomenklatura it is not so at all, because already on 1.12.1917. Lenin personally wrote in the relevant government decree that **for the People’s Commissars the permissible living space should not exceed a room per person**. In fact, it is clear that if a People’s Commissar has a family of 6, he is entitled to 6 rooms without any square metre limit, and thus the following principle comes into play: housing for the nomenklatura is one thing and housing for the common mortal population quite another. Subsequently, 76 regulations made it easier to pay for the living space that was above the limit.<sup>105</sup> Let us recall that there is another housing privilege of the top Soviet nomenklatura, which is connected with **the absolutely free use of state villas**, whose gigantic size and pompous furnishings would be the envy of many kings and emperors. Even at the time of glasnost and reconstruction, the villa of, for example, the infamous Marshal Yazov, a member of the Politburo and Minister of Defence of the USSR, had a useful area of 1,380 square metres and a plot of 167 acres.<sup>106</sup> However, this is not a villa, but a whole latifundia with a rather huge castle, which according to housing standards should house 100 people! But, of course, the minister not only doesn’t pay quintuple or at least triple the metres in excess – he simply pays nothing. This is how Boris Yeltsin describes being bathed in nomenklatura opulence as a Politburo candidate when he lived in the villa formerly occupied by Gorbachev before being moved to a purpose-built palace residence. Downstairs, a grand 50-foot-long vestibule – fireplace, marble, parquet flooring, expensive furniture, carpets, chandeliers. Then four more rooms, each with a colour TV. A huge glassed-in veranda, a cinema room. Dining room with a giant table, 10 meters long. Kitchen – a whole „public dining“, with underground refrigerator. Wide staircase to second floor. Upstairs large vestibule with fireplace, next to it – solarium. Then an office, a bedroom, two more rooms. Large

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<sup>105</sup> See *ibid.*, p. 328.

<sup>106</sup> See „*Ogonek*“ newspaper, No. 21, 1990.

bathrooms on both floors, large toilets. Crystal, classical and modern light fixtures, oak parquet, carpets...<sup>107</sup> And this is a villa intended only for would-be members of the Politburo...

It is no coincidence that the Soviet nomenklatura's parvenu-like obsession with free-for-all in the huge state dachas is ironically sung in the singer Galich's song „With Seven Walls Fenced In“, referring to the government villas near Moscow:

We're going, wild and young,  
to nature we hastily flung.  
Behind the high fences  
there are our leaders.  
The grass is young,  
the air is clean.  
Wonder Corner,  
earthly paradise green.  
Wind flora sways,  
fauna to heavens flies and there stays...  
And behind every wall eavesdropping  
There is one informant hiding.  
Snitches back and forth,  
the dogs skimming and whining...  
Stalinist heroes  
drinking and eating.  
And at night, every night  
for city lovers  
Playing here in between all this  
Fims with naked chicks.  
And the comrades stutter,  
squinted at her alluring glow-  
Which they very much admire  
Marilyn Monroe!<sup>108</sup>

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<sup>107</sup> See **Voslensky**, M. Citation, pp. 380-381.

<sup>108</sup> Cited in: **Voslensky**, M. Nomenklatura. Sofia: Hr. Botev, 1993, pp. 371-372.



That is to say, the nomenklatura grandees at all levels (top, middle, lower) have the legal right to be stationed in huge residential areas, since they are devoted „fighters“ of the ruling Communist Party.

**Third**, as is known, **delicious, nutritious and healthy food is a constant concern of the nomenklatura** and service staff. This privilege is held in high esteem by all nomenklatura, which is why special canteens and buffets have been set up everywhere in party committees (and other government departments) to serve meals at low prices. This is how M. Voslensky describes these food establishments when he talks about the special buffets of the Central Committee of the Communist Party of the Soviet Union: They open at 11:00 a.m. and „...they are quickly filled by important nomenklatura cadres who go there for a second breakfast. All the products in the buffet are of the highest quality, quite fresh and cheap. Indeed, the portions are relatively small, but this is not out of stinginess (who would skimp on the nomenklatura?), but so that the hors d’oeuvre is light and the nomenklatura does not fill up. Portions of black and red caviar are served on small plates, on larger ones – wonderful fish of all kinds: salmon, sturgeon, fillets. There is always koumiss (mare’s milk) – the famous drink of the eastern steppes. The milk is like cream. The sweetened curd smells fresh and melts in the mouth. In a word, everything is better than good, there are delicacies the Soviet citizen never dreamed of“<sup>109</sup>. Naturally, only those nomenklaturas who have special passes and cards eat in the canteen, because it is inaccessible to the „commoners“ called „people“ of the USSR. It is therefore particularly revealing to compare the menus in the CPSU Central Committee canteen and the workers’ canteen, namely:

**Menu of food in the CPSU Central Committee canteen (5.05.1988)**

No.	Weight	Meals, dishes and drinks	Price (in pennies)
<b>I. Cold snacks</b>			
1.	100	Crab cocktail	30
2.	100	Sauerkraut salad with apples	6
3.	100	Scraped turnip salad with onion	7
4.	50	Cucumber salad	10
5.	100	Carrot salad with walnuts	12

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<sup>109</sup> Ibid., p. 319.

6.	50	Tomato salad with oil	16
7.	25/5	Black caviar with onions	76
8.	30 10	Sturgeon fillet with cucumber	45
9.	90	Swedish cod	15
10.	30/10	Bacon with horseradish	10
11.	100	Cheese	9
12.	180	Ayrian	6
13.	180	Mare's milk (kumis)	19
14.	180	Sour milk	7
15.	180	Buttermilk	8
16.	100	Beaten butterfat	9
17.	130	Sweetened cottage cheese with cream	16
18.	110	Sweetened cream	19
19.	50	Sour cream	9
20.	10	Cow butter	4
21.	20	Oil	4
22.	10	Sugar	1
<b>II. Soups</b>			
1.	300/25	Sturgeon soup with potatoes	28
2.	300/25	Lamb haricot soup	21
3.	300/10	Cabbage soup with cream	15
4.	300	Milk soup with buckwheat	9
<b>III. Main dishes and desserts</b>			
1.	75	Salmon stew	32
2.	75	Fried whitefish	38
3.	90	White fish stew	32
4.	100	Poltava-style meatballs	37
5.	50	Poltava-style meatballs	23
6.	100/75	Fish stewed with vegetables	25
7.	150/40	Carp in batter	38
8.	75	Pork escalope	45
9.	180	Macaroni scraped cheese	14
10.	150/25	Dumplings with cottage cheese	32
11.	150/20	Pancakes with cream	16
12.	150/30	Pancakes with raspberry syrup	17
13.	200/10	Milky millet porridge with butter	9
14.	60	Pie chopped liver	13
<b>IV. Lenten dishes</b>			
1.	100/15	Beetroot pudding with cream	9
2.	150/5	Ragu zarzavat with mushrooms	21
3.	100/20	Carrot croquettes with raisins	16
<b>V. Garnishes</b>			

1.	150	Mashed potatoes	16
2.	105	Sauerkraut stew	26
3.	110	Boiled rice	36
4.	130	Beetroot stew	46
<b>VI. Desserts</b>			
1.	180	Kissel Blackcurrant	8
2.	150/130	Kissel with ice cream	13
3.	180	Fresh fruit compote	17
4.	200	Cranberry juice	19
5.	60/40	Oshav with smashed cream	20
6.	50/10	Blueberries with icing sugar	25
7.	1 pc.	Dry paste	11
8.	100	Ice cream	20
9.	190	Milk	6
10.	1 cup	Green tea with sugar	3
11.	1 cup	Tea with sugar	3
12.	1 cup/30	Tea with walnut jam	7
13.	180	Cocoa	8
14.	180	Cappuccino	16
15.	150/30	Ice Coffee	26
16.	80	Coffee	8
17.	7	Lemon	3
<b>VII. Table d'hote</b>			
1.	300/25	Lamb kharcho soup	52
2.	50	Poltava-style meatballs	52
3.	180	Kissel Blackcurrant	52
<b>VIII. Portion dishes to order</b>			
1.	300/2 pcs.	I Suvorovska soup with „patties“	32
		II	
1.	75	Fried sturgeon	96
2.	125	Meatballs „jubilee“	49
3.	150	Roasted pork in cream sauce	68
4.	320	Moscow-style Kostur	58
5.	75/150	Fillet mixed garnish	53
6.	115	Green onion omelette	25
<b>IX. Bread</b>			
1.	76	Plain bread	1
2.	71	Rye bread	1
3.	43	Rye bread „Russian“	1
4.	36	White bread	1
5.	30	Baguette	1

**Note:** At the customer's request the dishes are served without garnish, the difference in price is 6 kopecks.

### Menu of food in an ordinary workers' canteen (6.03.1990)

No.	Weight	Meals, dishes and drinks	Price (in pennies)
<b>I. Cold starters</b>			
1.	100	Sauerkraut salad	4
2.	100/1/2	Beetroot salad with egg and mayon-	10
3.	150	naise	
4.	100/30	Russian salad	22
5.	50/10	Pacha with horseradish	17
6.	35/10	Trout with onions	28
7.	100	Celeriac with onion	15
		Sour cream	18
<b>II. Soups</b>			
1.	50/500	Chicken soup with rice II cat.	28
2.	1/500	Egg broth	32
<b>III. Meals</b>			
1.	100/8	Meatballs „special“ with butter	22
2.	100/75	Chicken cooked II cat.	(none) 44
3.	75/75	Beef Stroganoff	(none) 46
4.	75/100	Stew meat	(none) 31
5.	75/75	Cooked meat	(none) 31
6.	300/15	Oatmeal with butter	(none) 14
<b>IV. Garnishes</b>			
1.	100	Mashed potatoes	5
2.	100	Cooked macaroni	3
<b>V. Drinks</b>			
1.	200	Compote of dried fruits	8
2.	200	Milk with cocoa	(none) 9
3.	200	Nescafe	13
4.	200	Indian tea	1
5.	200	Pink tea	4
6.	200	Chinese tea	1
7.	15	Sugar	2
8.	200	Apple-cherry juice	13
9.	2 fil.	Bread	1

**Note:** The menus in the above two tables are quoted from *Voslensky, M. Op. cit.*, pp. 320-324.

It is more than obvious that there are drastic differences between what is on offer in the two chairs (the nomenklatura and the workers' chairs) in Moscow, which consist in the following: the first one is undoubtedly expressed in the richer and more varied assortment of various nomenklatura dishes compared to the workers'; the other is connected with the differences in prices, which, though not very great, are again in favour of the nomenklatura; the next one is even more glaring, since it is unacceptable to miss dishes from the menu in the nomenklatura canteen, whereas in the workers' canteen it is a regular practice; and the last difference is that the nomenklatura persons can take cheap and good quality food home daily, whereas it is impossible to do so in the workers' canteen. Incidentally, this nomenklatura practice of healthy eating goes back to the beginning of the revolution, when Lenin personally controlled the supply and quality of foodstuffs. Signing all the orders and proposals for the canteens of the Central Committee and the various Kremlin offices on a daily basis, the proletarian leader kept a close eye on the menu, which necessarily included three kinds of caviar, various kinds of meat, salami, cheese, delicate fish, especially his favourite pickles, pickled and salted (when there were no fresh) mushrooms and three kinds of coffee. Apparently, Lenin was a glutton for food, and in the midst of the unprecedented famine that was taking away tens of thousands of people every day, he scolded the head of supplies, Gorbunov: „the caviar smelled strange yesterday“, „the marinade of the mushrooms was disgraceful“, and „it would not be bad to send the cook to prison for a week“.<sup>110</sup> That is why it is not at all surprising that this privilege, so important for the nomenklatura's health, such as food, was fully preserved until the collapse of the totalitarian regime in 1991.

**Fourth**, one of the most wonderful privileges of the senior Soviet nomenklatura (members of the Politburo, secretaries of the Central Committee) is **the double payment** of their sea service: first, **in addition to the salary, deputy's money, honoraria, etc., they all have accounts in a state bank**, which means that they can withdraw an unlimited amount of state money at any time; and secondly, **the senior no-**

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<sup>110</sup> See **Bunich**, Igor. Op. cit., p. 90.

**menklatura cadres** literally live in indescribable luxury at state expense, as they **do not give even a penny from their own pockets**, because it is enough to call the administrative head in the Central Committee on the „five-pointed telephone“ to order him to prepare a decision **to build a house or a villa**, after which the high-ranking leader moves into a fully furnished and well-guarded new residence.<sup>111</sup>

But this is not all, because a lot of data shows that the Bolshevik leaders, thanks to their monopoly position in Russian politics, have an undisguised **piety towards foreign currency**. For example, the New York Times on 23.08.1921 wrote: „The bank Kuhn, Loeb & Co., which subsidized through its German subsidiaries the coup in Russia in 1917, was not forgotten by its grateful customers. In the first half of the current year alone the bank received from the Soviets gold to the amount of 102 million and 290,000 dollars. The leaders of the Revolution continued to increase their deposits in United States banks. **Trotsky's account, for example, in two American banks alone has recently grown to \$80 million.** As for Lenin himself, he stubbornly continued to put his „savings“ in Swiss banks despite higher interest rates on our free continent“<sup>112</sup>.

Faithful to this inherited tradition from the time of Lenin and Stalin, **on 10.11.1962 the Central Committee of the Communist Party of the Soviet Union (CPSU)** decreed that the foreign exchange received from the sale of the goods of the „Berozka“ (special foreign exchange shops) should be distributed as follows: 50% of the sums received should be transferred to the „Business Department“ of the Central Committee of the Communist Party of the Soviet Union, and the remaining 50% should go to the disposal of the Communist Party's regional and regional committees. And further, **30% of the foreign currency received to be used for the establishment of an incentive fund, which provides for the partial payment in foreign currency of the monthly salary of the leadership of the Party committees** (up to and including the secretary of a regional committee), with a differentiation of official position; with one-time bonuses for travel abroad and bonuses as decided by the first secretary of the regional committee;<sup>113</sup> etc. In practice, this decree legalized the party's „black“ coffers,

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<sup>111</sup> See Voslensky, M. Op. cit., p. 367.

<sup>112</sup> Cited in: Bunich, Igor. Op. cit., p. 96.

<sup>113</sup> See ibid., pp. 179-180.

through which hierarchically placed nomenklatura cadres acquired additional income in currency without ever having earned it.

**Fifth**, it is an open secret that, in the Stalinist pattern, the nomenklatura leaders travel in armored ZILs, with radio telephones, with bulletproof windows and, naturally, accompanied by civilian guards. With these **transport privileges**, the safety of nomenklatura cadres is regularly ensured, because numbers are changed, so to speak, almost every day, and families are served in gulls or Volga cars. The nomenklatura elite has a huge number of cars. Usually in the West, Brezhnev's car collection is often mentioned, but others in the ruling oligarchy have similar collections. At the bottom of this automotive splendour we find Lenin again, for as early as the spring of 1922 there were already six cars in his garage, placed „under special supervision of the State Political Directorate (GPU)“<sup>114</sup>. Under the same supervision are the cars of the nomenklatura leadership today. Stalin traveled accompanied by four cars with guards, and under Khrushchev the guards were sharply reduced, while the number of bodyguards increased again in recent decades. So it is with the planes, which are flown in for a short holiday, weekend or hunt (along with the whole household), then an empty plane is sent to bring them back to the capital...<sup>115</sup> And so on ad infinitum!

**Sixth**, similar to their predecessors from the feudal era, **the new communist grandees** in the former Soviet Union **permanently organize** all kinds of **feasts, revels and parties attended** only by the narrow nomenklatura-oligarchic elite. A typical example in this respect is the First Congress of the Comintern in Moscow (March 1919), where the delegates, along with discussing the problems of the proletarian revolution and the dictatorship of the proletariat, became participants in a lavish nomenklatura feast given by the gracious hosts.

„On 5.03.1919 in the Great Kremlin Palace – writes Igor Bunich – a reception was given in honor of the delegates of the Congress. Bright electric light flooded the ancient sculptural decorations on the walls, the work of architect Ton. The tables were set with dishes. Engraved caviar platters, boiled sturgeon, an enormous moruna taking up a third of the table, suckling pigs, pineapples and grapes, old wines still bearing on

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<sup>114</sup> See **Voslensky**, M. Op. cit., pp. 381-382.

<sup>115</sup> See *ibid.*, p. 382.

their labels the marks of private collections (including the king's). Lenin had personally approved the menu, instructing Gorbunov to provide for the reception from the stocks of the Council of People's Commissars „caviar – 110 poods, suckling pigs – 800 pieces, red fish – 200 poods“.

The elegant suits of the delegates and the bare shoulders of the women, dressed in the latest European fashion, although they contrasted with the austere frocks of the „people's“ commissioners, gave an extra exotic touch. And they suggested to those present that world revolution was not such a bad thing and worth taking some risks for, since it had already been achieved in Russia. While famine was rampant in the bloodless and plundered country, there were cases of man-eating, mass murders were being committed without trial or investigation, and children of the „rich classes“ were being brought to the Bukhara prison for their wholesale slaughter, while epidemics of spotted fever and typhoid were rampant and the doomed were rotting away in their lifetime, while dead houses without heating or electricity stood like black heaps in the snowy streets, the famous „mirror kingdom“ had already been established here.<sup>116</sup> That is to say, the kingdom of the new dominant nomenklatura class, which at the dawn of the October Revolution had already created its magnificent privileged paradise, which benefited both the Soviet and the international communist nomenklatura of the world.

**Seventh**, special mention should be made of the important place in **the system of privileges** occupied by all representatives **of the service layers of the nomenklatura** (drivers, secretaries, security guards, cooks, waiters, maids, etc.). All of them are from the closest inner circle of the nomenklatura comrades, unquestioningly do their bidding and, of course, are loyal to them to the grave. That is why they are also provided with countless different privileges that ordinary mortal people in the former USSR can only dream of. In fact, here is what he shares anonymously in the newspaper. „We and the bosses are birds of a feather. We are the personal drivers of the nomenklatura bosses. Everything is allowed to us and you understand perfectly well why. We don't have any problems. Petrol? As much as we want, that's how much we'll drink... We buy scarce goods from the special shops and buffets, they treat us in their hospitals, in a word they take care of us...

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<sup>116</sup> See **Bunich**, Igor. Op. cit., p. 66.



All the overtime that falls when we go hunting and fishing, to the sauna, to various intimate addresses, we are paid generously... Alongside our bosses we have always been and will always be without limit and with scarce goods. Why not? Our bosses are concrete"<sup>117</sup>.

What would the royal jesters, pageboys and claqueurs say to such unabashed self-confidence?

They would probably regret not having been born in the Soviet (nomenklatura) privileged era of the XX century!

**Eighth**, on the basis of the status of the privileged nomenklatura class in the former USSR, we shall also derive another important circumstance characterizing this class. We are talking about its **extremely wasteful and profligate way of life**, which itself derives entirely from the privileged position of the nomenklatura in Soviet society. During the Perestroika, for example, according to a specially approved timetable by the Politburo of the Central Committee of the CPSU (1985), \$3 million of state money was allocated for the construction of the new villa (i.e. a complex of many different buildings) of M. Gorbachev; \$500 million a year is spent by comrades on overseas trips, holidays with their families, medical treatment and other occasions,<sup>118</sup> which benefit (on average) about 50,000 nomenklatura people (and their families), etc. There is another solid politico-economic foundation to this wasteful lifestyle: **the holdings and material assets of the CPSU**, which are enormous in Moscow and vast on an all-Union scale. In the capital alone, for example, the CPSU has: 5,000 buildings with a total area of 137,000 square meters; 114 publishing houses and 80 printing houses (employing 80,000 people), which fill the party coffers with 450 million rubles a year; 19 splendid sanatoriums, 40 rest homes, hundreds of polyclinics and hospitals, 1,800 villas and houses; a vast network of garages, canteens, shops, special workshops in the meat and food factories, bakeries, hairdressing salons, tailoring and dry-cleaning shops, and much, much more. And to **keep the nominal economy in good working order on an all-union scale, the annual cost amounts to about 5 billion rubles and another million and a half dollars.**<sup>119</sup> This, in turn, can be defined as a spare secondary kind of privilege for the

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<sup>117</sup> „*Socialist Industry*“ newspaper, 7.12.1986.

<sup>118</sup> See Bunich, Igor. Op. cit., p. 276.

<sup>119</sup> See ibid., p. 275.

Soviet nomenklatura, since in spite of the enormous expenditures, a considerable part of it is consumed by the nomenklatura strata for their lavish living and consumption (through privileged construction, low prices for services, token payment for goods, lucrative vacations, etc.).

With such monopolistic domination of the nomenklatura in power and with such a kind of lavish lifestyle, **corruption in all spheres of Soviet society** was totally rampant. It was the legitimate result of the ruling political monopoly, which, together with the privileges of the nomenklatura, developed a number of new corrupt schemes to plunder the national wealth. And to get an even fuller picture of the abuses of power by the nomenklatura in the former Soviet Union, we will illustrate matters in this area with two sets of facts, discussed in detail in Russian author Igor Bunich's book *The Gold of the Party*.

The first group of facts concerns the plunder and corruption of the top nomenklatura, which began to run rampant with the victory of the Bolshevik revolution in Russia. On the basis of unpublished KGB archives and other little-known data, Igor Bunich presents us with quite shocking facts about the corruption, waste and decay of the professional revolutionaries in the very first years of Soviet power. These facts are about the so-called „Leninist Guard“, which is interested above all in the question of its personal enrichment and privileged position, and on a scale that arouses genuine astonishment. According to these facts, unknown at the time, it is clear that under Lenin's wing **in 1921 the Bolshevik leaders had their personal accounts in Western banks, as follows: Leon Trotsky – \$11 million in one US bank alone and 90 million Swiss francs in the Swiss Bank; Zinoviev – \$80 million in the US Bank; and the Bolshevik leaders – \$90 million in the Swiss Bank. Swiss francs in a Swiss bank; Uritsky – 85 million Swiss francs in a Swiss bank; Dzerzhinsky – 80 million Swiss francs; Ganetsky – 60 million Swiss francs and 10 million dollars in the USA; and Lenin – 75 million Swiss francs!...** It is noteworthy that on Stalin's orders most of these funds were later returned to the State Bank of the USSR, but a portion of them, like those of Trotsky and others, disappeared without trace...<sup>120</sup>

The second set of facts about unprecedented corruption and bribery among the nomenklatura apparatus in the 1970s and 1980s is

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<sup>120</sup> See *ibid.*, p. 94; see also: **Gribachev**, D. *Drama... Op. cit.*, pp. 162-163.

something that hardly has an analogue anywhere in the history of modern human civilization in the XX century. The KGB archives of that period show that **in most of the allied republics of the USSR all party and state posts were freely bought and sold for certain amounts of cash.** In Azerbaijan, for example, the post of „district prosecutor“ cost 30,000 rubles, and the post of „head of a district militia department“ – 50,000 rubles. These positions can be purchased by the relevant district committee secretary as long as they have the money to pay him in cash. The post of „director of a kolkhoz“ (although elective) costs 80,000 rubles, as it enters the nomenklatura list of the raion committee and opens wide opportunities for further movement up the nomenklatura ladder. But the post of secretary of the raion committee itself is much more expensive to buy – 200,000 rubles, and 100,000 rubles for the second secretary. This money is paid to the secretaries of the Central Committee of the Communist Party of Azerbaijan, since these are already positions of the Central Committee nomenklatura. In the Central Committee almost all state posts are sold, and also other leading posts. The post of „director of a theatre“ costs 30,000 rubles, that of „director of a scientific institute“ – 50,000 rubles, and the title of „academician“ – 50,000 rubles. Too high in value is the post of „rector“ of any of the republic’s universities – 200,000 rubles. At the last post, „rector of a higher education institution“, the hefty sum paid is recovered very quickly, because enrolling a student, say, at Baku University costs 20,000 rubles, at the Medical Institute – 35,000 rubles, and so on. The post of „Minister of Social Welfare“ costs 120,000 rubles, and that of „Minister of Trade“ 250,000. Half a million is paid for membership of the Central Committee of the Communist Party. Such a practice enables the Gestapo of the shadow economy to put their own people in key positions from top to bottom to fight the party nomenklatura and dictate policy to it in their own interests. But these mafia facts are not the scariest thing. The huge funds that flow into the Central Committee of the Communist Party and into the hands of its First Secretary go straight abroad – into accounts in foreign banks whose subjects are one or other of the senior nomenklatura.<sup>121</sup>

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<sup>121</sup> See **Bunich**, Igor. Op. cit., pp. 190-191.

The above picture of corruption and bribery is also characteristic of a number of other Soviet republics, among which the Republic of Georgia holds the record of expensive posts, where valuables and currency are often used instead of dry steam. Moreover, a part of what was received in the Central Committee of the republics was earmarked for the nomenklatura in Moscow. In general, the nomenklatura in the Central Asian republics restored the orders of feudal vassalage in those years, with the party apparatus dividing the republics into spheres of influence. In these republics the life and splendour of the nomenklatura are maintained as in the fairy tales of Scheherazade: there are caves overflowing with gold and jewels, underground prisons with slaves in chains, fabulous palaces with harems, and from here too the threads lead to Moscow and abroad...<sup>122</sup>

These are just a few of the many facts and examples of the genesis, spread and consolidation of nomenklatura privileges (and their concomitant phenomena, such as corruption) in the former USSR in the then socialist totalitarian society. But this very **rich system of privilege** quickly transcended the borders of its homeland after the end of World War II, when **from the very inception of the so-called „socialist states“ it found its mass application** through the monopolistic domination of the ruling communist parties. Uncovering the scope and content of the system of privileges in the former socialist states needs much more special elaboration, which is why we will here only illustrate with a few facts how it (the system) was transferred to these states as evidence of its universal incarnation. This is clearly evident from the functioning of totalitarian power in the former socialist states, which literally copied and extensively developed the various types of nomenklatura privileges, namely: **1) in terms of the privileged use of various goods and assets** – in the Socialist Federal Republic of Yugoslavia, Yugoslav leader J. Br. Tito had more than 100 old and newly built palaces, residences and luxury villas, which were mainly used by him and his entourage; in the distant socialist Cuba only the number of residences personally used by Fidel Castro equals the figure of 32; in small Bulgaria, for example, the totalitarian regime had dozens of nature and other reserves,

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<sup>122</sup> See *ibid.*, p. 191.

about 40 special residences, dozens of elite holiday homes, sanatoriums, various luxury villas, etc.;<sup>123</sup> **2) in terms of the use of special facilities (underground tunnels, hideouts, bomb shelters, etc.)** – in the former GDR, 15 concrete bomb shelters were created for the concealment and survival of the top nomenklatura cadres, and among them the most modern facility was Erich Honecker's special bunker, which was built on three floors (66 m long, 43 m wide and 24 m high), 20 m underground, hermetically sealed and with all kinds of supplies for the survival of 350 people „chosen by the people“ for two whole weeks; in Yugoslavia, as early as the 1950s (in the Sneznik mountains of Slovenia), a deep underground hideout was created for the ruling elite of the country, which was an entire modern town – with many luxury apartments, conference rooms, kitchens and canteens, a small hospital, ammunition stores, on an area of several thousand square meters, and the ruling elite hiding in it could survive without any contact with the world for 90 whole days; the nomenklatura hideouts of the communist Albanian leaders were built in the form of branching underground tunnels and galleries and have a total length of 265 km, and almost nobody knows about their existence, because their entrances are located in the private villas of the communist leaders;<sup>124</sup> **3) with regard to the nomenklatura hunting and fishing** – the creation of special hunting farms for the top communist leaders, where they can kill specially bred animals at will, such as the Zavidov farm in the former USSR, the area of which is 1 million. and 125,000 acres, on which 400 new buildings have been built (in 1953), with over 500 support staff;<sup>125</sup> and **4) in terms of various pleasures, delights and luxury consumption** – in the Democratic People's Republic of Korea (DPRK), the current communist leader Kim Jong-un owns at least \$5 billion in assets 17 lavish palaces across the country, a luxury jet worth millions of dollars, a 29-metre luxury yacht costing \$7 million, a \$1 million armored Maybach limousine, a personal collection of 100 luxury cars, a „Pleasure Squad“ formed, or a modern leader's harem, made up of more than 2,000 virgins (some of the most beautiful women in North Korea), who are paid to have sex

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<sup>123</sup> See **Gribachev**, D. Drama... Op. cit., p. 178.

<sup>124</sup> See *ibid.*, p. 179.

<sup>125</sup> See „*Maritsa*“ newspaper, 30.10.2021.

with the senior nomenklatura, and for which the leader personally splashed out £3m on sexy lingerie (in 2016), and in 2017 a colossal £493m was spent on illegal imports of musical instruments, alcohol, seaplanes<sup>126</sup>, etc.

All in all, **the totalitarian socialism that emerged in the XX century in the former USSR and other „socialist states“ around the world succeeded in creating a highly developed, extensive and multifaceted system of nomenklatura privileges that surpassed in many ways the scale of privileges in most ancient and medieval societies.** Privilege thus became an integral part of a viciously conceived socio-political and economic system called „socialism“, in which the dominant political (party) monopoly and the dominant economic determinism inevitably gave birth to the new nomenklatura class, whose representatives have always been interested only in their personal well-being, despite swearing by the motto „All in the name of the people, all for the good of the people“.

Yes, but with an important correction: „All for the good of the nomenklatura class, all for the good of its oligarchy“. Or, as the great Bulgarian poet Radoy Ralin aptly wrote: „They got to communism first because they didn't go on foot!“.

### **2.3. The privileges of the Nazi elite in Hitler's Germany**

Comprehensive and in-depth consideration of the problem of political privilege under consideration inevitably leads us to the workings of Nazi totalitarianism in Germany<sup>127</sup> in the 1930s – 1940s. This obscurantist regime has been studied from a variety of perspectives, through which many correct assessments of its unfortunate existence have been derived. However, this is not true of the phenomenon of privilege and its application in the lives of fascist elites. For, either through underestimation or neglect, political privilege under Hitler has not been subjected to serious scholarly analysis. It is for this reason that we will

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<sup>126</sup> See „*Trud*“ newspaper, 10 – 11.04.2021; „*Sega*“ newspaper, 18.04.2015.

<sup>127</sup> The terms „Nazi totalitarianism“, „Nazi fascism“, „National Socialism“, „Nazism“, etc. are used here as synonyms for „fascism“, without implying that we do not distinguish between some of them (the terms).

attempt to make sense of the use of various privileges during the totalitarian regime, beginning first with the specific socio-historical circumstances that led to its total development.

As a political current and ideology, fascism was created by the Italian Benito Mussolini (1883 – 1945), who founded his fascist organization in 1919. In 1922, he founded Fascism. Mussolini organized the famous March on Rome of his fascist troops (*fasci di combattimento*) and seized power, ousting the legally established government. Thus, by means of a violent coup d'état, sole power was imposed on the fascist party, which ruled the country until 1945.

The theoretical foundation of Benito Mussolini's new socio-political doctrine is developed in his work *The Doctrine of Fascism* (1932), which sets out the main fascist ideas according to **Prof. Trendaphil Mitev**: Fascism is the only force that can rule the state; the fascist state is the one that is able to guarantee the vital interests of the whole society; the main political goal is the permanent one-party conquest of state power and its unchecked rule; the assertion of the exclusive role of the fascist party and the banning of other democratic parties; the establishment of a corporate economic system under the aegis of the fascist party; the imposition of fascism as a non-partisan „all-people“ ideology throughout society<sup>128</sup> etc.

On this basis the fascist ideology was adopted and developed in Germany by the leader of the National Socialist Party, Adolf Hitler, who in his major work *My Struggle* (1925 – 1926) set out even more extreme views on the nature of fascism, such as: the permanent imposition of the one-party fascist state and the total use of various forms of political violence; the dominance of the state-monopolistic approach in the regulation of economic, political and cultural processes; the unprecedented establishment of a single ideology (the fascist one) in social and political life; unscrupulous propaganda and demagoguery in the dissemination of anti-human theories such as racial inequality, racism, anti-Semitism, etc. total control of all social life (including people's private

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<sup>128</sup> See **Mitev**, Tr. Fascism. – In: *Basic terms used in the educational process...* Op. cit., pp. 443-444.

lives); creation of repressive state-party organs to persecute people;<sup>129</sup> militarisation of the economy; creation of a cult of personality of the Führer (Hitler), etc. Thus the **thesis of the power of the fascist parties to impose total omnipotence over the state machinery they control and total control over the whole of society and human individuals is actually being implemented.** In other words, there was a classic form of far-right totalitarian political regime in fascist Germany, also known as „totalitarianism“ (or „totalitarian society“).

As for its definition, we will here rely on the definition of Professor M. Semkov, who writes: „Fascism is a movement which, through nationalism and social demagoguery, penetrates all strata of society and, by legal and clandestine means, strives for a totalitarian dictatorship – an alliance of the new political class with the circles running the economy“<sup>130</sup>. In this sense, when we say that fascism is in power, it is necessary to point out a few more circumstances: (a) the preservation of the alliance between parts of the big bourgeoisie and the middle classes; (b) the preservation of the dominant economic subjects (the industrial bourgeoisie, the financiers, the merchants, the landowners); (c) the integration of the masses into the totalitarian system; (d) the establishment of absolute totalitarianism, in which the party and its leader are autonomous from those who brought them to power (various socio-economic forces); (e) the primacy of politics and ideology over the economy, etc.<sup>131</sup>

The concrete realisation of these ideological postulates in political practice took place after the elections of 22.11.1932, in which the German National Socialist Workers' Party (GNSWP) (Hitler's party) won another parliamentary election. Hitler thus formed a government in a completely legal way, after which, on 14.07.1933, he passed a law declaring the further existence of other political parties illegal (including

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<sup>129</sup> These include, for example, the SD, the Nazi Party's own intelligence and security organization; the SS, combat units and divisions, or troops at Hitler's disposal; the Gestapo, the secret police of the Third Reich, etc. (See **Taylor, J.**, Warren Shaw. Dictionary of the Third Reich. Sofia: Eqvus P.S. Postscriptum, 2002, pp. 142; 152-153; 58).

<sup>130</sup> **Semkov, M.** Fascism. Sofia: St. Kl. Ohridski, 1989, p. 324.

<sup>131</sup> See *ibid.*, p. 300.



the creation of new parties), and proclaiming the Nazi party of the Führer as the only permitted party. But there is more: as J Petzold rightly points out, fascism was not only a political consequence of the general crisis of capitalism (1929 – 1933), but also fully benefited from the exceptional crisis situation in the economy<sup>132</sup> of the country. This, as well as the help of big capital, marked the beginning of the totalitarian regime in Germany, which put into practice the key principles of state rule during the Nazi dictatorship.

How was **Hitler's state** built and on what were the institutions of power based?

The main „**principles**“ of this state, according to historians D. Melnikov and L. Chornaya, are as follows: **first, the complete domination of the Nazi Party and the total subordination of the state and all its institutions (the courts, the army, local governments, etc.); secondly, the perfection of propaganda and social demagogy, the monopolization of the means of propaganda and the isolation of the people from all sources of information** (from which information about the internal and external situation of the country can be drawn); and **thirdly, a ramified apparatus of violence and terror, creating a huge network of informers (informers) ensuring cruel control over every citizen**, organizing concentration camps, dealing with the opposition and intimidating opponents of the regime<sup>133</sup> etc. And one more thing: the transfer of all power into the hands of the Nazi party was carried out in the process of the so-called „unification“ of all political life. Or, as Hitler himself proudly declared, Germany's main slogan became „**One Party, One Reich, One Führer**“, which literally means that the state was handed over to the Nazi Party, and the Nazi Party to Hitler.<sup>134</sup> In other words, a classic form of totalitarianism has been established under the monopolistic domination of the fascist party and the sole dictatorship of its leader.

In such a state of affairs, the highest state institutions are totally depersonalized by making their activity meaningless, because in the

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<sup>132</sup> See **Petzold**, J. *Fascism – a criminal regime*. Sofia: Partizdat, 1986, p. 46.

<sup>133</sup> See **Melnikov**, D., L. Chornaya. *Myths and Reality. The Nazi regime and its Führer*. Sofia: Fatherland Front, 1982, p. 167.

<sup>134</sup> See *id.*

fascist empire **there are no normally functioning legislative and executive bodies.** This is why **the German Reichstag is jokingly referred to as „the most highly paid male chorus in Germany“**, because all its functions are limited to singing „the German anthem before and after meetings“. And since 1934, the Council of Ministers in Germany has in fact not met at all and nobody has „noticed“ this because the cabinet has become an absolute fiction. Laws were not discussed and passed at all. Therefore every remark, even accidentally dropped by Hitler, became law. At night Hitler (until deep into the night Hitler does not sleep) speaks in the circle of his cronies on all sorts of matters, and in the morning these speeches take shape as orders or laws. This is how all things were done in the Third Reich; this is how the rogue military raids began; this is how the map of Europe was re-drawn; this is how the mass arrests and liquidation of millions of people were carried out...<sup>135</sup> etc. In practice, Adolf Hitler possesses such infinite absolute power that no absolute monarch has, mainly due to the fact that the official institutions (parliament, government, courts) are literally paralyzed as their activities are focused and determined solely by the omnipresent Führer.

Because of this important circumstance, the fascist state is forced to fabricate artificial authorities of power to replace the real lack of real statesmen. This is how the cult of Hitler's personality emerged, which inevitably „grew into savage idolatry“ (Zh. Zhelev), knowing no stops, limits or boundaries. It (idolatry) ascribes to the leader, on the one hand, supernatural qualities which it is physically impossible for a man to possess, and on the other hand, logically incompatible and mutually exclusive merits. Thus, instead of an authentic authority, the state creates **a cult of the personality of the political leader.** For example, **Hitler** is presented as the best „friend of nature“, „connoisseur of art“, „dear comrade“, „friend of the workers“, „friend of the peasants“, „friend of the youth“, „friend of the sportsmen“, „man of action“<sup>136</sup> etc. And on most of the paintings and photographs of the time, the Führer is touted as „father of the nation“, „father of the people“ (as opposed

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<sup>135</sup> See *ibid.*, p. 100.

<sup>136</sup> See **Zhelev**, Zh. *The Totalitarian Twins. Fascism – 30 years later.* Veliko Tarnovo: Faber, 2012, p. 147.

to Stalin, who was „father of nations“), „first standard bearer“, „architect“, „the man with the brown shirt“, „statesman“, etc.<sup>137</sup> These absurdities even go so far as to have the self-confessed Führer refer to himself as some kind of supreme being!!!, since in the 1930s he uttered two sacred lines: „**I’m never wrong. Every word of mine is historic“; and „I walk with the confidence of a lunatic on that path where providence leads me“**<sup>138</sup> (*emphasis mine – G. M.*).

In fact, as we have already mentioned, from the moment it came to power, fascism not only imposed the cult of the first leader, but simultaneously destroyed all political parties and social organizations (proletarian, bourgeois, etc.), establishing a complete political monopoly of the NSDAP. This was done through the fusion of state and party positions and continued down the entire hierarchical ladder, with all important positions in the Third Reich being occupied by members of the Nazi Party.

According to Zhelyu Zhelev, **the fusion of the state and party apparatus** is a universal political phenomenon that takes many forms, but several of them are of fundamental importance.

First, it is the wholesale occupation of positions in the state apparatus by members of the fascist party and its deserving veterans.

Second, it is an immediate joining (in the superstructure) of government and central party power in the same persons (Hitler, Goering, Goebbels, Himmler, Rosenberg, Hess, etc.). Each of these figures can be seen as an organic synthesis of government and party power.

Thirdly, it is the state’s own legalized pervasive party control over all state bodies, their personnel and their activities.

Fourth, it is a transfer of state functions to various organs of the fascist party.

Fifth, it is a merger of related state and party formations.

Sixth, it is central state pay (as in the case of civil servants) for the purely party functionaries (Reichsleiters, Gauleiters, Kreisleiters, Ortsgruppenleiters) who are engaged in party-organising and agitation and propaganda work.<sup>139</sup> This „principle“ of selecting cadres throughout the country became the guiding principle in their appointment,

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<sup>137</sup> See *id.*

<sup>138</sup> See **Melnikov**, D., L. Chornaya. *Op. cit.*, p. 101.

<sup>139</sup> See **Zhelev**, Zh. *Op. cit.*, p. 55.

which enabled Hitler in a speech to the Reichstag on 20.02.1938 to confidently declare, „There is not a single establishment in this country which is not National Socialist. In Germany every person holding a responsible position is a National Socialist. All the establishments of the Empire are under the authority of the supreme political leadership. The Party leads Germany politically“<sup>140</sup>. In practice, this fusion of party and state apparatus literally „cements“ the party-state, thereby also guaranteeing unlimited totalitarian power to the Führer.

In the fascist state, the ruling party in Germany has an extremely privileged position, which is not only expressed in the monopoly position (and control over institutions), but also in the fact that **the laws of the state are essentially invalid for the Nazi party and its members**. That is to say, laws are eliminated by the party leadership, which is why even the most ordinary party member cannot be tried by a civil court after being a member of the NSDAP. Thus, if a crime is committed, he must first be expelled from the party through the „party court“ and only then be handed over to a state court as a subject of the Third Reich.<sup>141</sup> In other words, **both the Nazi Party itself and all its rank-and-file members are placed above all state organs and cannot be sanctioned without a decision of the „party court“, even if they are the most hardened recidivists, thugs and criminals**.

It is extremely important to point out that this privilege of party members applies especially to the leading cadres of Hitler’s party, inasmuch as a large number of them hold prestigious state positions. This is confirmed by the pyramidal **composition of the National Socialist Party**,<sup>142</sup> the base of which begins with the lowest party leader (the Blockleiter) and reaches the very top, the Führer (*see Table No. 5*).

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<sup>140</sup> Cited by: *Ibid.*, pp. 57-58.

<sup>141</sup> See *ibid.*, p. 79.

<sup>142</sup> This party structure is determined by the strategic goal of the party – the leadership of the state and the people. It is therefore built on a territorial principle, with the empire divided into districts (gau), districts into counties (krais), counties into districts (ortsgruben), districts into districts (cellen), and districts into blocks (bloc). Each unit is headed by a party leader (leiter), respectively a gauleiter, a kriesleiter, an ortsruppenleiter, a celenleiter and a blocleiter. The leaders in the central (imperial) party leadership are called „Reichsleiters“. Reichsleiters are Hitler, Goebbels, Rosenberg, Hess, Von Schirach, Lai, Dare, etc. Each of the Reichsleiters heads a particular department

**Table No. 5. Composition and size of the senior management of the NSDAP**

No.	Party leaders	1935	1939
1.	Gauleiters	33	41
2.	Chrysaluters	855	808
3.	Ortsgruppenleiters	21 283	28 376
4.	Zellenleiters	55 764	89 378
5.	Blocklayers	213 737	463 048
6.	Total	291 672	581 651

*Source: Semkov, M. Op. cit., p. 349.*

Along with the Führer, all of the above-mentioned executives are, according to the Nazi party statutes, „responsible party leaders“, are endowed with special powers and are essentially the holders of power. That is why they are called „political leaders“, or „the corps of political leaders“. <sup>143</sup> That is to say, this **high-paid party apparatus (or nomenklatura) of about 600,000 in Germany essentially duplicates the state apparatus** and is to a considerable extent openly parasitic. <sup>144</sup> Thus, in **parallel with the state apparatus, another, supra-state apparatus is being built up, as a social support for the regime and as a justification for the privileges granted to the prominent pillars of the regime.** Deprived of essential functions at first, this party apparatus simulates feverish activity by organizing parades, rallies, demonstrations, manifestations, torchlight processions, pilgrimages to the burial places of fallen fascists, collective outings, military and sports competitions, national celebrations, with which it squanders enormous additional state resources. In other words, not only the apparatus, but its entire activity is parasitic,

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in the imperial leadership of the party. For example, Goebbels is in charge of propaganda, Rosenberg of the ideological and political education of the members, Schirach of the work among the youth, Lai of organizational matters, etc. At the top of the whole party stands the Führer, his will being the law in the party. And since he is at the same time Reich Chancellor, i.e. supreme head of state, he appoints his deputy in the party and practically directs the party in accordance with the party programme and the Führer's instructions (See *ibid.*, p. 94).

<sup>143</sup> See *ibid.*, p. 98.

<sup>144</sup> See *ibid.*, p. 77.

costing society and the state dearly.<sup>145</sup> In this way, the fascist party *no-menklatura*, in addition to turning the state into an instrument of collective exploitation (of civil society and the national economy), also unscrupulously uses it to amass personal wealth, to deploy corrupt schemes and to „breed“ legitimate and illegitimate privileges.

As a result of the fusion of the party with the state under the adept leadership of the Führer, an extraordinarily complex **hierarchy of privilege** was introduced in Germany, encompassing above all the entire leadership layer of Nazi society, as well as a small section of the working class, peasantry and intelligentsia. This hierarchical scale of **privileges** can be clearly differentiated into **two main types**: privileges granted to **the party apparatus** (and members); and privileges pertaining to the entire **state apparatus**.

### 1) Party apparatus privileges

According to Russian scientists D. Melnikov and L. Chernaya, different circles of the Nazi top enjoyed strictly differentiated party privileges. Thus, a **member of the Nazi Party** had certain advantages over non-partisan Germans (in holding public office, in entering institutions of higher learning, etc.); **the stormtrooper**, in turn, is a step above the ordinary party member – he receives a state uniform, can claim higher positions in the party; he receives remuneration for participation in various SA actions, uses special clubs, etc.; above the stormtrooper stands **the SS man**, who personifies the „superior race“ among the mass of Germans, dresses and eats as a rule at state expense, he is a „soldier of the party“. Hitler personally established a similar gradation of wealth among party leaders of varying degrees: block leitters (as we have already said, the Nazi party was built on a territorial principle – block leitters were the heads of local organizations – the neighborhood ones), *ortsgruppenleiter*s, *kriesleiter*s, and *gauleiter*s. Each of these positions is associated with certain, often very significant privileges,<sup>146</sup> which are automatically granted to the respective party members, i.e., are due to them by right.

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<sup>145</sup> See *id.*

<sup>146</sup> See Melnikov, D., L. Chernaya. *Op. cit.*, p. 172.

## 2) Privileges of the state apparatus

Similar to the privileges for the partisans, a host of benefits and perks were distributed to the state apparatus. Here, however, officials differed both in rank and salary, and in the serious amount of „hidden benefits“ – subsidies, regular bonuses linked to the position, gifts for holidays and anniversaries, concessions in the use of transport and utilities, advantages in medical treatment and recreation, etc.<sup>147</sup>

It should be noted that any internal transfer from one privileged caste to another is always associated with a visible improvement in material status or with appreciable losses, because the refrain „The Führer gives, the Führer can take away“ is persistently drummed into the party members and the surrounding satellite layers.<sup>148</sup> This is borne out by the fact that from the beginning of 1937 the so-called „Basic Provisions of the German Civil Servants’ Law“ were issued, according to which any appointment to a public office was deemed invalid if it had not been agreed in advance with the relevant organs of the National Socialist Party.

The binary differentiation of privileges received in Hitler’s party state just outlined is objective and correct, but it is also incomplete because it does not include all social spheres and their privileged use by members of the Fascist Party. Therefore, we will apply a more developed classification scheme and structural differentiation of privileges under the Nazi totalitarian regime based on the facts, arguments and evidence presented so far on this issue (*see Table No. 6*).

**Table No. 6. Classification of the privileges of National Socialist Party cadres in Nazi Germany (1933 – 1945)**

No.	Type of privilege in fascist Germany
<b>I.</b>	<b>Privileges of the Führer (in all spheres of society)</b>
1.	Total concentration of power in the hands of the first leader – party, chancellorship, presidency, military, etc.
2.	Extremely high party and state salary
3.	Unaccountable handling of huge financial resources at the expense of the state
4.	Using public money for personal needs

<sup>147</sup> See id.

<sup>148</sup> See id.

5.	Non-cash use of state houses, cottages, hunting lodges, etc. for representative purposes
6.	Free use of official personal transport – road, air, river, etc.
7.	Areas in the field of health care – specialized hospitals, medical centers, sanatoriums, etc.
8.	Special network of holiday homes, stations, bases and holiday cottages (old and newly built)
9.	Supply of high quality food products without compulsory coupons (as it is for simple Germans)
10.	Party and state security with funds from the state budget
11.	Organizing special hunting (and fishing) trips with special parties and troops
12.	Other privileges
<b>II.</b>	<b>Privileges of party cadres (senior, middle and junior)</b>
1.	Organic synthesis of governmental and party power and its concentration in the same top representatives of the NSDAP (Hitler, Goering, Goebbels, Rosenberg, Hess, etc.).
2.	The arbitrary occupation of various positions in the state apparatus by members of the fascist party and its meritorious veterans (at all levels of the state hierarchy)
3.	The privilege of pervasive party control over all state organs, their personnel and their activities, which is legitimized by the state
4.	Transfer of specialised state functions to the organs of the fascist party in order to strengthen control and surveillance over them
5.	Centralised state pay with much higher salaries (as for civil servants) for leading party functionaries (Reichsleiters, Gauleiters, Kresleiters, etc.) who engage in party-organising, agitation and propaganda-populist activities
6.	Maintenance with state funds of party cadres for the needs of the National Socialist Party (payment of party activists, financing of propaganda events, organization of various campaigns, etc.).
7.	Use of different types of privileges (according to party office) in all public spheres – transport, health, rest homes, recreation, food, etc.
8.	State security (free of charge) for party cadres, depending on their position and the position they hold in the hierarchy (in the party state)
9.	Hunting trips in specially prepared state farms
10.	Right to state funeral with appropriate honours and rituals (free of charge)
11.	Non-payment of taxes for the production of soft drinks – for those who are members of the Nazi party (such are the SS people)
<b>III.</b>	<b>Privileges of the State apparatus</b>



1.	Compulsory membership of the NSDAP in order to be authorised and appointed to work in all state institutions
2.	Enjoyment of the basic privileges that are regulated for the party apparatus
3.	Grant of allowances, regular bonuses and other cash bonuses (according to the post concerned)
4.	Generous gifts for various holidays and anniversaries
5.	Transport and utility discounts and concessions
6.	Treatment, rest and recreation benefits for civil servants
7.	Preferential supply of food and food products (with discounts under the coupon system)
8.	High privileged pensions for the apparatus (or so-called „Hitler pensions“)
9.	Free education of pupils in Nazi elite schools and of students (Junkers) in universities who are members of the NSDAP, as future potential cadres of the state
10.	Other benefits for the state apparatus
<b>IV. Privileges of the satellite layers of the Nazi Party</b>	
1.	Service layers (cooks, waiters, valets, drivers, etc.) – high wages, reduced food, cheap vacations, etc.
2.	Advantages in the spiritual sphere for intellectuals (poets, writers, artists, painters, architects, scientists, etc.) in their professional development if they are members of the Nazi Party
3.	Areas for the so-called „special security units“ (including the „Dead Head“ unit) – supra-state structures directly subordinate to the Führer, with extraordinary powers, using all possible privileges in the state (discounted food, low rates for holidays, free transport, high salaries, etc.).

**Sources:** *This classification of National Socialist privileges in Hitler's Germany is based on the following sources: Melnikov, D., L. Chernaya. Op. cit., pp. 172-173; Zhelev, Zh. Op. cit., pp. 57-58; 77; 79; 94; 98; Moorhouse, R. The Third Reich in 100 objects. A material history of Nazi Germany. Sofia: Prozorets, 2019, pp. 160-162; and Bezimensky, L. The Unsolved Secrets of the Third Reich. Sofia: Partizdat, 1982, pp. 25-26; 45-48.*

As is evident from the unfolding table of Nazi **privileges in Nazi Germany**, these in all their „splendor“ and variety were not only and not so much **an important attribute of power**, but above all **a key means of securing a lavish life and high material well-being on the back of the state**. In this respect, the privileges of the Nazis are extremely similar to those of the Bolshevik nomenklatura, which is why

we will add to what has been said before a few more essential facts about them.

The absurd **fusion of the party with the state**, whereby the political core of the state itself takes the National Socialist Party „under guard“, must be explicitly emphasized.<sup>149</sup> This is **one of the most secure and reliable political privileges**, which in fact allows the fascist party to receive legal protection from the state and which practically exempts it from any legal responsibility. Particularly revealing in this respect is Section 6 of the Party and State Security Act of 1 December 1933, which is explicit: „...the authorities are obliged to provide legal and administrative assistance to Party and SA organisations which the Party and SA have authorised to act on their behalf“<sup>150</sup>. In other words, the National Socialist Party regulates its own leadership role in society, monopolizes political space and becomes a „state within the state“, privileging its own fascist elite in all spheres of society.

It should be taken into account that, thanks to his privileged position in society, the Führer personally stimulated the creation of financial institutions that would accumulate cash flows to the first leader and his entourage. In the words of Albert Speer, Hitler’s chief architect (and Minister of Armaments), a special Endowment Fund of German Industry was created for Adolf Hitler, with prominent entrepreneurs making voluntary donations (contributions) to it. Some of **these donations were thus distributed to various party leaders „on behalf of the Führer“, and almost all senior party functionaries received cash gifts from the fund.**<sup>151</sup> Moreover, the Führer himself, who was insanely afraid for his life wherever he went, made it his first job to build a bunker for his security with state and donor money. And the thickness of the roofs of these bunkers grows in proportion to the increase in the calibre of the bombs, until it finally reaches 5 m. As a result of these measures a veritable **system of bunkers** came into being in Rastenburg, Berlin, Obersalzberg, Munich, Salzburg, etc., and by 1944 Hitler already had two underground headquarters under his command.<sup>152</sup> The culmination of this

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<sup>149</sup> See more details in: **Zhelev**, Zh. Op. cit., pp. 73-75.

<sup>150</sup> See *ibid.*, p. 74.

<sup>151</sup> See **Speer**, Albert. *The Third Reich from the Inside. Memoirs. Volume I.* Sofia: Iztok – Zapad, p. 123.

<sup>152</sup> See *ibid.*, pp. 290-291.

capricious extravagance of insanely large funds was **the construction of the Reich Chancellery** in 1938, for which Hitler expressly decreed that no money should be spared for the new buildings, so that the total calculation of the cubature alone assumed bombastic proportions, viz:

**Table No. 7.**

No.	Buildings of the Reich Chancellery	Volume (million cubic metres)
1.	Palace with dome	21
2.	Hitler's residence	1,9
3.	Complex of offices and Reich Chancellery	1,2
4.	Additional office premises	0,2
5.	Troop Headquarters	0,6
6.	The new Reichstag	0,35
	Total:	25,25

*Source: Speer, Albert. Op. cit, p. 216.*

These unimaginable costs for the Reich Chancellery amount to the colossal sum of **5 billion marks**,<sup>153</sup> although according to some estimates they are probably greatly underestimated.

It would be curious to note that the Führer spent no small part of the money he received on his own personal and luxurious consumption as well as on the refined and enticing life of his beloved Eva Braun. Here is what historian Roger Moorhouse writes on this occasion: „She changed her outfits twice a day and was regularly visited by her hairdresser. She also loved to walk her two dogs, Negus and Stasi, and to relax by reading novels. She is not deprived of anything, she is cared for by a large group of domestic staff who are forbidden to speak her name outside the building. Eva is always impeccably dressed and often wears the latest gifts from Hitler: gold watches, jewelry or some trinket. Albert Speer even created a monogram for her in which her two initials EB are woven into an elegant four-leaf clover. The monogram would then adorn many of her personal possessions. It can be seen on the

<sup>153</sup> See *ibid.*, pp. 216-217.

inside of a lavish engraved lipstick box made of Italian silver, which like many of her possessions was most likely given to her...<sup>154</sup>.

To the chic „privileged“ life of the fascist leader we cannot help but add his attraction **to luxury cars, and in particular to shiny limousines** (according to some authors Hitler ordered 500 gold Porsches).<sup>155</sup> As soon as he took power in 1933, Hitler immediately made new additions to his growing car collection. As early as 1935, 4 cars were allocated to his guards; the following year they were already 8. **Separately, Hitler’s Chancellery ordered a total of 60 Mercedes-Benz cars.** Among them were many curious specimens, such as the Mercedes G4 with three axles and off-road tires or the armored 540K used on official occasions. But most notable are the 770 KV 150 models, the first of which was delivered to Hitler in April 1939. In this case, the standard Mercedes-Benz B150 was a modified version of the older flagship, the 770 limousine, with hydraulic brakes and improved suspension. Hitler’s cars had a number of additional extras, such as 40mm bulletproof windows, 11mm steel doors, tyres that could run flat, and a 10mm reinforced floor. All this is designed to make the car invulnerable to attack with a gun and up to half a kilogram of explosive. Although the additional armour makes the car extremely heavy – almost 5 tons, which makes the fuel consumption horrific – nearly 40 litres per 100 km.<sup>156</sup> Naturally, this consumption does not bother the „great“ helmsman of Germany at all, as well as the dozens of people around him who service the Führer’s fleet of cars at state expense.

It is also important to recall the **so-called „Hitler pensions“** paid by the German government then, and still now, to SS volunteers around the world. These pensions, which were paid out under the Nazis, in some cases amount today to USD 1275 for about 2000 people, an amount even higher than the compensation of the victims of Nazism (!?!) (paid by Germany).<sup>157</sup> Moreover, the beneficiaries of Hitler’s pensions are found in almost 30 countries around the world, and the argument for receiving them is that, according to some laws from the mid-

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<sup>154</sup> See **Moorhouse**, R. Op. cit., pp. 107-108.

<sup>155</sup> See **„Trud“ newspaper**, 16 – 17.01.2021.

<sup>156</sup> See *ibid.*, p. 161.

<sup>157</sup> See **„Trud“ newspaper**, 27.06.2019.

dle of the last century, SS people can be equated with Wehrmacht soldiers! And if this is not a double standard of the vaunted democratic world of the Western countries, then cheers!!!

As a stark expression of the privileged position of **the fascist elite above the state**, there has been both a sharp detachment from the vast mass of the population and **an increase in corruption within the party and state** by the omnipresent party apparatus. It is this that can explain the undeniable fact that after the fall of the Nazi state, its **top leaders** found themselves fabulously wealthy, with large sums in foreign banks. That is to say, the people who stirred up the most rabid nationalist feelings in the people and the youth, who inculcated hatred of everything foreign (non-German), **had deposited their money in... foreign, mainly Swiss banks!** Thus, for example, from the publication of the *Mein Kampf* alone, which was distributed essentially under compulsion, **Hitler received \$4 million**; at the beginning of the war **Goebbels** had overseas assets **valued at \$4.6 million**; **Himmler** had **about \$6 million** in foreign banks. The richest, however, among the representatives of the fascist establishment was Goering, with his fabulous villas and palaces, his bathrooms, the floors of which were tiled with solid gold...<sup>158</sup> These are the usual results of the rule of any totalitarian regime, since, for lack of a political alternative, its ruling clique degenerated into an uncontrolled and corrupt oligarchic caste, disguised behind the beautiful ideological phrases of Nazi propaganda.

Let us also point out the existence of brazen financial transactions with money of wealthy businessmen, through which the notorious **„black coffers“ of the totalitarian fascist regime are fed**. Since 1930, under the expert leadership of M. Bormann, the so-called „NSDAP Relief Fund“ was established, into which huge cash donations were made by large German businesses. In this fund, for example, the monopoly concern IG Farben alone contributed at least 83 million marks in some 4 years,<sup>159</sup> a colossal sum for those times. Alongside this, the so-called „Circle of the Friends of the Reichsführer SS“ (Himmler) was additionally established, which is an extremely striking example of the cooperation between powerful groups in the economy and the Nazi

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<sup>158</sup> See **Zhelev**, Zh. Op. cit., p. 76.

<sup>159</sup> See **Bezimensky**, L. Op. cit., p. 46.

top brass (in politics). Under Himmler's tutelage, the Circle of his „friends“ became a kind of „closed club“ of the most prominent industrialists and financiers of the then Germany,<sup>160</sup> who generously supported the ruling party.

Of course, the „Circle“ does not only have advisory functions, since it is also through it that the high-level Nazi apparatus and the SS are financed. Thus, a **special „R“ account** was opened in the Dresdner Bank, into which the contributions of the members of the Circle were transferred for the needs of the SS. The following contributions are recorded in the archives:

1939 – 1 128 000 marks  
1940 – 1 691 100 marks  
1941 – 155 000 marks  
1942 – 780 360 marks  
1943 – 360 600 marks  
1944 – 1 230 000 marks

Accordingly, the following payments were made from this account:

1939 – 1 401 421 marks and 21 pfennigs  
1940 – 1 397 150 marks  
1941 – 385 000 marks  
1942 – 1 135 360 marks  
1943 – 400 000 marks  
1944 – 1 202 450 marks  
1945 – 225 000 marks<sup>161</sup>

As we can observe, the special „R“ account does not reflect all payments and receipts. If we balance the two columns, however, we can see that **the industrialists transferred 5,345,060 marks to the Himmler account, while 6,146,381 marks and 21 pfennigs were paid out of the account.** There were probably some other accounts and

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<sup>160</sup> See *ibid.*, p. 47.

<sup>161</sup> See *ibid.*, p. 48.

some other receipts, because some researchers estimate that the receipts amounted to 1 million marks annually from 1939 and remained at approximately this level until the end of 1944.<sup>162</sup> It is obvious that these enormous sums of money were far and away not spent only for party needs, inasmuch as a considerable part of them filled the pockets of the fascist leaders unaccountably, helping them to increase their personal wealth.

Next, it is the existing total impunity and **predatory character of the Nazi elite towards Germany's national wealth** as a reflex of the privileged status of the NSDAP. According to some researchers, it is almost impossible to calculate the value of what the Nazis looted during the war, as it ranged from a few million to 20 billion pounds (it was stolen indiscriminately, and the money and gold were exported in sacks and chests). Yet, although the state's gold reserve was hidden in a special 640 m deep shaft, it was found after the war. This colossal wealth included thousands of sacks of Reichsmarks and foreign currency, gold and silver coins, trunks and chests of precious stones and all sorts of other valuables, the most important find being 8,500 gold bars – almost 90% of Nazi Germany's gold reserve.<sup>163</sup> However, it is assumed that even these figures are not real, as there are still too many looted and hidden valuables, belongings, money, paintings, etc., whose hiding places are still unknown to this day.

Finally, we will give one monstrous fact about the Nazi regime, which concerns the satisfaction of the food and other needs of the German people and Soviet prisoners of war, and which further reveals **the privileged amoral image of the ruling National Socialist oligarchy** in Germany. This is how the historian R. Moorhouse reveals to us the operation of the coupon system, which has been introduced in the country since 27.08.1939: „The coupon system is terribly complicated. First, all German citizens and permanent residents are categorized: adults are divided into three categories based on the physical intensity of their work: office workers are „normal consumers“, typists are „hard laborers“, and miners are „very hard laborers“. Additional categories have

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<sup>162</sup> See id.

<sup>163</sup> See „**168 hours**“ newspaper, 13 – 19.05.2021.

been created for children and young people...". Thus, „the category determines the distribution of portions: the „normal consumer“ receives 2,400 calories per day, the „heavy worker“ has an additional 1,200 calories, and the „very heavy worker“ receives a total of 4,200 calories per day. Coupons are issued monthly, allowing the authorities to revise the allocation according to supply. Soldiers on leave receive special coupons as a „gift from the Führer“... In addition, „the coupons come in different colors: blue for meat, yellow for fat and cheese, white for sugar and marmalade, pink for flour, rice, tea, and oatmeal, orange for bread, green for eggs, and purple for sweets and nuts. They are stamped or exchanged together with the required payment for the portion“.

It is known that „...besides food, the coupon system covers soap, shoes and clothing. Their distribution is done by a point system. Each consumer is allocated a fixed number of points: 100 for an adult, 60 for a teenager, and 70 for a toddler, with which they can make purchases for about 18 months. Products have a point value, for example 80 points for a suit, 18 for a skirt, 14 for a child’s sweater, and 10 for underpants. Shoes are also strictly controlled and each user is only allowed to buy two pairs, and a new pair is only allowed after a declaration that the old pair has worn out. However, whatever is bought cannot exceed the total number of points. Thus it is stipulated that a „normal“ wardrobe consists of one cat of clothing and two cat of underwear. Additional, stricter rules apply to German Jews...“.

Ultimately, this coupon system „is forcing an entire generation of Germans to seek alternative food sources. Ersatz products (substitute products) became ubiquitous, most notably chicory coffee, but also ersatzmed, ersatz egg powder and ersatzsugar. Bread has also been rethought, with flour increasingly diluted with bone powder or sawdust, and sometimes given an unpleasant green tinge. The term „meat“ became stretched, with butchers supplying brains, lungs and udders under that name. Perhaps not surprisingly, those who can are starting to grow their own vegetables and breed rabbits or chickens. Urban dwellers, for whom these options are rarely available, are forced to rely on the „black“ market or the new fledgling barter economy, as well as petty theft, colloquially referred to as „organizing“<sup>164</sup>.

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<sup>164</sup> Moorhouse, R. Op. cit., pp. 142-144.



Even more tragic was the supply of foodstuffs at the front, where the official ration fixed for Soviet prisoners of war and eastern workers in December 1941 was obviously inadequate for people who had to do hard work. For one week it contained 16.5 kg of turnips, 2.6 kg of 'bread' (made from 65% red rye, 25% sugar beet waste and 10% dried leaves), 3 kg of potatoes, 250 g of horse or other unfit meat, 130 g of fat and 150 g of yeast, 70 g of sugar and 2.3 litres of skimmed milk.<sup>165</sup> And this is not to mention the abysmal quality of all foods, the consumption of which is more likely to catch serious diseases than to maintain a healthy lifestyle.

And amidst this murderous human misery, it is sacrilegious to watch **the Nazi elite being deprived of absolutely nothing: neither from the high quality scarce food, nor from the qualified local and imported drinks, nor from the luxurious Parvenu parties (in glorification of the Führer), nor from the chic castles, villas and residences, nor from the shiny German cars, nor from the millions of sponsorships of big business, nor from the notorious parties at state expense... – nothing at all that can be stolen from the state, business and the people in the name of the corrupt megalomaniac and rotten political caste called „fascist political elite“.**

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The considerations made so far about privilege in the classical totalitarian societies of the former USSR and fascist Germany give us all the necessary grounds to summarize its importance (and place) in the political system of one-party states in the last XX century. Or, to put it another way, **to bring out the common and reveal the different in the evolution of these two totalitarian mastodons** when we interpret the place of privilege as part of the life of their political elites.

First of all, it is pertinent to point out that one of the most distinct **common features** of the two totalitarian models, on the basis of which all possible privileges are being developed on a large scale, is the total **denial of democracy and parliamentarism** as a solid path for the evolution of society. In this sense, the views of political leaders in both coun-

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<sup>165</sup> See Tuz, Adam. Economics of the Third Reich. Sofia: Ciela, 2010, p. 445.

tries are particularly revealing: for V. I. Lenin, for example, parliamentary democracy was something superfluous, and the institution of parliament was a completely rotten capitalist institution in which workers and toilers were cheated;<sup>166</sup> while for Adolf Hitler the parliamentary system was the cancer of democracy, and therefore had to be destroyed by authoritarian rule of the state.<sup>167</sup> That is to say, it is a question of creating in these two countries a state-political system **which, besides being essentially anti-democratic, unconstitutional and inhuman, organically presupposes the deployment of totalitarian privileges in all spheres of society.** This – on the one hand. Second, under both totalitarian models a specific kind of power develops, which is without any doubt **the one-party political power**, which has no alternative and which is **practically above everything: above the state, above the institutions, above the people, above the individual, etc.** And it is precisely this particular role of party power under fascism and Bolshevism that is an extremely powerful engine for the maintenance and reproduction of totalitarian privileges. Third, in both totalitarian states there actually exists an **absolutely insane cult of the first party (and state) leaders**, which literally exalts them to the heavens as „political God“, because there is only one above the Führer and the General Secretary – the omnipresent God. Fourth, in both totalitarian societies **new political and dominant classes** were created (in the USSR, the nomenklatura, and in Germany, the Nazi class), which, despite their natural differences in their formation and development, always maintained the existence of some or other benefits of power. Fifthly, in both totalitarian mastodons (states), according to the emblematic German scholar Ernst Nolte, the composition of the ruling parties at the assumption of power was minimal: the Bolsheviks in Russia in 1917 numbered only 200,000, while the GNSRP in 1933 numbered towards 700,000, and in 1935. Both parties already numbered 2.5 million members,<sup>168</sup> and of these directly involved in state-party government before the war were 0.3%, or about 500,000 in the former USSR (out of a population of 170 million), and respectively 0.1%, or about 600,000, of the leadership corps in Hitler's

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<sup>166</sup> See the detailed elaboration of this issue in **Manolov**, G. Stalinism... Op. cit., pp. 21-26.

<sup>167</sup> See **Melnikov**, D., L. Chernaya. Op. cit., p. 153.

<sup>168</sup> See **Nolte**, Ernst. Op. cit., p. 296.

Germany, out of a population of about 70 million.<sup>169</sup> Sixth and finally, in both totalitarian schemes there is a high degree of privileging of the so-called „ruling elites“, as **the privileges of power receive a massive distribution in total numbers in all spheres of society – 39 types in the former Soviet Union and 37 in Nazi Germany.** And, of course, all of them, the privileges, were used and consumed to the fullest extent by the top political oligarchs of both totalitarian states.

At the same time, some **essential differences** in the use of managerial privileges in the totalitarian states under consideration are also noticeable, such as: 1) **the formation of the new political class in the former USSR was based on one basic building block in the face of the so-called „professional revolutionaries“, while in fascist Germany this class was built on a much broader social basis** (workers, intellectuals, businessmen, military, etc.); 2) although formal, there is **a difference in the „regulation“ of privileges, because in the USSR some decrees are still passed on the use of state-party privileges,<sup>170</sup> whereas in Germany this regularization is almost always done by orders of the Führer,** insofar as the executive branch does not fully function either; 3) there is also **a significant difference in the financial backing of privileges, since in the USSR they come entirely from the state treasury (and property), whereas in Germany this is done through two channels, from the state and from private business;** and 4) it should be noted that **the system of privileges in Germany is not so deeply rooted in society (without abrogating its exploitative character and irrationality) due to the preservation of private property and big business in the state, whereas in the former USSR it (the system) can with full**

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<sup>169</sup> These figures were derived as calculations based on the works of **Nolte**, Ernst. Op. cit., p. 290; **Semkov**, M. Op. cit., p. 348; **Ilin**, Ivan. The political legacy of the revolution. Conservatism. Vol. II. Compiled by Svetoslav Malinov. Sofia: Centre for Social Practices, 2000, p. 504; **Geller**, M., Al. Nekrich. Op. cit. Part I, p. 488; and on some summary data from the author's analysis.

<sup>170</sup> The regulation of privilege in the USSR has always been supported by all Communist Party leaders, as evidenced by the words of M. Gorbachev (at a plenum of the Central Committee of the Communist Party of the Soviet Union on February 7, 1990): „...We have certain facilities, and even privileges, which are provided by law. However, they must remain“ (See. *„Izvestiya CC CPSU“ newspaper*, No. 3, 1990, p. 46).

**justification be called a „neo-feudal system of privileges“ of the nomenklatura class and its political oligarchy.** In this context M. Djilas, who says that the communist oligarchy permanently hands out party and state posts to its functionaries in the same way as the kings hand out fiefs to the nobles and various other *grande*es close to them.<sup>171</sup> And this is quite natural, since the system of nomenklatura privileges thus created constitutes an important element of all the other neo-feudal components of so-called „developed socialism“ which are permanently contained in the social construction of this „socialism“.

Recently, however, the idea that after the collapse of the dictatorships in the former „socialist states“ the time has come to abandon the theory of totalitarianism because it was only a vague ideologem, an ideological torment and an ideological weapon to defeat socialism has been gaining ground in some of the specialized literature. Moreover, according to some authors, the abandonment of the theoretical use of this concept („totalitarianism“) has important implications for the accurate analysis of the entire recent world history (including Bulgarian history).<sup>172</sup> For this reason, totalitarianism as a theory has long since exhausted its „ideological“ purpose and therefore lacks the theoretical power that could be used to explain certain totalitarian political models.

The untenability of such **anti-totalitarian theoretical views must be decisively rejected**, for which we need to make several solid arguments in **two main aspects** – theoretical and practical.

**From a theoretical point of view**, this profoundly false notion of the so-called „ideological character“ of totalitarianism alone can be categorically refuted by the following realistic (objective, actionable, true) facts and arguments:

**Argument one:** Isn't it an indisputable fact, for example, that under both left and right totalitarianism **there is always total monopolistic domination by a single party**, regardless of what it calls itself (or domination of political monism in the overall socio-political system)?

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<sup>171</sup> See Djilas, M. Op. cit., p. 490.

<sup>172</sup> Such are for example the opinions of: Prodanov, V. Ten theses against the concepts of totalitarianism. Political Thought of the XX Century – Lessons for Bulgaria. Sofia: Avangard Prima, 2006, pp. 33-35; Yankov, G. Totalitarianism: scientific or ideological concept – In: *Comparative political systems...* Op. cit., pp. 301-307; Baeva, Iskra. The theory of totalitarianism. – In: „Duma“ newspaper, 9.02.2021, etc.

**Argument two:** Is it not an indisputable fact, for example, that in both types of totalitarianism (left and right) **only one ideology is ever inculcated**, regardless of whether it is communist or fascist, and despite the existing differences between them, which almost no one today denies?

**Argument three:** Is it not an indisputable fact, for example, that in both classical totalitarian states, **new dominant ruling classes** (in the USSR about 3 – 4% of the population, in Germany about 0.5%) were formed, which in words were for socialist societies, but in practice built their own prosperous „communism“?

**Argument four:** Is it not an indisputable fact, for example, that thanks to the analogy, **all the common characteristics of totalitarianism (one leader, one ideology, one party, etc.)**, which fundamentally distinguish it from all other social systems, and especially from democratic state-political systems, are clearly visible in both totalitarian societies?

**Argument five:** Is it not an indisputable fact, for example, that in both left and right totalitarianism **there is a total over-concentration of power in one political subject** (dictator, leader, party), which is the most obvious proof of the anti-democratic character of power, as well as of its ugly political character?

**Argument six:** Is it not an indisputable fact, for example, that the new dominant classes in both totalitarian societies developed **an astonishing neo-feudal system of privilege for the minority political oligarchy** that has no equal to date?

**Argument seven:** Is it not an indisputable fact, for example, that under both totalitarian models (left and right) **existing societies are completely closed, isolated and limited** in their possibilities of contact with the world democratic culture, values and achievements of other countries and peoples?

**Argument eight:** Is it not an indisputable fact and **the very absurdity**, for example, **to argue that Western societies are also bound by so-called „people-management planning“, when there is no market economy at all in the socialist countries at the expense of a planned economy**, and when planning in the West is always understood as an element of market economic relations and not as a unified non-market economic system?

**Argument nine:** Is it not an indisputable fact, for example, that in **both the left and the right totalitarian models, the leading role of the single ruling political party is always the leading one**, which does not in the least annul its total monopoly on power, despite some „liberal“ measures of totalitarian regimes in the course of their rule (these measures, however, never destroy the monopoly imposed)?

**Argument ten:** Is it not an indisputable fact, for example, that even when **no changes were made in totalitarian societies, most Western scholars, experts, and public figures far and away did not define totalitarianism solely as some kind of „ideological construct“**, because for them it was just another theoretical mimicry of totalitarianism (unlike many of our „experts“ on socialism)?

**Argument eleven:** Is it not an undeniable **fallacy, for example, that most scholars of totalitarianism are not serious about totalitarianism because it (totalitarianism) was a mixture of many heterogeneous societal characteristics**, even though most of them are always critical of particular phases of the development of totalitarian societies (without this meaning that they deny totalitarianism entirely)?

**Argument twelve:** Is it not an undeniable **intellectual manipulation that you see, after the end of the Cold War, the dominant academic attitude was to reject the concept of totalitarianism, when more than three decades after the democratic changes, more and more scholars continue to argue that the so-called „totalitarian socialist society“ is not thoroughly known, not well studied, and in need of non-ideologized research in the name of scientific truth?**

**Argument thirteen:** Finally, is it not more than indisputable that **with so many unjust privileges for a narrow range of oligarchic persons (legitimate, „semi-legitimate“ and illegitimate) in totalitarian societies (and states) there can be no social, political, economic, etc. equality at all** (no matter what the society is called)?

As to **the practical aspect** in the realization of totalitarianism, which is connected with the thesis of its rejection, it is hardly necessary to adduce new proofs of its anti-human nature, and therefore we shall add here only a few additional arguments: The millions murdered by the Stalinist regime in the former USSR and the concentration death camps in Hitler's Germany; the destruction, persecution and extermination of dissenting intellectuals (the Gulag in the USSR, the „cultural revolution“

in China, the repression of scientists in Germany, etc.); the maintenance of the party doctrines of the „class enemy“ in the former socialist states and of the „pure Aryan race“ in fascist Germany, which resulted in the deaths of hundreds of thousands of innocent people, etc.

Therefore, it can be convincingly concluded that to deny the theory of totalitarianism (in its left and right variant) today and to make it out to be another political ideologem of history is either a manifestation of a dogmatized ideological consciousness, or it is a sign of another scientific pandering dressed up in democratic clothes. For, however much the adepts of anti-totalitarianism would like to justify an entire social system (the totalitarian one) for its faults and crimes, there is no way they can re-legitimize it before the sole judge of our civilization – human history. That is why all attempts to deny totalitarianism, whether they have a left, right or any other political flavor, are absolutely untenable.

But perhaps nothing else speaks as eloquently on this topic as the formation and development of the democratic political system in the XX century and its attendant legitimate privileges (as the antipode of totalitarianism and its privileges), the nature of which we turn to in the following chapters of this essay.

## **Chapter Five**

### **DEMOCRACY AND PRIVILEGES IN THE MODERN WORLD (1950s TO THE PRESENT)**

Historically, it is known that throughout the XX century, and especially after the collapse of totalitarian regimes in Europe, a powerful process of democratization of states and their institutions and the implementation of a transition to new democratic social arrangements began to develop. In the course of this transition, all the unnecessary legitimate and illegitimate privileges of the political elites that had sustained the power of the old regimes, being the support of the archaic political oligarchies, were successively abolished. At the same time, new democratic institutions are being built, constitutions are being adopted, local self-government is being established, etc., which further shape the image of political power in the process of replacing the totalitarian with a democratic political system. Thus, in the second half of the XX century, democratic norms of social organization and communication between the people of the developed Western world and those of Eastern Europe became more and more established. This in turn consistently imposed democracy as a system of state (and societal) governance and as a kind of barrier against any unjustified, unnatural and illegitimate privileges for the elite derived from power. Thus, over time, democracy (including political democracy) became the leading benchmark of modern state-political structure in the second half of the XX century, to which we turn our research attention.

#### **1. DEMOCRACY AS A SYSTEM OF GOVERNMENT**

In order to clarify the relationship between democracy and privilege in contemporary societies, we will first specify the theoretical roots, nature, stages and characteristics of democracy, and then interpret the role of privilege in these societies.



### 1.1. Theoretical foundations of democracy

In the opinion of most scholars, the term „democracy“<sup>1</sup> was first used and justified scientifically by the father of history, **Herodotus**, who (without using the word „democracy“) clearly differentiated its authentic meaning as a kind of political community in which the majority, or the *demos*, rules, as opposed to, for example, oligarchic or monarchic power. Moreover, for the ancient historian, the rule of the *demos* was unthinkable unless there was equality before the laws of all citizens of the polis.

Original thoughts on democracy are also expressed by the other great ancient Greek historian, **Thucydides**, who (retelling a speech of the great statesman Pericles) additionally points out a number of guiding and basic principles of Athenian democracy: respect for laws and judges, equality before the law, non-neglect of public affairs at the expense of private ones, priority of discussion as a way to resolve controversial issues, etc.<sup>2</sup> Or, as Thucydides affirms, for Pericles democracy was above all wise government for the benefit of the majority – something he (Pericles) himself proved brilliantly during his 30-year reign.

As a form of government, democracy has not escaped the theoretical gaze of the eminent ancient thinkers and philosophers **Plato** and **Aristotle**, whose views have been examined. It will therefore only be recalled here that they interpreted majority rule as an incorrect and erroneous system of government in the Greek polis, deviating from their political ideal of the exercise of power. This – on the one hand. And second, both Plato and Aristotle equate democracy with „mob rule“ (or ochlocracy) and in this sense believe that ochlocracy is a form of government that is based on the envy, flattery, and sycophancy of demagogues (as political leaders). Naturally, this negative attitude of the two great thinkers towards the then popular government in Ancient Hellas does not in the least detract from their enormous contribution to the development of political thought in general.

As one might suppose, in the medieval era Christian political thought paid almost no attention to the nature of democracy because

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<sup>1</sup> *democracy* (Old Greek *demos* – people; *kratos* – power, authority) – people's rule

<sup>2</sup> See **Manolov**, G. Introduction... Op. cit., p. 243.

of the total domination of the church-theological worldview then. A partial exception here is a sporadic opinion of **T. Aquinas**, who defines democracy as a „vicious regime“ because it is implemented by the majority of people.<sup>3</sup>

Later, in the late XIV and early XV centuries, the founder of modern political science **N. Machiavelli** classified democracy among the proper forms of government (along with monarchy and aristocracy), but did not fail to emphasize that it is easily corrupted and can lead to arbitrariness in the state because it is counted among the „simple“ forms of government<sup>4</sup> (by analogy with ancient typology).

It was not until the XVII century that political thought began to elaborate and reflect more deeply on a whole range of fundamental ideas that subsequently underpinned the new democratic institutions in the construction of the then progressive state systems – the French in Europe and the North American in America. Central here are those discussed earlier: the theory of the separation of powers of **Ch. Montesquieu**, the theory of the separation of powers developed by **J.-J. Rousseau**’s doctrine of popular sovereignty and political equality, as well as **A. Lincoln**’s classical definition of democracy as „power of the people, for the people and by the people“.

On the basis of the theoretical postulates of the XVII century, in the subsequent historical development until today, democracy gradually became a standard model according to which the nature of political regimes began to be evaluated, without being conceived simply as one of the many forms of state governance. During this period, democratic theory and practice concentrated on the extension of the franchise, considering universal suffrage to be the main condition for the natural equality of human individuals bequeathed by the tradition of the social contract between men (in the establishment of government).

But the supreme sovereign power of the people as the emanation of the civil association (of the people) by virtue of some treaty still cannot guarantee a wide and mass electorate, nor the practical equal-

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<sup>3</sup> See *ibid.*, p. 244.

<sup>4</sup> See **Machiavelli**, N. *Selected Works*. Sofia: Science and Art, 1985, p. 581.

ity of absolutely all citizens before the law, and even less – the real participation of the majority of people in the production of elections (or the occupation of higher offices by all of them).

In turn, this contradictory nature of democracy as the power of the majority leads to a democratic paradox, which in theory in the XIX and early XX centuries found expression in two main conceptual schemes (and concerns): the first is that government as an instrument of individuals who are united in a community can actually turn out to be their enemy and degenerate into a „tyranny of the majority“ (J. S. Mill, Al. de Tocqueville), in which a legitimately elected majority could become completely unbridled, threatening the fundamental rights and freedoms of the people; and the second scheme refers to the elite-masses correlation, in which one observes the exact opposite correlation – the domination of a narrow oligarchic minority (Pareto, Mosca, Michels) that possessed the key levers of power both over the very majority that elected the ruling oligarchy and over all other people in society.<sup>5</sup>

The polemical interpretations of democracy continued with full force in the past XX century, and especially after the establishment of totalitarian regimes of various stripes (far-right – fascist, and far-left – communist), which, by forcibly imposing a one-party monopoly on power, practically ignored absolutely all the values of pluralist democracy, rejecting it as a form of government of the state. As a result of this (as well as of some other circumstances), mainly in the second half of the XX century, even more heated debates about the essential characteristics of democracy have flared up, the dimensions of which can be focused in the following (more important) questions: is democracy a counterpoint to totalitarianism as a form of government?; Who actually governs (the people?) and what is the scope of democratic governance?; Is there a distinction between direct rule of the community (direct democracy) and rule by representation (indirect democracy)? and many others.

These essential questions about democracy are answered by many prominent contemporary scholars, best summarized and presented in Bulgarian literature by **Acad. Dimitar V. Dimitrov** in his book „The Post-Democratic European and World Governance“<sup>6</sup>, which is

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<sup>5</sup> See **Manolov**, G. Introduction... Op. cit., p. 245.

<sup>6</sup> See the detailed exposition of the views on democracy in **Dimitrov**, D. Post-democratic European and World Governance. Sofia: Gorex-press, 2020, pp. 16-24; 58-88.

why we will use his reflections, focusing only on the most essential of them (questions and concepts).

One of the most eminent scholars of the XX century, the English philosopher **Karl Popper**, in his famous book *The Open Society and Its Enemies*, argued categorically that the phenomenon of democracy cannot be defined in terms of „who rules“ (or „who enjoys power“) because, as practice shows, whoever is in power always faces the magical temptation to abuse it in some way. Therefore, according to Popper, a much more fundamental political question must be put at the forefront: how can power be „harnessed“ through effective control by the political institutions themselves?

In this context, K. Popper points out that the notion of „power of the people“ or „power of the majority“ is something that is too vague and undefined, while **„democracy“ should be understood primarily as a system of institutions (general elections, change of government, etc.) that actually allows for the implementation of rational public control of the executive and the possibility of changing the government at the will of the governed, and only in a peaceful and non-violent way.** Yet, this system of institutions allows those in power to carry out necessary reforms even past the will of the governed people, without resorting to forms of violence. That is to say, the basis of democracy, according to Popper, lies in „public control over government“, which unambiguously and unconditionally distinguishes it (democracy) from the other familiar form of government – dictatorship.<sup>7</sup>

Of course, the great scientist K. Popper does not view democracy uncritically and even thinks that it is far from abounding in virtues, but it is still a much preferable form of government because it is the antithesis of dictatorial tyranny.

Even more critical in his reflections on the nature of democracy is the eminent French political scientist and sociologist **Maurice Duverger**, who in his fundamental work „*Political Parties*“ outright considers unrealistic and unjustified to use the concept of „government by the people“, understood only as „rule of the people by the people“. This conception (developed by jurists and imposed in social practice after

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<sup>7</sup> See **Popper**, K. *The open society and its enemies*. Sofia: Zlatorog, 1993, pp. 184-185; 213-214.

the XVII century) means nothing to Duverger but good and well-meaning formulas without any real content and coverage. For, as he argues, **there never has been, never will be, and never will be a people that governs itself, insofar as all government is oligarchic, which objectively implies the domination of the minority over the majority.** Moreover, the will of the people is deeply anarchistic according to M. Duverger, because it dreams of doing whatever it pleases and dreams of doing, which in turn makes government a necessary evil, since it (government) has to use coercion to regulate social relations and prevent any anarchist arbitrariness in the state.<sup>8</sup>

From such a perspective, **real democracy is something radically different and quite different. It, democracy, believes M. Duverger, is determined above all by the political credo of the French Constitution of 1793, which states. Or, freedom not only for those privileged by birth, for those with a more fortunate destiny, for those promoted by office, for those educated, etc., but real and true freedom for absolutely all people, which equally implies equal starting opportunities for achieving a certain standard of living, and the necessary relative social equality, and the prerequisites for obtaining a common education, as well as ensuring the necessary political equilibrium in society.**<sup>9</sup>

This substantive definition of democracy is to a considerable extent confirmed by the social development of the civilized Western world (in the XX century), which practically proves the original interpretation of the concept of „democracy“ made by the great French scholar M. Duverger.

Another famous contemporary political scientist, **Ralph Darendorff**, also believes that despite the literal meaning of the word „democracy“ (as the power of the people), a functioning democracy is not a government of the people simply because such a government does not exist. For him, democracy is a government elected by the people and, if necessary, changed by the people through elections, and through the mechanisms of the democratic political process. He sees democracy not simply as the replacement of administrative centralism

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<sup>8</sup> See **Duverger**, M. Political parties... Op. cit., pp. 510-511.

<sup>9</sup> See *ibid.*, pp. 205-212; 428-429; 510-511.

by representative government, not simply as a plurality of views, not simply as a forum from which every opinion can be disseminated, but above all as a **system of government of the state**. Moreover, the common denominator of true democracy and an effective market economy, according to R. Darendorff is modern civil society,<sup>10</sup> without whose real pluralism democracy is caricatured to a mere exercise of the vote and loses its basic content.

An interesting definition of democracy is given to us by the American researcher **Robert Dahl**, according to whom democratic theory (democracy) should be perceived as **a kind of huge three-dimensional network**, with a small part of it made up of strands of different elasticity connected in a strictly defined way. Thus, like a well-constructed model of the universe, the network is finite but boundless. As a result, when the subject follows a single thread of argumentation, he may arrive at a particular point that marks a clear and definitive limit of the limitless universe of democratic theory.<sup>11</sup> Such a „planetary“ definition of democracy is particularly useful because it enables us to „peer“ (and analyse) into the visible and invisible threads of the various political phenomena and processes in the contemporary world, and especially into the deeper nature of political democracy understood as a complex governance process.

The Bulgarian jurist **Prof. Venelin Ganev** in his book „Democracy: essence and basic principles“ (1946), according to whom the people’s power represents a special form of both state governance and state structure. This **„duality“ of democracy, according to him, is built on two specific principles**: one, **static, principle** rests both on collectivity – the elevation of the people to the supreme constitutional authority, and on individualistic-personal rights and freedoms; the other, **dynamic, principle** concerns and affects government itself in general.<sup>12</sup> In fact, V. Ganev believes that the concept of „democracy“ has always been and can only be treated as a political or politico-state concept, in which he sees the real essence of people’s rule, because through the combination of its collectivist and individualist principles it (democracy)

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<sup>10</sup> See **Darendorff**, R. The road to freedom: democratization and its problems in Eastern Europe. – In: *Philosophical questions*, No. 9, 1990, p. 71.

<sup>11</sup> See **Dahl**, R. Democracy and its critics... Op. cit., p. 17.

<sup>12</sup> See **Ganev**, V. Democracy: nature and basic principles Sofia: „Niva“ Library, 1946, p. 43.

is able to implement effective governance, fully adequate to the collective popular spirit and the divine genesis embedded in man.

On the basis of such an understanding of the people's power, the Bulgarian scholar adds his own classification of democracy – constitutional-monarchical, presidential and parliamentary, made on the basis of the thesis of the original political character of democracy.<sup>13</sup>

Although in a more laconic but meaningful form, another Bulgarian jurist – **Prof. Petko Staynov**, taking into account the fact that it is risky to make definitions in politics, argues: „**Democracy is organized self-government by the people, which is practically expressed by the majority**“<sup>14</sup>. This definition is valuable because it points us to the importance of representative democracy and the role of the majority in the full exercise of power.

Let us point out that the famous Italian political scientist **J. Sartori**, who in his book of the same name discusses the democratic phenomenon quite extensively, and from different points of view – historical, philosophical, sociological and political science. And the theoretical values of this massive two-volume study are perhaps best expressed by Sartori himself, who credits his scholarly contribution mainly to the analysis of democracy as a complex combination of governance processes taking place in different governance structures and under diverse socio-historical, political and economic conditions. In addition, J. Sartori distinguishes democracy into two main types: descriptive – one that describes what democracy is and what it is not; and prescriptive – or one that prescribes what democracy itself should or should not be. Here the author makes it unconditionally clear that this differentiation

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<sup>13</sup> The existing classifications of the theory of democracy are numerous enough and of the most varied nature, therefore here we will highlight only the most important of them. a) According to J. Sartori, democracy can be distinguished into four types – electoral democracy, participatory democracy, referendum democracy and competitive theory of democracy; b) According to R. Dahl, democracy is Madisonian, populist and polyarchic; c) and according to B. Holden there are five types of democratic theories – radical democratic theory, new radical democratic theory, elitist democratic theory, pluralist democratic theory and liberal democratic theory (See **Manolov**, G. Introduction... Op. cit., p. 248).

<sup>14</sup> **Staynov**, P. Competence and People Governance. Sofia: Iztok – Zapad, 2015, p. 26.

applies only to political democracy, which he regards as a particular type of political system.<sup>15</sup>

And one more thing, J. Sartori points out that „**democracy exists when the relationship between the governed and the government is subordinated to the fundamental requirement that the state serve the citizens and not the citizens the state, that government exist for the people and not vice versa**“<sup>16</sup> (*emphasis mine – G. M.*).

We will also highlight the interesting „interpretive model“ of **Juan Linz** and **Alfred Stepan**, in which democracy is also defined as a political system that actually provides a number of important components, such as constitutional opportunities for peaceful competition for political power, inclusion of all social groups in the electoral process (under certain conditions), formation of a government after peaceful competition in elections, etc.<sup>17</sup>

Finally, we will cite the laconic opinion of the Italian **Prof. Leonardo Morlino**, who in his book „Changes for Democracy“ gives a minimal definition of democracy as the existence of universal adult suffrage, periodic, free, competitive and fair elections, more than one political party and more than one source of information.<sup>18</sup> Hence, the author also defines the quality of democracy as the degree to which the two main goals of the so-called „ideal democracy“, freedom and equality, are achieved through the legitimate and correct functioning of political institutions and mechanisms<sup>19</sup> in modern societies.

## 1.2. Definition, stages and characteristics

As it has become clear from the brief overview of the most significant as ideas, views and concepts in the theory of democracy, it would be very difficult to give any more precise definition and defini-

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<sup>15</sup> See **Sartori**, J. Op. cit. Book 1, pp. 17-25.

<sup>16</sup> See **Sartori**, J. Op. cit. Book 2, p. 71.

<sup>17</sup> Cited in: **Draganov**, dr. Democracy (past, present, future). Sofia: St. Kl. Ohridski, 2004, p. 13.

<sup>18</sup> Cited in: **Kanev**, D. Towards a study of the quality of Bulgarian democracy. Quality of Democracy in Bulgaria. Sofia: Iztok – Zapad, 2014, p. 21.

<sup>19</sup> See id.



tive meaning to the very concept of democracy. Depending on this indefinite conceptual nature of democracy, in our opinion, its basic content should be conceived, considered and interpreted in at least two more defined scientific senses – a broader one, and a narrower one.

**In a broader, social-historical sense, democracy represents a primordial universal human value and a great achievement of our millenary civilization, and in this very capacity it can be defined as a universal social and any other mechanism for the development and self-development of humanity in the past, and probably in the future centuries to come.**

As to the narrower, or immediate, political sense in which democracy might be understood, the following can be said in particular: **from a contemporary perspective, democracy is a mode of government in which supreme power belongs to the people and is exercised directly or indirectly (through representation) by them through constitutionally regulated competition between different political entities (group and personal) during the production of elections, resulting in the construction of a It, democracy, must be understood first of all as the consent of the majority to be governed by a given political subject (and not as the active and real exercise of power by the whole people), but with the guaranteed possibility of the active participation of citizens in the process of the exercise of power, and in conditions of full transparency and public control by the public (over the government).**

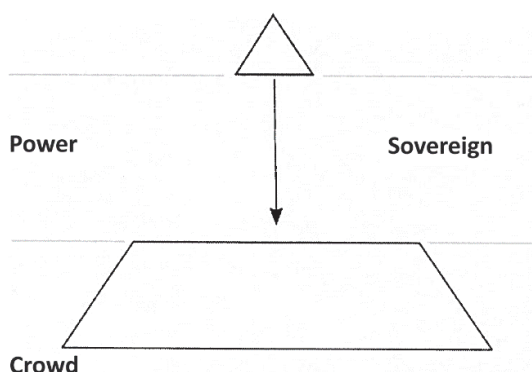
It can be summarized that modern democracy as a system of institutions (and units) for the governance of the state to a considerable extent provides us with answers to several essential questions, some of which we have pointed out before: who governs?; what are the horizons of power?; in the name of what ends and by what means is it (power) exercised?; under what conditions does each power function?; and finally, Are privileges permissible and if so, within what limits can this be done?

It is true that the answers to these controversial questions are still very controversial and polemical, which is why we will try to answer them, albeit partially, through **the stages of development of power and democracy** in the world. And without underestimating any worthwhile periodization of representative political democracy, we will rely

on the one drawn up by the Dutch scholar **David van Reybrouck**, because we consider it the most historically and politologically sound.

In his book with the provocative title „Against Elections“, the researcher D. van Reybroock presents us with a very thorough periodisation of electoral-representative democracy, which logically covers the whole political history over the centuries (see *Diagram No. 9*).

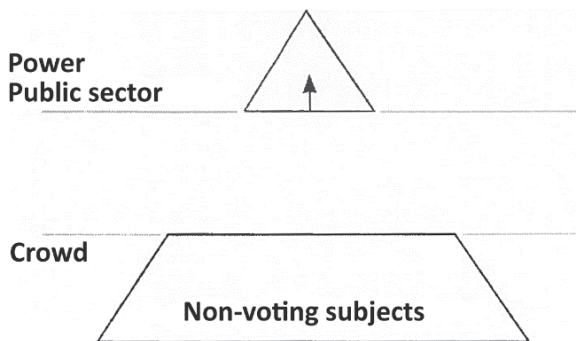
**Diagram No. 9. Historical stages of the electoral-representative system in Western democracies (according to elections)**



**First stage before 1800.**

From the feudal era to absolutism, the aristocracy was on the move. Power rested with the monarch, whose authority was attributed to divine origin. Aided by nobles (knights, courtiers),

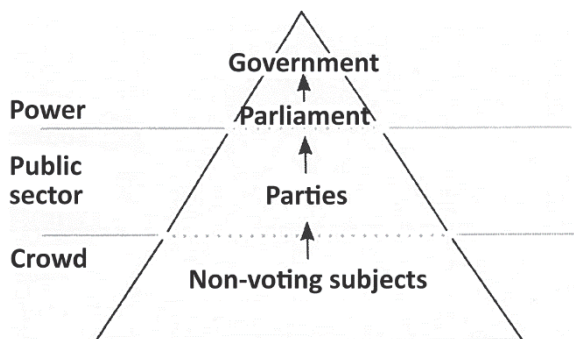
he dictated the laws. There is no public sphere.



**Second stage 1800**

The American and French Revolutions limited the power of the aristocracy, introduced elections to give voice to popular sovereignty. Power

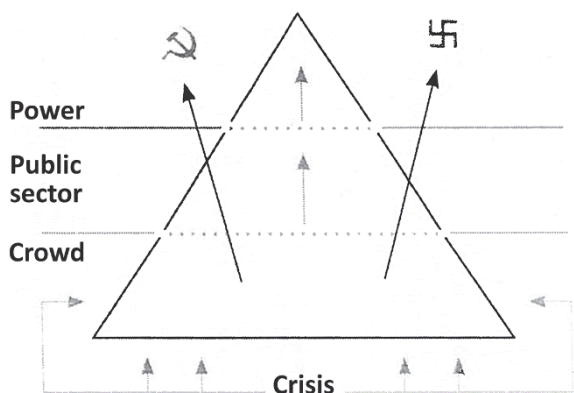
no longer comes from above, but from below. The right to vote is still limited to the highest strata of the population. The public debate is conducted mainly through newspapers.



Elections become a struggle between different interest groups trying to represent as much of society as possible.

**Third stage  
1870 – 1920**

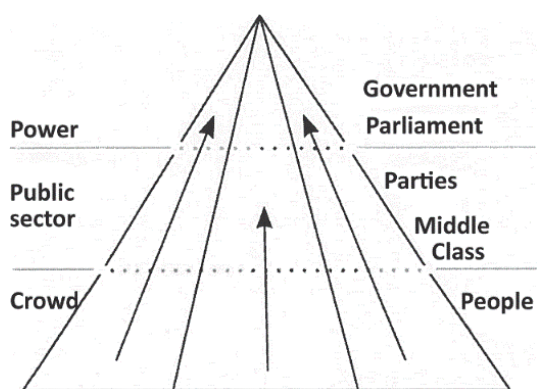
Two changes of paramount importance are taking place everywhere: political parties are being formed and universal suffrage is being adopted. Elections



experimented with – fascism and communism being the most key.

**Fourth stage  
1920 – 1940**

The economic crisis between the two world wars put representative democracy under intense pressure. In places, the tensions are enormous. New political models are being ex-

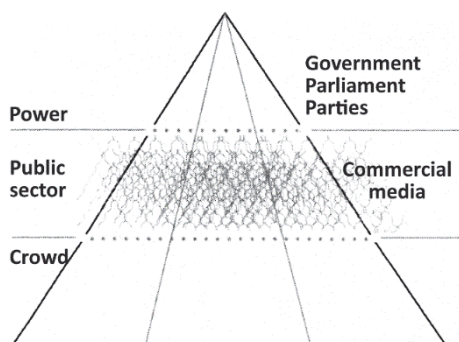


their own media) they are in close contact with the citizens. Party loyalty

**Fifth stage  
1950**

Representative democracy is miraculously being restored. Power is in the hands of major political parties. Through a maze of intermediary organisations (trade unions, corporations, sometimes educational networks and

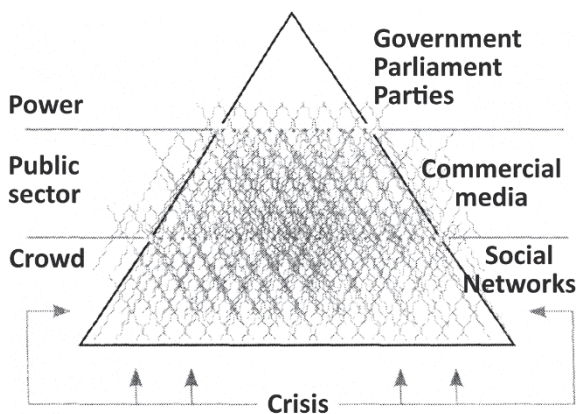
is high, election results predictable. The mass media (radio and television) are in the hands of the state.



**Sixth stage  
1980 – 2000**

Two crucial developments: organised civil society is collapsing and commercial media is gaining strength. As a result, the electoral system is losing stability. As the public sphere is increasingly filled by private players (even public media follow a market logic), loyalty to the parties declines.

Political parties are shifting from the core of civil society to the outer shell of the state apparatus. Elections become a bitter proxy struggle for the favour of the (wavering) voter.



**Seventh stage  
2000 – 2020**

Social networks and the economic crisis continue to put pressure on representative democracy. New technology provides new empowerment, but it puts even more pressure on electoral processes:

campaigns become permanent. Government performance suffers from election fever, credibility from the constant zeal for profiling. The financial and economic crisis of 2008 has added fuel to the fire. Populism, technocracy and anti-parliamentarianism flourish.

*Source: Reybrouck, David van. Op. cit., pp. 42-45.*

Leaving aside some controversial points in the periodization of democratic stages, such as the omission of ancient democracy (it does not exist at all) and the fourth stage, in which totalitarian regimes (fascism and communism) are placed, we cannot help but note the correct „spotting“ of several **important historical-political circumstances: first, the essential role of elections and universal suffrage (since the early XIX century) in enforcing the image of political democracy; second, the importance of political parties from the mid-XIX century to the present for the evolution and consolidation of democracy and the de-democratic political process; third, the lasting acceptance of the principle of political representation as the expression of diverse interests of different strata, groups and classes in modern societies; fourth, the definitive legitimation of the institutions of state power (parliament, government, courts) as powerful pillars of democracy in the developed Western countries (especially after the end of the Second World War); and fifth, the stabilisation and growth of organised civil society, the support of independent media and the emergence of new social networks as a completely new social phenomenon – a manifestation of democracy.**

The historical transition to democracy, however, has gone through many socio-historical obstacles over the centuries and all sorts of social collisions and difficulties in order to creep up to its modern civilized model. In this sense, the paths that have led developed countries to the present modern political democracy are diverse, but can be broadly reduced to two main ones: an evolutionary path, characteristic of countries such as Britain, Switzerland, Sweden, etc., in which democratic statism made its way more gradually and over a longer period of time through the establishment of constitutional government (for the first time in England the principle of separation of powers was legalized as the antipode of absolutism); and a revolutionary path, as in France, Italy, Spain and other countries, where the burden of monarchical authoritarianism was suddenly lifted (specifically in France) in order to establish new democratic values – political freedom, universal suffrage, equality before the law, etc. And yet – in the course of this painful social process of „humanizing“ the societies of the time, a direct and immediate role was played by the progressive political ideas of social thought

in the XVII and XVIII centuries, whose enormous influence as a giant destroyed all the entrenched absolutist postulates.

And so, as a result of this prolonged, controversial and several centuries-long evolution of progressive ideas of democracy in general, as well as as a whole series of objective and subjective factors and circumstances, the present image of modern political democracy in developed countries was conceived and born. This democracy, also called liberal, representative, western, pluralist, constitutional, etc., is now indeed an exemplary benchmark for building a modern social order. Moreover, modern political democracy is developing in several distinct forms of government – parliamentary republics and monarchies, presidential and semi-presidential systems, which have their own specificity and distinctiveness. But like any social phenomenon, the political democracy of our times also has some more general, universal features (and principles), which we will briefly characterize here.

In a more synthesized degree of concreteness, **the general characteristics of contemporary political democracy** can be codified in the following logical order:<sup>20</sup>

**The first and most essential feature of modern political democracy is the constitutional and legal legitimisation of universal suffrage, through which the principle of political equality in society is realised.** To put it differently, without the actual (not formal) application of universal suffrage as the foundation of the electoral process, one cannot speak at all of the unfolding of modern political democracy and its basic forms.

**The second essential feature** of modern political democracy can without any hesitation be defined as **the peaceful, free and fair conduct of multiparty elections.** This is the „blood-blood system“ of modern democracy, which (system) provides a real opportunity for the election of a candidate or party through the two most common types of „blood bodies“ – the majority and proportional electoral mechanism (and system).

**The third significant feature** of this type of democracy (the modern one) is the way in which the highest institutions of power are

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<sup>20</sup> These characteristics are universal and some of them are well developed in the literature (See, for example, **Political Science**. Author's collection. Sofia: Stopanstvo, 2001; **Manolov**, G. Introduction... Op. cit.; **Vinarov**, Iv. Op. cit.; **Badzhakov**, M. Politics. Blagoevgrad: Neofit Rilski, 2002; etc.).

formed, namely **through political representation** mainly based on indirect (representative) systems of government, in which the rights to govern are delegated to persons empowered by the electorate, and partly through the implementation of direct democracy (referendums, plebiscites), in which citizens vote on every single law, as is the unique experience of Switzerland.

**The fourth defining feature** of today's political democracy stems from the definition of the French scholar R. Aron,<sup>21</sup> according to whom it is such a system in which **there is a constitutional organization of peaceful competition for the exercise of state power**. That is to say, on the one hand, the constitution is the guarantor of the normative structure of the state as the foundation of all democratic principles, and on the other hand, through the mechanisms of political competition, the positions of both the winners and losers of power are preserved with strict respect for constitutional norms and rules, whether they are advantageous or not for anyone in civil society.

**The fifth dominant feature** of modern political democracies presupposes **a concrete, precise and balanced institutional separation of powers within the boundaries of the single rule of law** (according to the principle of Ch. Montesquieu). In other words, a distinct „triple“ separation of powers – legislative, executive and judiciary – and, in parallel, the creation of an effective legal barrier against the independence of one or the other power, in which one power can restrain the second (and third) and vice versa; although, as social practice has shown, there are no hundred percent guarantees that some political entity wielding two or three powers simultaneously would not infringe on the constitutional liberties of citizens or trample on the (politically based) repression of its most serious opponent.

**The sixth essential feature** of the modern democratic political model immanently involves the construction of **a government that is accountable to parliament and can be criticized and replaced by the opposition**, since in this model (constitutional pluralist) the aim is to limit power, not to paralyze, block or stop it.

**The seventh priority feature** of all developed (modern) political democracies enjoins **the universal rule of law and the independence**

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<sup>21</sup> See Aron, R. Democracy and Totalitarianism. Sofia: Arges, 1993, pp. 62-63.

**of the judiciary**, which is also characterised by the fact that no citizen, regardless of his or her position and rank, can be untouchable by the law insofar as the judicial institutions themselves are not subject (constitutionally) to any political, economic or other pressure or control.

**The eighth universal feature** of modern political democracy is **civilized governance based on the principle of majority rule**, which implies fair treatment of the minority as the most important critical corrective of power. This, in turn, means democratic governance in the face of a **legitimate political opposition** represented in the institutions of the legislature (and sometimes in other branches of government), which opposition, according to the American scholar Arthur Schlesinger Jr, is „the essence of democracy“, at least because it is, or ought to be, the legitimate defender of civil rights (and liberties) from infringement by the ruling majority.

**The ninth distinctive feature** of the type of democratic (political) systems under consideration is reduced to the legitimate existence of **a multi-party political system** (i.e. political pluralism), the features of which are rooted in the open, public and legitimate competition of different parties to win power. And, as is well known, the model of party representation in the institutions of state power (built on a pluralistic basis) is so far relatively the best in terms of the possibility of realization of parties and personalities in the structures of state power. But even here, modern democracy has not yet provided answers to many unsolved problems, such as the painfully familiar frequent mergers of party and state power (especially under the „tyranny of the majority“), the displacement of national interests at the expense of narrow party interests, the hyperbolization of the potentials of party power to the detriment of the qualities of bright personalities, widespread corruption in power under the guise of party goals, etc. Obviously, the resolution of these as much state as social and, in most cases, nationwide issues of democracy is yet and still to come.

**The tenth important feature** of the developed political democracy in our times is **the freedom of speech, press, conscience and thought** of all people and mass media, which, besides being constitutionally and legally guaranteed, have another essential (social) function: they have the ability to criticize the government and at the same time to objectively inform the public about the diverse activities of the



institutions of power, whatever they may be. Of course, absolute freedom of speech is hardly possible in society, not to say that it is even a „sugary“ utopia, but what we are talking about here is a real pluralism of opinion in the mass media that realistically reflects diverse ideas and opinions. That is to say, it is a question of deploying positive and as full publicity, publicity and transparency as possible.

**The eleventh intrinsic feature** of this type of democracy is **the real existence and functioning of modern social networks** in democratic societies as a new, distinctive and rational component of today's democracy in general and a fast and dynamic way of expressing public opinion and correcting the political decisions of one or another authority (when gross mistakes, unnecessary bureaucratism, corrupt acts, etc. are committed).

**The twelfth common feature** of modern political democracy is the real, and even pedantic, **respect for human rights** – economic, political, social, etc., everywhere and in everything. This key principle and important criterion of the democratic character of any social system has acquired a universal dimension in the developed civilized world, because human rights are legally guaranteed (and respected) to every individual, no matter what race or nationality he is, what religion he professes, what sex he is, what education and qualifications he has acquired, what political creed he holds, etc. (as long as he does not break the law).

**The thirteenth outstanding feature** of today's political democracy of modern times is related to **a relatively high degree of development of the market economic system**, in which the entrepreneurial initiative (and abilities) of the individual is elevated to a cult, and the interference of the state power in property relations is almost reduced to zero, without any monopoly (and interference) on its part, except when it is necessary. For a highly developed market economic system is not only a basic prerequisite for the functioning of democracy, but also its main product, insofar as the authentic (civilized) democracy of the XX century is one that creates all the necessary conditions for a prosperous standard of living for the people and societies of the advanced countries of the world.

**The fourteenth commonly accepted feature** of modern political democracy bears the marks and is logically commensurate with **cultural ideals, values and achievements**, or the high degree of cultural development, which is also a distinctive element of genuine people's rule in the past century (practically realized in advanced countries). This is so because, among other things, political democracy is also a certain kind of culture, and a culture raised to a very high level, which accumulates in itself both the national (cultural) identities of the peoples and the spirit of the world's cultural treasury over the centuries in the spheres of literature, art, science, and so on. Some writers are right when they say that „the richer a nation, the greater its chances of developing democratically“ (S. M. Lipset). But something else is doubly true: that the more cultured a people is, its chances of developing democratically are many times greater.

Finally, the **fifteenth and last characteristic feature** of current political democracy is **the constitutional and legal legitimation of various kinds of privileges of the ruling elite in modern states**. This is an extremely essential component of the overall characteristic of political democracy today, which for reasons unknown is not at all attributed to them (the components) despite the undeniable fact that political privileges have permanently settled in the political life and domestic existence of the various ruling elites.

As a complex social phenomenon, the analysis of contemporary political democracy would hardly be exhausted by examining its universal features and principles, despite their essential importance, which is naturally not our goal. It seems to us, however, that there are two other things that are highly substantive and very important: one is that the outlined principled features of the model of contemporary democracy in politics allow for the finding of a national consensus on key and vital issues for people and society; and the other is how and in what ways the dozens of regulated (and, if there are any, unregulated) privileges in politics fit into the solution of problems of social and political equality in society. Or, to put it another way, how and in what way should we answer the question already posed: to what extent are political privileges permissible in a civilized and developed democratic world? But let us set out the answers to this essential question in the following pages of this paper.

## 2. DEMOCRACY AND THE LEGITIMACY OF PRIVILEGES

The question of the legitimacy of privilege is inextricably linked to the process of democratisation of Western societies since the end of the Second World War. This process, which can be traced back to the early XX century, is reflected in the final establishment of universal suffrage and the evolution of modern political parties in Western European and North American countries. In these countries, there have been fundamental changes in the value system of societies on a global scale, due to another important factor – the adoption of the Universal Declaration of Human Rights (1948), which is seen as an emanation of democracy, democratic values and the rights (and freedoms) of the people. This was a turning point in the development of Western civilisation, because democracy was affirmed as a universal human value, with the activity of the individual and the protection of his fundamental rights coming to the fore. In this sense, the question of the equality of people in general (political and economic) and the need to legitimize political privileges as an important prerequisite for guaranteeing this equality is also acutely raised.

### 2.1. Political and legal aspects

It should be noted that **one of the earliest regulations of privilege in the context of political equality** is found in the **American Constitution (1787)**, which explicitly mentions the following clauses: „Art. 1. § 6.1. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States.<sup>6</sup> They shall in all Cases, except Treason, Felony and Breach of the Peace, be **privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same**; and for any Speech or Debate in either House, they shall not be questioned in any other Place; § 9. (...) 8. **No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State“**; and „...Art. 2. § 7. **The President shall, at stated Times, receive for his**

**Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument** from the United States, or any of them<sup>22</sup> (*emphasis mine – G. M.*). And further, Art. 4, § 2 of this constitution expressly states that the citizens of each state shall be entitled to all privileges and immunities on an equal footing with the citizens of the other states,<sup>23</sup> which definitively clarifies and legitimizes both the nature of the privileges and their place in the state-law order of society. But there is another ancient detail of the legitimacy of privilege in the United States, which derives from the **Virginia Declaration of Rights (1776)** and which literally states, „**no man, or set of men, is entitled to exclusive or separate emoluments or privileges from the community, but in consideration of public services;** which, nor being descendible, neither ought the offices of magistrate, legislator, or judge to be hereditary<sup>24</sup> (*emphasis mine – G. M.*). Things are similar with political privileges in European countries, although this process developed there much later in historical time (since the beginning of the XX century).

In the years following the end of the Second World War, democracy and constitutionalism established themselves as leading trends in public life, and on this ideological and political foundation a new type of statehood began to be built in the form of the democratic social and rule of law state. This type of state is not a negation of the liberal rule of law, but its direct continuation and refinement,<sup>25</sup> which fully reflects on the status of privilege from the point of view of social equality. This is precisely why the idea of „equality of all before the law“ is rapidly making its way in – to create a socially just society, as far as this is possible. The legal foundation here rests on the Universal Declaration of Human Rights, whose postulates dictate that **everyone is entitled to all**

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<sup>22</sup> **US** Constitutionalism. Constitutions. Legislation. Decisions of the Supreme Court of the United States. Constitution of the United States of America of 17.IX.1787. Sofia: St. Kl. Ohridski, 1998, pp. 19; 21-23.

<sup>23</sup> See *ibid.*, p. 25.

<sup>24</sup> **Genov**, R. The American Revolution. The War of Independence and the Creation of the Federal Republic. Sofia: New Bulgarian University, 2012, p. 108.

<sup>25</sup> See **Bliznashki**, G. Evolution... *Op. cit.*, p. 191.

**rights and freedoms, without distinction of any kind, including political (Art. 2); and that all people are equal before the law and entitled to equal protection of the law (Art. 7).**<sup>26</sup> These clauses of the Declaration are of utmost importance as they frame the limits of privilege in a democratic society, such as legitimacy – illegitimacy, legality – illegitimacy, permissibility – impermissibility, etc.

## 2.2. The privileges of politicians in the Western world

Building on this basic politico-legal foundation, we will examine in some detail the leading rules for **legitimizing (and regulating) parliamentary political privilege** in some developed Western countries in different parts of the world.

### 1) Privileges in the USA

Members of the United States Congress (House of Representatives and Senate), in addition to the benefits and immunities already cited, have the following constitutional privileges:

*The salaries and other material benefits of members of Congress vary widely. Until 1990, senators and members of the House of Representatives received a salary of \$89,500 per year. Currently, this amount has been increased to \$120,000 per year.* In addition to the officially – by law – fixed salaries, deputies have various compensations and privileges. For example, **travel expenses are paid for 15 trips made** by Members of Congress to their districts during the session. Of great importance is the postal privilege of legislators. **The free distribution of materials through the mail** enables them to successfully advertise their activities to constituents and thereby shape favorable public opinion in the run-up to elections. In addition to the postal privilege, legislators are also entitled to **free use of telephone and telegraph communications.** They are provided free of charge with the United States Code of Laws and various reference books. Members of Congress receive a daily copy of *the Congressional Record*, the official bulletin reporting on the work of Congress during the previous legislative day (it is out of print no later than 8 a.m.).<sup>27</sup>

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<sup>26</sup> See **International** Bill of Human Rights. Sofia: Sofia Press, 1989, pp. 12-13.

<sup>27</sup> See **Parliaments** of the World. Moscow: Visshaya shkola, Inter praks, 1991, p. 339. (*All numerical, monetary and statistical data in this source are up to 1991 – my note, G. M.*)

In addition, members of Congress are entitled to **\$45,000 in life insurance and health insurance** (40% of health insurance premiums are paid from the budget). Members of Congress are entitled to **free first aid**. Lastly, **the cost of furniture and technical equipment** (including computers) for their offices **is paid for**.

A number of other material advantages and privileges should also be noted. The Capitol has a swimming pool, gym and sauna. Members of Congress use dedicated hair salons, chairs and cafeterias. In some domestic service establishments, prices are lower than in the public sector. In addition, Members of Congress have offices both in Washington and in the constituency they represent. Senators representing states with populations under 2 million have up to 4,800 square feet of office space (1 square foot equals 929 square centimeters), with a maximum of 8,000 square feet of office space (for those from states with populations over 17 million).<sup>28</sup>

Each member of Congress has his or her own staff of aides. For example, in the House of Representatives, a congressman has 18 staffers, while a senator has 20 to 30 staffers.<sup>29</sup>

To the above privileges of Senators and Members of Congress should be added certain government benefits (privileges) which they receive in addition to their salaries, viz:

- **Annual allowances:** members of Congress receive an annual allowance to **cover the personal costs of carrying out their work**. This includes office expenses, travel, goods and services;

- **Health care:** congressmen and senators order/request their insurance through the Affordable Care Act exchanges, with **72% of their premiums covered by a federal subsidy**. And when they retire, they can have lifetime health insurance under the Federal Employees Health Benefits Program;

- **Pension:** after serving 5 years, a member of Congress is eligible for a pension. Their retirement benefits depend on their plan, age, and how long they served in Congress. **A member of Congress can receive their full pension at age 62 or, if age 50, with 20 years of service**. Con-

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<sup>28</sup> See id.

<sup>29</sup> See *ibid.*, p. 340.

trary to popular belief that they receive their full salary upon retirement, this is not true. They can gain up to 80% of their final salary, although this high percentage is rare;

- **Death Benefit:** Upon the death of a Member of Congress while in service, **his family receives a benefit equal to his annual salary** in the form of family bonuses;

- **Free parking:** congressmen park for free and have reserved space in VIP airport car parks, as well as benefit from priority and discounted flights.<sup>30</sup>

Along with all this, the US has continually turned its back on inflated privileges, which is why in 1994 lawmakers were banned by Senate bill<sup>31</sup> from every conceivable lavish meal, expensive outing, luxurious gift, etc., which until then had been accepted with undisguised willingness and great pleasure by its users.

As of early 2022, the salaries of US senior politicians are legitimized and set as follows: First, **\$14,500** (€12,808) is the monthly salary of most US **senators, congressmen and delegates**, bringing their total take to \$174,000 per year. Among the exceptions are the Speaker of the House of Representatives (Congress), with a \$223,500 annual salary, and the President of the Senate, the Majority and Minority Leaders in Congress and the Senate, who receive \$193,400 per year. Second, **the Vice-President** of the United States receives **USD 21 780** (€19,238) per month, making an annual salary of USD 261 400. And thirdly, **33 300 dollars** (€29,414) per month, or 400 000 dollars annual salary, goes to **the President** of the United States. To this is added USD 50 000 a year for personal expenses such as food and dry cleaning, and a tax-free USD 100 000 for travel. Congress appropriates an additional USD 19 000 for official presidential receptions and related expenses. Other benefits include free transportation in the presidential limousine and helicopter. The President receives free furnished White House housing and an additional \$100,000 for its remodeling.<sup>32</sup> We will only mention here that this regulation is very strict, and the expenses incurred by

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<sup>30</sup> See **The Salary and Benefits of U.S. Congressmen and Senators**. Indeed Editorial Team, February 23, 2021 [online]. <https://www.indeed.com/career-advice/pay-salary/congressman-salary>.

<sup>31</sup> See „**24 hours**“ *newspaper*, 21.05.1994.

<sup>32</sup> See „**24 hours**“ *newspaper*, 15.02.2022.

statesmen and politicians in the form of privileges granted to the authorities are regularly monitored and reported.

## 2) Privileges in Canada

In the bicameral Canadian Parliament (House of Commons and Senate), several types of privileges are regulated:

**a) immunity:** parliamentary immunity, according to which parliamentarians may not be arrested or imprisoned (in prisons) during civil lawsuits; by order of the court during parliamentary sessions; may not appear in court hearings as witnesses without the sanction (permission) of the leadership of the House of Commons, etc.

**b) remuneration (indemnity):** salary for parliamentary activities. The salary of members of the House of Commons shall be reviewed annually. As of 1987, it amounted to **C\$ 56 100 per year** (C\$ 1 = US\$ 0,77). This significantly exceeds the average annual per capita income in Canada, which is \$15,000 per year. In addition, parliamentarians receive an **annual tax-free allowance of \$18,700.**<sup>33</sup>

**The Treasury covers the MP's travel expenses** (which means travel related to the performance of official duties, primarily to his or her constituency), the **cost of postal correspondence and telephone calls** of an official nature. The MP **receives a subsidy of \$100,400 per year to support housing and personal staff from staff** in Ottawa and his constituency. In total, **supporting a member of the House of Commons** currently **costs Canadian taxpayers \$300,000 per year.**

The deputy is entitled to the services of the permanent staff of the House of Commons, which reaches 2,000 and includes legal advisers, experts, clerks, librarians, security guards, waiters and other support and technical staff. The normal operation of the House of Commons is ensured by various types of services – post office, printing office, medical centres, computer services, a group of interpreters, restaurants, workshops, hairdressers, beauty salons, etc.

The 1987 budget for the House of Commons was \$167.5 million. Its implementation is the responsibility of a special parliamentary body, the House Committee on Internal Economy (Savings), established by the House and composed of five members. It includes four MPs holding

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<sup>33</sup> See **Parliaments** of the World... Op. cit., p. 234.



ministerial posts and the Speaker of the House of Commons as chairman of the committee.<sup>34</sup>

**A number of MPs** holding various positions in the House of Commons and the Government **receive additional remuneration to their annual salary of \$56,100**. For example, the Prime Minister receives USD 64 000, other ministers, the Speaker and the Leader of the Opposition USD 42 800 each. The leader of the New Democratic Party in the House of Commons receives \$25,800; parliamentary assistants to ministers, \$9,400; chief parliamentary organizers, \$11,700,<sup>35</sup> and so on and so forth.

In addition to the above, as an allowance on top of their salaries, Members receive **travel allowances to cover not only their personal travel expenses** but also the costs of travel on official business. These funds are spent using a system that sets points rather than monetary limits so as not to discriminate against MPs who have higher travel costs because they travel further afield or live in villages. What is more, MPs also travel for free, while their families receive half of the travel amount if they do not travel with the MP!?! And relocation expenses are also covered along with an allowance for secondary housing in the National Capital Region. This housing allowance allows MPs who have a primary residence in their area to claim a maximum of \$28,600 per year for secondary living expenses. This breaks down to approximately \$2,383 per month for expenses such as renting an apartment near Parliament, for example.<sup>36</sup>

### 3) Privileges in Japan

The Constitution and the special law on the Parliament (consisting of the House of Representatives and the House of Councillors) provide for a monetary remuneration for the work of the MP, which shall not be lower than the salary of the highest paid civil servant. A member of the Japanese Diet receives 750 000 yen (USD 5400) per month. Speakers of the houses and their deputies receive 1.5 to 2 times more.<sup>37</sup>

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<sup>34</sup> See *ibid.*, p. 235.

<sup>35</sup> See *ibid.*, pp. 235-236.

<sup>36</sup> See **New** MPs are getting up to speed in orientation. Here are some of the perks of the job. Amanda Connolly, 29 October 2019. <https://globalnews.ca/news/6096243/member-of-parliament-expenses-allowances/>.

<sup>37</sup> See **Parliaments** of the World... Op. cit., p. 578.

A member of the Japanese Parliament also enjoys a number of material benefits and privileges, such as **free travel on state railways** if it is related to his or her parliamentary activities. He or she **receives** a monthly **special allowance for official correspondence** and other communications on matters of a public nature, and each MP is allocated a space in the Diet for a private office, with a private secretary attached. The Speakers of the Houses and their deputies shall be provided with **special accommodation and cars**.<sup>38</sup>

One of the significant incomes of MPs are the cash rewards received by the leaders of the various groups within the parliamentary faction of a particular political party, and in some cases directly from large industrial and financial groups for supporting a particular issue debated in parliament. Members of the Japanese parliament are therefore often accused of corruption and bribery.<sup>39</sup>

There are, of course, additional bonuses offered to MPs. For example, they can choose to receive 1) a free Japan Rail Pass, including Green Cars; 2) a JR Pass plus airfare coupons for three round trips per month; or 3) airfare coupons for four round trips per month. Plus, each MP can receive a 1 million tax-free allowance known as „*bunsho tsūshin kōtsu taizaihi*“ („budget for documents, communications, transportation, and lodging) each month **for a total of 12 million per year**. Members of Parliament may use this allowance for their official activities, but are not required to submit receipts for its use. Of course, they can save the rest of the allowance if they prefer, so can it be regarded as a general source of tax-free income.<sup>40</sup>

#### 4) Privileges in France

The French Parliament consists of two chambers: the Lower House, the National Assembly, and the Upper House, the Senate. In addition to the immunity they enjoy, French MPs receive: a financial allowance which gives them financial independence and covers the costs of carrying out their mandate (secretariat support, travel, reception of constituents). **A deputy's salary is made up of two parts: a basic part,**

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<sup>38</sup> See id.

<sup>39</sup> See id.

<sup>40</sup> See **Power** and money in Japanese politics. Daisuke Akimoto. 16.02.2020. [online]. <https://www.japantimes.co.jp/opinion/2020/02/16/commentary/japan-commentary/power-money-japanese-politics/>.

**considered to be the actual salary; and a supplementary part, or „performance-related“ salary.** The basic part is not fixed in absolute terms, but as an average figure between the highest and lowest salaries of the highest category of civil servants. The additional part is one quarter of the basic salary and depends on the participation of the deputy in the work of his chamber; the deductions from this part of the salary are greater the more votes the deputy has not participated in. However, this rule is rarely applied in practice. In addition, the additional part of the salary may be reduced in the event of disciplinary sanctions (see below). In 1985, for example, the total **annual amount charged to a French parliamentarian was about 336 000 francs.**<sup>41</sup>

Significant deductions are made from MPs' salaries for social security, for the parliamentary caucus; salaries are subject to income tax, except for 45% of the total, which is considered operating expenses. In other words, 55% of the amount is taxable. MPs **are entitled to a pension on reaching the age of 55**, unless they continue to be members of the House.<sup>42</sup>

Within 15 days of taking office, a Member of the Lower House of Parliament shall be required to submit to the National Assembly Bureau a declaration of his or her assets, containing details of the amount of his or her own assets and, where applicable, the joint assets of the spouses or assets recognised as indivisible in accordance with the provisions of the Civil Code. The Bureau shall guarantee the secrecy of the declarations received and of subsequent changes, which shall be communicated by the deputies where necessary.

The deputy shall submit a new declaration under the preceding provisions not earlier than two months and not later than one month before the expiration of his term of office, and in the event of dissolution of the National Assembly or termination of the term of office for any reason other than death – within the next 15 days. The Bureau of the National Assembly shall assess changes in the assets of Members on the basis of declarations. This procedure is intended to ensure the „financial purity“ of the MP for the duration of his parliamentary activity. In addition, the French parliamentarian receives funds to maintain

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<sup>41</sup> See **Parliaments** of the World... Op. cit., pp. 393-394.

<sup>42</sup> See id.

a private secretariat; he is responsible for these expenses. In 1988, on average, each senator had three and each deputy two assistants. **The deputies have offices in the parliament building, enjoy free and emergency telephone service to their constituency, free or reduced rates for transportation within the country, and preferential meals in the chamber restaurant.** The Chamber's vehicles are at the parliamentarian's disposal for getting around Paris and its suburbs. When arriving in Parliament after an election or as a result of the replacement of a retired parliamentarian, the deputy or senator receives signs of his or her position (tricolour belt, etc.). Members of the Houses of Parliament may not be awarded the Legion of Honour or be nominated for the next degree of that Order, a military medal or any other distinction except for military exploits or similar actions.<sup>43</sup>

The French Parliament also regulates certain other parliamentary privileges. **Health insurance:** on top of senators' basic pay and benefits of €85,200 a year, which comes to about \$108,450. But senators also receive another 74,880 euros (\$95,300) a year to cover their work-related expenses, for a total of 160,000 euros (\$203,000). And this is quite a bit more than the €136,600 (\$174,000) their counterparts in the US Senate receive, even though US parliamentarians have a separate fund available for work expenses. **Air and train travel:** Senators hold a card entitling them to unlimited first-class travel on any of the trains of France's state-owned railway company SNCF, and they also get 40 free flights on Air France to anywhere in the country a year. **Benefits for families:** senators also receive a stipend of €90,576 a year to pay their staff, which, according to the law, can be anyone who holds a bachelor's degree, including the families, friends or constituents of deputies. **Funds for equipment:** keeping up with the latest technology is obviously a priority for senators, who receive €5,000 every three years to buy phones and computer equipment. **One final privilege:** under French law, all senators are entitled to reimbursement of expenses for calls, taxi journeys and hotels while the Senate is in session, including the famous expensive travel fees in France.<sup>44</sup>

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<sup>43</sup> See *ibid.*, pp. 394-395.

<sup>44</sup> See **Top** five „luxurious“ perks of French senators. Joshua Melvin. 26.09.2014. [online]. <https://www.thelocal.fr/20140926/French-senators-perks-pay-luxury/>.

As a matter of fact, we will note that since 2017, with the adoption of the Political Ethics Law<sup>45</sup> in France, MPs, ministers and mayors can hire members of their families as assistants, advisors and collaborators.

But even this is not enough, because with their inherent „brilliant refinement“, French MPs consume exceptionally premium French wines in the glamorous parliamentary restaurant at quadruple the price(!?!), and then resume their exhausting activity in the specially prepared luxury armchairs<sup>46</sup> (despite the fact that most MPs have long lost control of their weight...).

As for the privileges of the French president, they are regulated by a 1955 law according to which the head of state **receives a €6,000 pension and €14,000 a month as a life member of the Constitutional Council** (these amounts are net of deductions); **a furnished state apartment with two staff; an official car with two drivers; two policemen for round-the-clock security; and seven assistants for day-to-day affairs.**<sup>47</sup> These perks, while resembling other similar perks of heads of state in the developed Western world, are constantly criticized and resented by the population...

### 5) Privileges in the UK

It is known that the English Parliament consists of two chambers – the House of Commons and the House of Lords (the Peers), depending on which the following parliamentary privileges are regulated.

A Member of Parliament receives **a salary of £22,548 per annum** (the salary has been paid since 1911). In addition, he receives **supplementary payments of £27,140 per annum** for the maintenance of an office, a secretary (or secretaries), a research assistant (as a rule, these are highly qualified university graduates). In 1985 the total number of secretaries and research assistants was 1,210. A Member of Parliament is reimbursed for travel expenses incurred in travelling between London, his place of residence and his constituency in the performance of his parliamentary duties (this includes the travel of his wife and minor children). The MP is entitled to free telegraph, telephone and postal

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<sup>45</sup> See „*24 hours*“ newspaper, 4.08.2017.

<sup>46</sup> See „*Standard*“ newspaper, 26.04.1996.

<sup>47</sup> See „*Trud*“ newspaper, 23.12.2019; „*24 hours*“ newspaper, 11.05.2017.

communications in respect of those areas outside Greater London (up to £7,000 per annum). His hotel accommodation is also paid.<sup>48</sup>

Very important for the British parliament is the issue of „private interests“ of MPs. Some MPs leave their main job or professional activity, and many keep it and work part-time. Parliamentarians maintain close relationships with pressure groups and lobby organisations. Parliament's Rules of Procedure do not preclude such relationships, but do provide for the need to report to the House on the MP's work for such organisations and on payment for it.<sup>49</sup>

In 1975, the House of Commons established compulsory registration of MPs' „interests“. Under this system, an MP is required to inform the House of any financial interest or other material benefit that he or she has which might be thought to influence his or her conduct, speech and voting in Parliament. The list includes information on: a paid position as a „director“ or other paid employment; an application for financial support as a Member of Parliament; travel abroad as a Member of Parliament, unless paid for personally or with public funds; any payments and material benefits received from foreign governments, organisations and individuals; land or property of significant value; names of companies in which the Member holds a shareholding of more than 1%. Bribery of a Member of Parliament for his or her work in the House shall be considered a breach of parliamentary privilege.<sup>50</sup>

The House of Commons purports to act as a judge in matters relating to its privileges, and the rules on parliamentary privilege constitute a so-called „common law of parliament“. „Parliamentary privilege“ refers to the rights that the House of Commons as a whole and each individual MP has. Parliamentary privileges include the freedom of MPs from arrest, freedom of speech in Parliament and also the right of access to the Queen, which belongs to the House of Commons as a whole. The right to establish privileges belongs exclusively to the Houses themselves.<sup>51</sup>

What is specific about the financial privileges of English parliamentarians is that they are spent according to a specially drawn up budget

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<sup>48</sup> See **Parliaments** of the World... Op. cit., pp. 97-98.

<sup>49</sup> See id.

<sup>50</sup> See *ibid.*, p. 99.

<sup>51</sup> See id.

intended for parliamentary purposes only. This stems from the fact that there is a Code of Conduct for MPs and the so-called „7 Principles of Public Life“ (Code of Ethics), according to which the means for the privileges of public figures (including MPs) are regulated. For example, the entitlements of Members of Parliament are divided into several categories.

- **Hiring staff** – parliamentary representatives have a budget to hire staff to assist them in carrying out their duties. (They can also hire assistants to prepare them for speeches, questions, statements, meetings and interviews.)

- **Office expenses** – this is the second largest item that requires the most money.

- **Accommodation** – all 554 MPs have two places of work – the constituency they are from and the capital London. Because of this, the costs associated with accommodation do not have a set budget, but MPs can rent accommodation, pay bills, stay in a hotel etc. However, if they own a property, they are not entitled to take advantage of this opportunity.

- **Transport** – the cost of MPs’ travel is borne by the state. There is also a budget for the spouse, partner or children to travel with the MPs to look after the family. Although there are rules about the types of journeys MPs can take, there is no limit on the transport budget and MPs are not limited to how many times they can travel between London and their constituency.

- **Disability and security** – MPs can benefit from the disability and security budget because the disability budget provides funding to support their needs as MPs with special needs and disabilities, helping them to fulfil their responsibilities under the Equality Act. And another, the security budget provides funding for the cost of security measures that are recommended by the police to keep MPs, staff and their families safe.<sup>52</sup>

Another important feature is that in the UK MPs are given budgets, unlike in other countries, where they enjoy allowances. In addition, MPs are not given money in advance because they receive money from the budget after they have provided documents or evidence to verify

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<sup>52</sup> <https://www.theipsa.org.uk/what-do-mps-spend-public-money-on>

the expenditure. **If the MP spends more than his budget, he has to repay the money from his own pocket, or if there are exceptional circumstances, he can apply for additional funding.**<sup>53</sup> And, of course, all public money spent by MPs is published to ensure that everyone can see how MPs spend public money.

In the UK, as in other democratic countries, the salaries of the political elite are strictly fixed, namely: 1) **£6,827** (€8,157) per month is the basic salary **of the MPs** in the lower house of the British parliament, or about £81,932 per year, with the last increase in 2020. In addition, MPs are entitled to constituency office and assistants' allowances, as well as London housing rent; 2) **£12,459** (€14,886) a month is added to MPs' pay by UK **ministers**, bringing their total basic salary to £149,437 a year. British MPs are allowed to have a second job, but they have to declare the income from it properly; and 3) **£13,100** (€15,652) per month is the salary of the British **Prime Minister**, i.e. he receives at least £157,372 per year. This salary is in addition to his MP's salary.<sup>54</sup>

As one might assume, in England **the royal family** is surrounded by **wealth and privilege** that most people can only dream of. There, members of **the royal family are supported by the so-called Sovereignty Fund, which receives an annual sum provided entirely by the state (the government) and covers all travel, security, staffing and repairs to the royal chambers.** According to the authoritative Sun newspaper, the Queen's vast wealth (about £1.6 billion), largely accumulated by the taxpayer (according to a law passed by Prime Minister W. Churchill, she has not paid taxes for 40 years, costing the people approximately £900 million), swells her investment portfolio to about £500 million. For example, **if in 2010 the state paid only £7,9 m for the aforementioned royal expenses, by 2019 that sum rises to a whopping £82,8 m a year.**<sup>55</sup> In addition, the noble and compassionate Queen in 2019 is once again increasing service staff salaries, benefiting 400 loyal royals at Buckingham Palace, Windsor Castle and Balmoral and Sandringham estates. And this is on the understanding that the staff contracts of employment stipulate a number of „lackeys'“ privileges at

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<sup>53</sup> See id.

<sup>54</sup> See „*24 chasa*“ newspaper, 15.02.2022.

<sup>55</sup> Citation. „*Telegraf*“ newspaper, 25.10.2019.



the expense of the state: free rooms, free soap, the „right“ to top up the wine and other refreshments from the endless coiffures and state banquets<sup>56</sup> etc. That’s what they call it „Mother, bear me luck, but throw me on the palace garbage“.

### 6) Privileges in Germany

The German Parliament is composed of two chambers – the Bundestag (lower house) and the Bundesrat (upper house), and it should be pointed out that the upper house is not a representative institution despite its involvement in the implementation of basic parliamentary functions. Accordingly, Art. 46 of the Constitution of the Federal Republic of Germany provides for the following privileges:

„(1) **At no time may a Member be subjected to court proceedings or disciplinary action or otherwise called to account** outside the Bundestag for a vote cast or for any speech or debate in the Bundestag or in any of its committees. This provision shall not apply to defamatory insults.

(2) **A Member may not be called to account or arrested for a punishable offence without permission of the Bundestag**, unless he is apprehended while committing the offence or in the course of the following day.“<sup>57</sup> (*emphasis mine – G. M.*). Another – according to Article 48 (3) **Members** shall be entitled to remuneration adequate to ensure their independence. They shall be **entitled to the free use of all publicly owned means of transport**. Details shall be regulated by a federal law.<sup>58</sup> Lastly, the constitution specifically legalizes the privileges of **judges (Art. 97 (2) in the event of a change** in the structure of the courts, because it is unconditionally written that they **retain their full remuneration** (salaries)<sup>59</sup> regardless of the nature and extent of the relevant restructuring within the state.

These constitutionally regulated privileges of the German members of the Bundestag can be supported by a few more statistical facts: 1) with regard to MPs’ incomes: **a steady increase in salaries from**

<sup>56</sup> See *ibid*; „*Telegraf*“ newspaper, 28.08.2019.

<sup>57</sup> **Basic Law** of the Federal Republic of Germany. Sofia: St. Kl. Ohridski, 2019, p. 31.

<sup>58</sup> See *ibid.*, p. 32.

<sup>59</sup> See *ibid.*, p. 71.

**€11,300 (1994) to €16,000 per month in 2000;**<sup>60</sup> 2) in terms of **compensation and allowances: €6,000 per MP (tax-free) to cover MPs' running costs; a fund of almost €13,000 per MP to support the support staff of numerous assistants and secretaries; free MPs' accommodation, office, telephone, computer and chauffeur-driven car (available at any time)**<sup>61</sup> etc.

Like other European leaders, **the German chancellor** enjoys special retirement **privileges**. These privileges are established by law and give the following benefits to German chancellors: a €25,000 pension for three months after leaving office and a €15,000 pension for life; the right to a personal guard and a company car with a driver for life; a state office in the Bundestag building with two advisers and a secretary, etc.<sup>62</sup> What is interesting here is the fact that the money for the pensions is paid by regulation, and for the next 21 months, half is received as an allowance. In fact, this is the legislative difference regarding the Chancellor's privileges vis-à-vis other European senior leaders.

### **7) Privileges in Italy**

In the bicameral Italian Parliament, consisting of the Chamber of Deputies (lower house) and the Senate (upper house), there is a clear constitutional regulation of the permissible privileges and benefits of the Members of the National Assembly.

There are three main components to the legal status of the MP: 1) the MP's non-liability for actions taken by him or her in the performance of his or her duties; 2) parliamentary immunity; and 3) remuneration. The parliamentary prerogatives listed are not personal privileges of the MP: he cannot waive them as they are established as guarantees for the proper performance of his functions and for the independence of his mandate.<sup>63</sup>

According to the same Art. 68 of the Constitution, Members of Parliament cannot be held criminally liable without the sanction of the relevant House. Immunity extends to arrest or other measures restrict-

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<sup>60</sup> See „*Standard*“ *newspaper*, 26.04.1996 (the amounts in the article are given in marks and equated in euros by the author).

<sup>61</sup> See id.

<sup>62</sup> See „*24 chasa*“ *newspaper*, 28.08.2021; 4.12.2021.

<sup>63</sup> See *Parliaments of the World...* Op. cit., p. 199.

ing personal liberty, as well as searches or searches of the person, except in cases of detention in custody. Any procedural action involving the restriction of the liberty of a deputy (senator) shall require the separate authorisation of the Chamber.

The other privilege relates to the remuneration of MPs, which is not a salary in the usual sense: it is not subject to deductions, includes funds for secretarial and representation expenses, and is subject to income tax at only 4/10 of the total. In effect, parliamentarians are assimilated to civil servants, for whom a uniform pay system is established. **Members of the Italian Parliament receive a salary equal to that of the President of a division of the Supreme Court of Cassation. By comparison, ministers, who are equated with the most highly qualified magistrates, are paid about 20% more than parliamentarians.** Moreover, the same guidelines apply to other payments and allowances (travel, hotel, etc.). Parliamentarians are not entitled to a state car, but enjoy the right to free train travel.<sup>64</sup>

Civil servants elected to Parliament must join the temporary reserve without pay for the duration of the parliamentary term. According to Art. 38 of the Constitution, being in reserve, they cannot be promoted to a government post except for long service. After the expiry of their term, they must be restored to their former place of employment without loss of pay or seniority. Lastly, the salary, which exceeds the average salary by about 2.5 to 3 times, is generally not sufficient for a deputy to maintain his own staff of employees, so the majority resorts to group offices set up with funds received from groups in the form of state funding for political parties, and to the auxiliary offices of chambers.<sup>65</sup>

However, this regulation of the privileges of non-Italian parliamentarians is not of a permanent nature because, although it ebbs and flows, it is still subject to change, which we will illustrate with a few additional facts and figures for the following three periods:

**- year 1995**

As of this year, **the parliamentarian's salary** reaches 17 million Italian lire (over \$10,000); all possible expenses are compensated – travel, housing, hotel, telephone, secretaries, assistants, etc. For this

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<sup>64</sup> See *ibid.*, p. 200.

<sup>65</sup> See *ibid.*, p. 201.

purpose, a deputy is paid 4 million lire for housing and food in Rome (including those who are residents of the capital); 4.5 million lire for the salary of an assistant (it is forbidden to appoint relatives to this position); 2 million lire for fees against a submitted invoice from a taxi driver. And lo and behold, the MP gets another £10 m on top!!!<sup>66</sup>

**The MP's pension** depends on his or her length of service in parliament, but it only takes 6 months for him or her to be able to count on \$1,000 a month in old age, and if he or she has served several parliamentary terms, his or her pension actually becomes about \$10,000.<sup>67</sup>

**The food of the deputies** in the two restaurants (one in each chamber) is of extremely high quality and at very „high“ prices, \$10 being the price of a so-called „quick lunch“, while the most expensive, \$20, is a hearty lunch of several dishes and appetizers, which, who knows why, they call „medium“!<sup>68</sup> Here the most elementary calculation shows that even if an MP ate for 30 days in parliamentary restaurants, it would not cost him more than \$1000 – 1200 (with a salary of more than \$10 000).

**- year 2015**

This year, the Italian parliamentarian has been blessed with more perks, but this time in euros: **€10,345 a month salary** (after deductions it becomes €5,246); €3,503 a month in per diems for staying in the capital; €3,690 a month for the so-called „exercise of the mandate“ (hiring assistants, consultants, experts, etc. €3,298 per year for telephone calls; between €3,323 and €3,995 for the distance of more than 100 km from the MEP's home to the nearest airport and, respectively, from the airport to the palace where the meetings are held; a free card for each MEP to drive on motorways and travel by rail, sea and air within the country.<sup>69</sup>

**- year 2020**

The privileges of Italian MPs continue to increase this year, as follows: **€18,800 per MP**, of which €10,435 are salaries without any deductions, another €3,503 per month are for subsistence (whether the MP is from Rome or the province); €1,100 for taxi fares in Rome; €3,600

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<sup>66</sup> See „*Standard*“ newspaper, 26.04.1996.

<sup>67</sup> See id.

<sup>68</sup> See id.

<sup>69</sup> See „*Duma*“ newspaper, 11.08.2015.

for other expenses; €100 per month for telephone; free season tickets for all public transport and motorway tolls. But the „charm“ of the Italian privileges is something else: **after the end of their mandates, the presidents of the lower house continue to enjoy secretarial and office privileges for another 5 years, and the heads of the Senate for 10, and even have the right to a chauffeur.**<sup>70</sup> These are unique privileges (of the bosses) that are almost nowhere to be found in the democratic world (except for presidents) and which are entirely akin to the total benefits of their ancestors in the ancient Roman Empire. Or, as it is usually said, nothing old is forgotten and nothing new is learned from the world's long-standing parliamentary political practice.

### **8) Privileges in Austria**

According to the Austrian constitution, the highest legislative body in the country is the bicameral parliament, which consists of the National Council (lower house) and the Federal Council (upper house), and in which members have the following privileges (and responsibilities):

Related to the principle of free mandate is the principle of *impeachment*: members of the National Council can never (i.e. even after the expiration of their term of office) be held accountable for votes taken in the performance of their duties, and they can only be held accountable to the National Council for their oral or written expressions of opinion in the performance of their duties as members.<sup>71</sup>

The status of members of the Austrian Parliament is also characterised by *immunity* (inviolability). Members of the National Council may be arrested for a criminal offence only with the consent of the National Council, except in the case of apprehension at the scene of a crime. The consent of the National Council is also required for house searches of MPs.

The general provisions on immunity and immunities shall also apply to members of the Federal Council. The latter shall enjoy the same immunity throughout their term of office as the members of the Landtag from which they are elected. However, since members of the Landtag enjoy the same immunity as members of the National Council (Article 96 of the Federal Constitutional Law of 1920/1929), the above rules

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<sup>70</sup> See „**24 hours**“ newspaper, 23.09.2020.

<sup>71</sup> In this paragraph of the exposition the privileges of the Austrian deputies are discussed under: **Parliaments** of the World... Op. cit., pp. 59-61.

apply accordingly to members of the Federal Council. It is that body which decides on questions relating to the immunity of its members.

The rights and duties of members of the federal government are similarly regulated.

Austrian law provides for the procedure and amount of payment for parliamentary activities and reimbursement of expenses related to the performance of parliamentary duties. These matters are governed by **the General Act on the Salaries and Pensions of Officials of the Higher Bodies of the Federation, adopted in 1972** (as subsequently amended). Such regulation applies to the Federal President, the Federal Chancellor and members of the Federal Government, the Secretaries of State, members of the National and Federal Councils, members of the Federal Constitutional Court, the President and Vice-President of the Court of Auditors, etc.

The basic monthly salary of a member of the National Council shall be 50% of the salary of a member of the Federal Government and the salary of a member of the Federal Council shall be 25% of the salary of a member of the Federal Government. The law provides for bonuses to the basic salary of up to 25% depending on the „seniority“ of the MP, committee work, etc. The Presidents of the National and Federal Councils (and the Vice-Presidents of the latter) have bonuses to their basic salary of up to 90%, and the Presidents of the parliamentary party clubs at 66%. In addition, additional allowances are provided for MPs who have their permanent residence outside Vienna.

The total monthly salary of a „rank and file“ member of the National Council fluctuated in the mid-1980s from 48 to 62,500 shillings. Members of the National and Federal Councils are entitled to free use of rail, water and bus transport and also the services of telecommunications operators. They shall be reimbursed for the cost of sleeping accommodation in railway carriages, on ships and for air tickets if such expenses are related to invitations to meetings of the Chambers and their committees.<sup>72</sup>

It can be said that very favourable conditions have been created for parliamentarians, albeit without excess, to perform their duties.

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<sup>72</sup> See *ibid.*, p. 61.

### **9) Privileges in Portugal**

In the unicameral Portuguese Parliament, the Assembly of the Republic, rights and privileges are clearly and precisely regulated as constitutional duties. For example, in Portugal, a deputy takes office at the opening of the first sitting of the Assembly of the Republic after a general election; his or her powers are terminated at the opening of the first sitting of the Assembly after a new election. This is, of course, the general rule. A deputy's powers may, of course, be terminated early in certain circumstances.

In order to exercise the powers of a deputy as a representative of the people, he is endowed with a number of rights and powers, and the legislation establishes guarantees for his activities. Deputies have the right to take part in all forms of parliamentary business without exception, to elect and be elected to the various bodies of parliament, to speak openly on any matter of importance to the life of the community or of individual citizens, to request from the government or any public authority information, official information and material necessary for the exercise of their parliamentary powers, to question the government about the activities of the government itself or of the public administration, to request the establishment of a parliamentary At the same time, it should be noted that the right of MPs to initiate legislation is somewhat limited. Thus, a deputy (just like a parliamentary group and an assembly of an autonomous region) may not introduce a bill, draft resolution or other act of parliament that provides for a reduction in revenue or an increase in expenditure provided for in the state budget in the current financial year.<sup>73</sup>

A deputy shall enjoy immunity and may not be detained or arrested without the authorization of the Assembly of the Republic, except in cases of commission of a crime punishable by death or detention at the scene of the crime. If the deputy is prosecuted and formally charged, the Assembly of the Republic shall take a special decision as to whether or not the deputy should be released from his or her seat, with all the ensuing consequences for the duration of the trial, except in cases where he or she has committed a crime punishable by death. It is expressly provided in the legislation that a deputy shall not be liable

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<sup>73</sup> See *ibid.*, p. 278.

to civil, criminal or disciplinary proceedings for participating in voting or making speeches in the exercise of his or her parliamentary powers. This provision is of great importance to ensure the effective and unimpeded performance of the MP's duties.<sup>74</sup>

According to Art. 161 of the Portuguese Constitution, **a deputy enjoys a deferment for military service, civil mobilisation and civil service replacing or supplementing military service, the right to travel in restricted areas, as well as the right to free passage when exercising his or her parliamentary powers, a special passport when travelling abroad and a special identity card in the country.** The deputy shall have the right to be excused from official, public and private activities for the entire period of exercise of his/her powers. The time spent on parliamentary duties shall count towards a person's length of service irrespective of the type of activity, except for activities which require a permanent personal presence at the workplace. If the Member is in temporary public service on the basis of a law or an employment contract, the performance of his duties shall be interrupted until the expiry of the term of office.<sup>75</sup>

The legislation contains specific provisions relating to the financial remuneration and material support for the activities of deputies. The law provides that a deputy is entitled to receive a monthly allowance equal to the salary of civil servants on a special scale, as well as two additional allowances, in June and December, each equal to the monthly allowance. It should be noted that this provision only broadly guarantees the MP's right to receive a monthly salary. **The specific amount of the monthly salary is determined by the Assembly of the Republic itself and is changed from time to time, owing to the need to take account of the rather high level of inflation and rising prices.** In 1988, the monthly salary of a deputy was set at 161 800 escudos (1 dollar = 155 escudos). The total remuneration paid to deputies in 1987 was 472 million escudos, and if to this were added all **the additional payments to deputies, those for transport, representation and other expenses**, the sum would rise to 910 million escudos. In fact, this is the

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<sup>74</sup> See *ibid.*, p. 279.

<sup>75</sup> See **Constitutions of the World**. Sofia: St. Kl. Ohridski, 1994, p. 280.



largest expenditure for the maintenance of the Assembly of the Republic, which in 1987 amounted to 3 407 000 escudos. The second largest item of expenditure is the amounts allocated to the parliamentary groups (660 million escudos). The least amount was spent on security, 7 million escudos in 1987.<sup>76</sup>

Additional remuneration shall be due to Members for participation in the work of the committees. Members who are members of committees or who temporarily replace other Members on committees shall be entitled to an additional payment of 1/30th of their monthly remuneration for each day of committee work, excluding days on which plenary sittings are held.

In addition, MEPs are entitled to **reimbursement of travel expenses**. Deputies living outside the capital (Lisbon) and in the districts adjacent to it shall be entitled to reimbursement of travel expenses for each day of attendance at a plenary session or committee meeting and for one additional day per week. Members residing in the capital and in the adjacent regions shall be entitled to reimbursement of travel expenses at the rate of one third of the amount provided for all other Members for each day of attendance at plenary sittings or committee meetings. Members travelling domestically or abroad on behalf of the Assembly of the Republic shall also be entitled to reimbursement of travel expenses.<sup>77</sup> In addition, deputies shall be entitled to free postal, telegraphic and telephone communications at the expense of the Assembly of the Republic.

All Members of the European Parliament shall have the established right to use transport to travel from Lisbon to their place of residence or to the districts from which they are elected, at the expense of Parliament. In doing so, they shall make a specific application. Such Members may use air transport only once a week and only during the Assembly's recesses. Reimbursement of the cost of the use of road transport shall be made in accordance with the procedure laid down for civil servants. Deputies elected from districts in which expatriates (i.e. outside the country) reside shall be entitled to three

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<sup>76</sup> See **Parliaments of the World...** Op. cit., p. 280.

<sup>77</sup> See id.

times free use of transport during the parliamentary session to visit those constituencies.<sup>78</sup>

Portuguese MPs benefit from the most advantageous social security system applicable to civil servants. In the event that a deputy opts for the social security system of his place of work, the Assembly of the Republic must reimburse the costs incurred by the economic operator.<sup>79</sup>

Additional allowances of 1/5 of the monthly salary shall be paid monthly to the Deputy Speakers and Secretaries. The Speaker of the Assembly shall himself receive a certain amount for representation expenses equal to the amount allocated to the Prime Minister. He shall also be entitled to the use of a private official car.

Remuneration received by MPs shall be subject to taxation in accordance with the procedure applicable to the income of civil servants.<sup>80</sup> In fact, the Portuguese Constitution is one of the few European constitutions in which the rights and privileges of MPs in the State are expressly fixed and regulated in a separate article.

### **10) Privileges in Finland**

Unlike in many other European countries, the unicameral Finnish parliament has a precise regulation of rights and privileges, which, of course, derives from the country's constitution and laws.

Parliamentarians are considered representatives of the whole people and therefore they are not obliged to carry out the will of their specific constituents, their orders. They cannot be recalled prematurely by those who nominate and elect them. However, practically all parties proceed from the need for regular meetings of the members of these parties with the electorate, from the reception of electors. Special rooms have been set aside in the additional building of Parliament to receive citizens and their delegations.

The immunity of deputies is limited. A parliamentarian may not be prosecuted for the performance of his or her parliamentary duties inside or outside Parliament. But at the same time, according to its statutes, the Eduskunta (parliament) can decide by a 5/6 vote of its members on an exception to this rule. In the pre-war period, the norm allowing the qualified majority in parliament to hold MPs accountable

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<sup>78</sup> See *ibid.*, pp. 280-281.

<sup>79</sup> See *id.*

<sup>80</sup> See *id.*

and strip them of their immunity was repeatedly applied not only to individual MPs but also to entire parliamentary fractions (all those who disagreed with the regime). In the post-war period, this norm was never applied.<sup>81</sup>

For his or her activities in Parliament, the MP receives an annual salary, the amount of which varies according to the price index. Currently, **the remuneration is equivalent to the annual salary of a member of the Council of State (Minister) of the seventh category.**

In addition to a salary, **the deputy is entitled to a daily allowance, which varies from 30 to 50% of the daily rate depending on his or her place of residence. The amount of the daily allowance shall be set at 1/365 of the annual salary.** If the parliamentarian lives more than 30 km from the capital Helsinki, he is entitled to travel expenses from home to the Parliament building.<sup>82</sup>

Members of the European Parliament shall be **reimbursed for all expenses incurred in the performance of their duties as Members of the European Parliament.** In addition, the subsistence of a minimum number of assistants shall be paid. Among the parliamentary privileges is **the preferential pension scheme for MPs.** This takes effect at an earlier age – 60 – than for citizens who are not MPs. The calculation of the amount of the pension, if the MP has been a member of parliament for at least two parliamentary sessions, is based on the MP's remuneration. The families of MPs are also entitled to preferential pension treatment. Special remuneration is due to MPs elected as authorised representatives of the State Bank. Travel of MPs abroad on the orders of the Government or the relevant committee to the meetings of the Northern Council and other international or regional organisations shall be paid separately.<sup>83</sup>

Finally, in Finland, **all Members of Parliament travel free on trains, buses and planes, as well as in taxis,<sup>84</sup> when they are doing business in the capital Helsinki.**

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<sup>81</sup> See *ibid.*, p. 370.

<sup>82</sup> See *ibid.*, pp. 373-374.

<sup>83</sup> See *id.*

<sup>84</sup> See <https://www.eduskunta.fi/EN/kansanedustajat/palkkiot-ja-kulukorvaukset/Pages/default.aspx>.

It is particularly important to note that, as already mentioned, the regulation of the privileges of **Finnish MPs** is also established by a number of specialised laws, such as: **the MPs' Remuneration Act (1947)**; **the MPs' Pensions Act (1967)**; **the MPs' Families' Pensions Act (1968)**, etc. These deliberate laws, on the one hand, legitimise a large part of MPs' privileges, but on the other hand, they extend the beneficiaries of political benefits (relatives, families, etc.), which does not speak very well for the political elite, since MPs' families, for example, have no involvement in the preparation, discussion and adoption of laws (and indeed in the overall legislative activity of parliament).

### **11) Privileges in the Netherlands**

In the Kingdom of the Netherlands, there is also a strict regulation of political privileges, and this applies with full force to the royalty. In this sense, the **various types of privilege are enshrined in the country's constitution, in particular in Art. 40: 1) The King receives an annual remuneration from the State in accordance with rules to be laid down by Act of Parliament.** The Act shall also determine which other members of the Royal Household receive remuneration from the State and the procedure for receiving it; **2) The remuneration they receive from the State, together with other benefits necessary for the performance of their duties, shall be exempt from personal taxes.** Furthermore, nothing received by the King or his heir presumptive by inheritance or as a gift from a member of the Royal Household shall be subject to inheritance tax, transfer tax or gift tax. Further exemption from tax may be granted by Act of Parliament; and **3) A Bill containing regulations relating to the above may be passed by the States General only if at least 2/3 of the votes cast are in favour of it.**<sup>85</sup>

Although in a more telegraphic style, the constitution also provides for the privileges of the members of the States General (Parliament) consisting of two houses (the second and the first). Here, Article 63 regulates the financial emoluments of the present and former members of the States General and their dependants, which is clarified by an Act of Parliament.<sup>86</sup> A Bill on this subject can only be passed if at least 2/3 of the votes cast are wholly in favour (of the Bill). In this

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<sup>85</sup> See **Constitutions of the World**. Op. cit., pp. 192-193.

<sup>86</sup> See *ibid.*, p. 196.

case, we will note that the focus is more on the regularization of various royal privileges, probably because the state itself has a monarchical structure.

### **12) Privileges in Switzerland**

According to the established system of government, Switzerland is a federal state whose parliament (Federal Assembly) consists of two chambers – the National Council and the Council of Cantons. According to the Constitution, the Federal Assembly exercises supreme authority in the State, and therefore has strict regulation of parliamentary rights and privileges.

The Swiss MP has immunity (inviolability). According to the federal law of 26.03.1934, no deputy may be wanted or prosecuted for a crime or offence committed outside office unless he has the written consent of the deputy or the authorisation of the chamber of which he is a member. That – on the one hand. On the other hand, the MP may be subject to preventive detention where there is a risk of his absconding abroad or being caught at the scene of a crime. But the authority which has ordered the arrest of an MP must, within 24 hours, seek the consent of the House concerned, unless the MP himself has consented in writing.<sup>87</sup>

If found guilty, the MP loses his or her parliamentary immunity.

The traditional rights and privileges of the Swiss deputy include exemption from military service during the sitting of the chambers. Switzerland has a specific system for replenishing the army – citizens are periodically called up for military training.<sup>88</sup>

**Members of the Swiss Parliament are entitled to remuneration paid by the federal treasury to members of the National Council and by the cantons to members of the Council of Cantons. A member of the National Council shall receive a lump sum of 10,000 Swiss francs a year for representation and technical expenses. The Presidents of the Chambers shall receive an additional 12,000 francs for these purposes. For expenses relating to relations with foreign parliamentarians, parliamentary factions shall be paid a lump sum of 5,000 francs per year and an additional 1,000 francs for each member of the faction. In addition, each deputy receives approximately**

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<sup>87</sup> See **Parliaments of the World...** Op. cit., p. 448.

<sup>88</sup> See id.

**250 francs (since the mid-1980s; the amount has been steadily increasing, taking into account the country's inflation rate and rising living standards) for each day of parliamentary sittings. Deputies are reimbursed for travel expenses.** The procedure for the payment of the remuneration of the members of the Council of Cantons is determined by cantonal legislation.<sup>89</sup>

Of course, **there is today an annual expense allowance of 30,000 Swiss francs (as of 1 January 2021) on top of the MPs' salaries. In addition, the President also receives an extra 12,000 Swiss francs during his year in office.** This – on the one hand. Another privilege is that all telecommunication costs (landlines, mobile phones and broadband) are covered. And three, every member of the Federal Council and the Federal Chancellor is entitled to an official state car and an official car, and for personal use they are charged 0.8% of the new value of the car per month. And they also get an annual first-class rail pass.<sup>90</sup> These privileges are no small thing, which is why the Swiss federation has introduced strict institutional control over them, including by vigilant public opinion.

### **13) Privileges in Sweden**

Depending on the constitution adopted, Sweden is a parliamentary monarchy in which the highest organ of power is the parliament (Riksdagen) and the head of state (the king), who has mainly representative functions. What is peculiar here is that this Parliament is probably the only one in Europe to have adopted **a special law on parliamentary privileges, as well as special regulations on the order of parliamentary travel and how it is to be paid.** Thus, according to the constitution and according to this law, the legal status of Swedish Members of Parliament and the regulation of their privileges are implemented.

The participation of a Member of Parliament in the work of Parliament and its bodies is seen not only as a right but also as a duty. A Member of Parliament may not be released from his or her duties without the consent of the Riksdagen.

**In the Swedish parliament, the MP's salary is equal to the salary received by senior civil servants – about 30,000 kronor a year.** In ad-

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<sup>89</sup> See **Constitutions of the World...** Op. cit., pp. 56-63.

<sup>90</sup> <https://www.admin.ch/gov/en/start/federal-council/tasks/from-election-to-departure.html>

dition, the MP is paid for office expenses, subsistence when permanently residing outside the capital, and is compensated for travel expenses from home to the capital, for trips around the country and abroad. In addition, if the travel is at the direction of a standing or other committee, then the decision to pay the expenses is made by that committee in consultation with the Conference of the Thalmann (the President of the Riksdag), and if it is at the personal initiative of the MP himself, then he must obtain the consent of the Conference of the Thalmann. Members have other privileges. For example, **if a member remains in office for at least three terms, he is entitled to a preferential pension on reaching retirement age, taking into account his parliamentary remuneration.**<sup>91</sup>

The deputies are provided with immunity, i.e. with inviolability, which, however, is limited. At the same time, immunity affects two sides of the issue – non-liability in relation to the exercise of the deputy’s powers and non-liability for other acts of the deputy. Furthermore, no criminal proceedings may be brought against a Member of Parliament in respect of statements or acts made by him in the performance of his parliamentary duties. No one may prevent him from travelling around the country. A decision to waive parliamentary immunity is deemed to have been adopted by Parliament if at least 5/6 of the deputies have voted in favour of it, and the matter is discussed beforehand in the Riksdagen’s Constitutional Committee, which gives its opinion.<sup>92</sup>

In the last few decades of the last century, and even up to now, Swedish MPs and the political elite in general have changed their attitude towards privilege and its mass use to a considerable extent. And, strange as it may sound to many MPs around the world, **Sweden offers less and less luxury or privilege to its politicians.** For example, Swedish ministers and MPs now travel in crowded buses and trains just like the citizens they represent. And politicians who dare to spend public money on taxi rides instead of taking the train immediately make headlines. Even the Speaker of Parliament gets a card to use public transport, and **only the Prime Minister is allowed to use a car perma-**

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<sup>91</sup> See **Parliaments** of the World... Op. cit., p. 517.

<sup>92</sup> See id.

nently from a security point of view. Separately, Swedish parliamentarians live in small apartments in the capital, where they wash and iron their own clothes in communal laundries. This may seem meagre for such prominent people, but it is actually much better than it used to be, because until the late 1980s all parliamentarians slept on sofa beds in their own offices. What's more, no one in public life earns an obscene salary anymore: **the pay of a member of the Riksdagen (parliament) is only about twice that of a primary school teacher.**<sup>93</sup> Lastly, in Sweden it is possible to track the expenses of ministers, MPs and judges; to read the income tax return of the prime minister; to check the expenses of the national police commissioner or the commander-in-chief of the armed forces; to give an account of how public agencies spend tax money; and to scrutinise the actions, movements and official decisions taken by any of the kingdom's authorities.<sup>94</sup>

Obviously, this is a modern Western European model of political behaviour of the ruling elite, which not only targets the bloated privileges, but also ensures the respect of law and order in society, relying on the wide publicity, publicity and accountability to the people (the empowered).

**Table No. 8. Members' privileged expenses in some European countries (in euros)**

No.	Countries	Italy	Germany	France	Spain	Great Britain
1.	Parliament's total annual expenditure	989 million	990 million	568 million	100 million	–
2.	Annual subsistence allowance per MP	1.6 million	1.4 million	–	240 thousand	–
3.	Monthly wages	18 800	14 423	–	5329	7325
4.	Pensions of former MPs	130 million	–	–	–	–

*Source: „24 hours“ newspaper, 23.09.2020.*

<sup>93</sup> See **No perks** for Swedish MPs. Claudia Wallin. 31 May 2019. <https://mg.co.za/article/2019-05-31-00-no-perks-for-swedish-mps/>.

<sup>94</sup> See id.



Finally, as a counterbalance to the Swedish „restrictions“ on privileges, we will set out a short table (*Table No. 8*) of costs and privileges in five European countries in 2020.

It is evident from the table that some national parliaments do not bother to increase their annual spending and swelling privileges, despite public calls to reduce these public expenditures. Apparently, Sweden is a small oasis among the permanently increasing parliamentary privileges in Western Europe, whose example is viewed with admonishment rather than approval.

#### **14) Privileges in the European Parliament**

It would be interesting to recall that the European Parliament (EP), as the main legislative institution of the European Union (EU) until 1978, was formed by elected European deputies from national parliaments. This institution (the EP) is the bearer of the democratic principle within the institutional structure of the EU, since it represents the interests not of the Member States, but above all of the citizens of these Member States. Therefore, irrespective of where an MEP is elected from, he or she represents the peoples of the EU Member States in their totality, i.e. all EU citizens, and not just and solely himself or herself.

The European Parliament is considered the most democratic institution in the EU because since 1979 MEPs have been elected simultaneously in all EU countries (for a term of 5 years) on the basis of common, equal and direct suffrage in a free and secret ballot of their citizens. And according to Article 14/2 of the consolidated text of the Treaty on European Union, the number of MEPs must not exceed 750 plus the President. Or, the representation of the citizens of the Member States is regressively proportional, i.e. the smaller the population of a country, the smaller the number of its representatives in the European Parliament.<sup>95</sup>

On this basis, an internal **document of the European Parliament entitled „Practical Guide for Members“** regulates in detail, in the form of privileges, all financial expenses of MEPs. This **2009 document equalises the salaries and privileges of all parliamentarians (which was not the case until then), provided that the MEP records attendance of at**

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<sup>95</sup> See more details in: **Georgieva**, Em. *The Institutions of the European Union*. Sofia: Minerva, 2010, pp. 33-35; 41; **Manolov**, G. *Introduction...* Op. cit., pp. 526-527.

**least 4 hours per day.** Depending on these rules, the salaries and privileges of MEPs are significantly improved, which we will illustrate with the data in *Table No. 9* in this text.

**Table No. 9. Main privileges of MEPs**

<b>Salary</b>	<b>€8,757</b> per month (as of July 2018) or €105,092 per year excluding taxes. By comparison, a British MP earns €90,250 a year
<b>Travel costs</b>	They are reimbursed for EP sessions (against document). Business class on a plane, first class on a train or EUR 0.53 per km by car are allowed. <b>€4,454</b> per year for travel outside the MEP's home country, plus 24 return trips to the MEP's home country
<b>Livelihoods</b>	<b>€320</b> per day for hotel, meals and 'associated expenses' when in Brussels or Strasbourg on business (only if the MEP registers with the EP)
<b>Total costs</b>	<b>€4,513</b> per month for constituency office, including rent, computers, telephone and events (no document required)
<b>Budget for employees</b>	<b>€24,943</b> per month for hiring personal assistants
<b>Pension</b>	At the age of 63, MEPs are entitled to 3.5% of their salary for each year in the EP until they reach 70% of their salary. They can receive up to <b>€73,564</b> a year
<b>Transitional payments</b>	At the end of their mandate, MEPs are entitled to one month's salary for each year of service (with a limit of 2 years' salary). Up to <b>€210,184</b>
<b>Others</b>	Access to cars, offices in Brussels and Strasbourg for work. Up to 2/3 of their medical expenses reimbursed

*Source: „Trud“ newspaper, 12.09.2019.*

And with the naked eye it is obvious that MEPs are among the highest paid politicians in the world, receiving a lot of extra money (perks) on their not insignificant monthly salaries. However, these are only the **so-called „basic privileges“**, with which each MEP supports his or her monthly salary, snoozing in the „political triangle“ of homeland – Brussels – Strasbourg. The other, or **„secondary, MEP privileges“** provide MEPs with a number of advantages during their mandate because: they can fly in economy class and be reimbursed as for a more expensive ticket; they can register wives and children as assistants with fat

salaries; they can go out with friends in fancy restaurants and have the taxpayer foot the bill; they can be members of additional pension funds for MEPs under the „€1 contributed by an MEP but €2 paid by the taxpayer“ scheme; they can have insurance for the risks of the mandate, paying only 1/3 of the premium; they can be reimbursed from the EP budget 2/3 of the medical expenses (this applies to sitting and retired MEPs), thus insuring both their children and their wives with whom they are in a de facto marriage,<sup>96</sup> etc.

From such positions and without a drop of envy, we will look into the coffers of MEPs by calculating **what is the cost of living of our representatives in the EP** on the basis of the data in the table presented, and only the „basic privileges“ (according to 1, 3, 4, 5 and 7 points in the table): 1) **€48,184 salaries and allowances in euros per MEP per month**; 2) **€578,208 annual subsistence per MEP**; 3) **€43,654,704 annual subsistence per 755 MEPs**; 4) **€218,273,520 costs over 5 years for 755 MEPs**; 5) **€317,377,840 subsistence per 755 people over 5 years (incl. €210,184 for years of service)**; and 6) **a total of €535,651,360 for the five years of the entire European Parliament, i.e. for all 755 elected MEPs.**<sup>97</sup> However, this colossal sum of half a billion euros is not accurate either, because it does not include all the points of the basic privileges, nor all the other additional privileges, for which there are not enough reliable figures. We will therefore assume, only hypothetically, that **the five-year cost of living for 755 MEPs is in the order of €0.7 billion to €1.5 billion.** Moreover, according to some recent figures, **the total budget of the European Parliament for one year is already around €2 billion.** Of this money, 20% is earmarked for political activities, which include MEPs' salaries, 34% for staff costs, 6% for communications, and the rest for other important activities...<sup>98</sup> Such figures are not at all impossible since, for example, according to

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<sup>96</sup> See „*Trud*“ newspaper, 14.07.2009; „*Sega*“ newspaper, 19.07.2019; „*Trud*“ newspaper, 12.09.2019.

<sup>97</sup> The number of MEPs is 754 (plus the president of the parliament) because there is no mechanism for Germany to give up three legally elected MEPs in order to meet the requirement for a maximum threshold of 96 MEPs. The number of German MEPs has only been reduced since 2014.

<sup>98</sup> See „*Trud*“ newspaper, 30.05.2022.

the German newspaper *Die Zeit*, **the overall (annual) cost of the European administration, which employs more than 33 000 people, is more than €9 billion.** The basic salary of ordinary civil servants starts at €3,600 and together with allowances can reach €23,400 in wages.<sup>99</sup> From this, we can conclude that **the annual upkeep of all the European institutions (EP, Council, EC) costs the taxpayers of our continent at least €10 billion per year,** which fully explains the unprecedented interest in the MEPs and the Eurocratic posts in these institutions. And another, no less significant thing, which is particularly „tempting“ for would-be MEPs: **the European Parliament is the only institution on the continent that no one can check on the financial expenditure incurred, as this would violate the freedom of this body in adopting its decisions, some of which were confidential.**<sup>100</sup> This „argument“ has been used to refuse an inquiry by the European Ombudsman in 2019 because it would violate the „secrecy“ of the European Parliament, as if it were a Masonic lodge and not a temple of democracy and publicity. Is it any wonder, then, that the influx of MEPs over 5 calendar years has been steadily increasing, without much attention being paid to the personal, professional and political qualities of the respective candidates...!

Having made this „representative sample“ of the state and application of political privileges in 13 leading Western countries and in the European Parliament, we will briefly summarize some of the most significant **conclusions** about their development in the second half of the XX century (including up to now).

**The first conclusion** that makes a very serious impression is that **all privileges during the historical period under consideration were of a legal nature, as they were regulated in the constitutions and laws of the various states, regardless of their form of government or type of state structure.** This is a great democratic conquest of these states because for the first time in centuries of political history, the various types of privileges of the ruling elites have been legitimized officially. Even in

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<sup>99</sup> Citation: „*Sega*“ newspaper, 19.07.2019.

<sup>100</sup> See „*Sega*“ newspaper, 23.07.2019.

some countries, such as Sweden, for example, a special law on privileges has been adopted, while in others, such as Finland, a law on parliamentary remuneration has been specifically regulated.

**The second conclusion** stems from the fact that all democratic states devote **significant budgetary financial resources to the maintenance of their political elites and their highly privileged status**. Or, it is a question of maintaining a highly privileged material well-being of both the MPs and their families (in some countries), ensuring them a decent standard of living for several consecutive mandate years (for example, in France, MPs retire at 55).

**The third conclusion** refers to the so-called „social privileges“, which we do not consider here, but we are obliged to note their powerful funding within the welfare and rights states of the West, which regularly receive a lot of money to solve problems in this sphere (unemployment benefits, educational preferences, military awards, incentives for prominent representatives of science, art, culture, etc.).

**The fourth conclusion** completely contrasts with the previous one, as it refers to the **excessive inflation of parliamentary privileges**, which include various extras for personal consumption, but at state expense. This is the case in France and the UK, where the expenses of MPs' families are also covered, which is an unacceptable luxury from any point of view (including paying state money to their children's carers). Similarly, in the USA – where material privileges have so overwhelmed American parliamentarians that they all have additional material (free) benefits – use of a swimming pool, sauna, gym, special barbershop, canteen and cafeteria, etc.; Finland – where MPs retire at 60 because of their parliamentary seniority; Japan – where there are some of the largest allowances, in the order of 1 million yen per month per MP, for carrying out representational activities without having to submit any paperwork for reporting, etc.

**The fifth conclusion** directly refers to the **colossal funds that are spent to support the royals** and their families in the UK and the Netherlands, insofar as they are exempt from paying taxes to the state. This is, in our view, unacceptable in the modern world because it is a reflex of the feudal past and because it effectively turns entire royal families into parasitic political freeloaders on the „state table“.

**And the last conclusion** directly concerns the decade-long life and existence of **the European Parliament**, which breaks all possible records in the use of political privileges (we have already talked about this). This Parliament **has long exceeded any tolerable measure, such as acquiring one or other privileges** that far and away exceed its capacity and powers to operate (let us recall that the EP has no right to pass laws). Therefore, from a political, financial and moral point of view, the dozens of political privileges of this institution really need to be reconsidered and corrected in the context of the acute problems (and dilemmas) of the crisis of democracy in today's uncertain world.

### **3. THE CRISIS OF DEMOCRACY AND PRIVILEGES**

The objective critical analysis of the state of democracy in the contemporary world tells us that the model of democratic development in the civilized countries is „manifested“ by a multitude of acute crisis problems, which today totally harass the entire socio-economic and political prosperity of the highly developed Western countries. These problems give rise to severe crises of various kinds – economic, political, social, etc., but one of them is particularly fundamental – the political one. In the context of the theme of privilege, therefore, let us consider the **causes and features of democratic political crises**, insofar as they can (and do) lead to global and regional societal upheavals on a world scale.

#### **3.1. The crisis, oligarchies and privileges**

In passing, we would point out that debates about the crisis of democracy are of a long-standing nature, but they developed particularly strongly towards the end of the XX century, including on the nature of this concept. Here, for example, are some of the more important theses of scholars related to the clarification of the concept, systematized by L. Morlino: „1) Kaase and Newton speak of a „crisis of democracy“ in relation to citizens' disillusionment with political parties, and hence the emergence of antiparty attitudes and growing discontent against the established order; 2) Farr and Putnam use the term „unsatisfactory democracy“, emphasizing the decline of the ability of

political actors to act in accordance with civic interests; 3) Newton and Norris focus their attention on parliament, the judiciary, the armed forces and the police, and the public administration; 4) Della Porta also directs the crisis nature of democracy to the growing lack of trust in government and the unsatisfactory enforcement of the law in the context of „rampant“ corruption, etc. Thus, freedom and equality are eroded in two directions: one refers to the widespread formal recognition of rights without care for their implementation; and the other to the recognition of social rights without effective allocation of resources, leading to their practical non-implementation.<sup>101</sup>

In this context, the contemporary crisis of democracy brings to the fore a number of **crucial questions about the future of democracy itself, such as: is modern democracy „democratic“ enough?; what is the use of democratic elections when entire parliaments and governments are not subject to scrutiny by the electorate?; does „the people really rule“ the country when corruption scandals are being repeated one after another without anyone taking action?; is universal suffrage really capable of guaranteeing political equality in society?; why, though regulated, do the various kinds of privilege not only proliferate, but also continually irritate mass public opinion?; etc. etc.**

These questions of modern democracy have been answered by many scholars, politicians and public figures since democracy came into existence. For example, **N. Berdyaev** believes that state power has never belonged to the people; **Al. Zinoviev** believes that there is no abstract democracy because it is a form of modern capitalism; **F. Fukuyama** prophesies that the „end of history“ has come and with it the departure of democracy; **S. Huntington** justified the thesis that in the future there will not be a universal civilization dominated by the so-called „liberal democracy“; **C. Crouch** speaks of post-democracy, in which democratic forms remain in place but are increasingly emptied of content by modern manipulative techniques of political advertising and marketing in politics; **P. Rosanvallon** argues that counter-

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<sup>101</sup> See in more detail: **The quality of democracy.** – In: *Morlino, L. Analysis of the qualities of democracy...* Op. cit., pp. 54-56; 61.

democracy is a democracy of indirect powers and in this sense facilitates its development,<sup>102</sup> etc.

We should, however, point out one objective fact about modern democracy that has been proven and suffered by social evolution over the past XX century: **despite the extraordinary achievements of societies with highly developed political democracy and market economies, it can hardly be categorically claimed that these types of societies have any, albeit relatively complete and complete, social character. On the contrary, they, modern societies, should rather be conceived as a very high, but nevertheless momentary stage in the development of human civilization.** For along with the undoubted values of developed countries (and societies), they also contain such „social vices“ as **crime, corruption, mafia structures and associated clans, the flows of „money“ accumulated from an illegal economy, etc., which have long been chronic diseases of modern Western democracy.** These vices, as well as a number of other problems arising from the imperfections of the global economic market, of which the political market is a component, allow „unbridled capitalism“ (Arthur Schlesinger) to „abuse“ political democracy, permanently undermining its **fundamental pillars – universal suffrage, political representation, freedom of choice, etc.** The roots of modern representative democracy are thus deprived of their life-giving juices, as so-called „market capitalism“ exploits democratic values, „eating“ the fruits that democracy itself has borne in its parallel development with the market as an economic institution. Perhaps this leads the famous French sociologist **Alain Touraine** to point out that the regimes we call „democratic“ are becoming weaker and weaker, subject to the demands of the global world market. The retreat of states, democratic or otherwise, is thus leading to a sharp decline in political participation and a **crisis of political representation. The electorate no longer feels represented and expresses what vividly exposes a political class that has no other aim than its own power and sometimes even the personal enrichment of**

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<sup>102</sup> For more details on these issues see **Manolov**, G. Introduction... Op. cit., pp. 289-296; **Yankov**, G. Politology (state public power). Sofia: Stopanstvo, 2011, pp. 67-69; **Crouch**, C. Postdemocracy. Sofia: St Kl. Ohridski, 2012, p. 29; **Rosanvallon**, P. Counter-democracy. Sofia: Iztok – Zapad, 2012, pp. 20-21, etc.



**its own members.** And more. (...) If it is not conscious of its role to serve individual subjects, democracy degrades to institutional mechanisms that are easy to place at the service of the omnipotent, of the apparatuses and groups that have accumulated enough resources to impose their power on a society that erects no barrier to their conquest"<sup>103</sup>.

As a result, some writers rightly speak of the development of **the phenomenon of democratic fatigue syndrome** (electoral absenteeism, electoral leakage, shrinkage of parties, administrative incapacity, political paralysis, failure before the voters, shortage of personnel, compulsive imposition of image, chronic election fever, excruciating media stress, distrust and indifference to institutions, etc.),<sup>104</sup> which, though not fully explained, is palpable in many Western societies.

To be even more specific, we would say that this crisis of political representation is by no means an isolated phenomenon in the contemporary world, because it essentially represents **a crisis of democracy itself, insofar as its representativeness has been deformed into the rule of a minority political elite (i.e. a political oligarchy)** that is practically subordinate only to the parties, to business and to itself (at least during the relevant mandate)!!! Depending on this, **the ruling elite is completely free in its political actions because it is in the „guarded zone of power immunities“ and inflated privileges, while the economic elite is too powerful because it is defended by the „zone of money capital“, which absolutely always leads to an intertwining between power and property.** All of this has a sharp impact on the steadily declining voter turnout and growing distrust in modern political parties, especially in their ability to govern according to national interests.

**We are obliged to stress that this crisis is essentially a continuation of the crisis of democracy itself,** insofar as its representativeness has been deformed into the rule of a minority political elite for a whole set of substantive reasons: first, **the leading place in the structure of this elite is occupied by the political oligarchy, which holds the main power resources in its hands;** second, **once detached from the „snare of popular power“ (after the elections), the political elite is not subject to any particularly strict legal and social control, although it is**

<sup>103</sup> Touraine, Al. Op. cit., pp. 154-155.

<sup>104</sup> See Reybrook, D. van. Op. cit., p. 20.

„uploaded“ into power popularly and independently of powerful civil pressure movements; third, as part of the so-called „state elite“, its political representatives enjoy dozens of privileges and immunities, enabling them to carry out activities without legal or judicial sanction for the remainder of their mandates (a privilege that applies to MPs in most countries); fourth, by virtue of its position of power, the political oligarchy has always maintained close contacts with persons from the highest business circles, i.e. with representatives of the economic oligarchy. This creates all the necessary conditions for the functioning of the so-called „deep state“, which through an informally coordinated network holds vast administrative, political, financial-economic and media resources, directing state affairs according to its interests independently of legitimate (through elections) state governance.<sup>105</sup> Something that essentially delegitimises state governance in favour of one or other political-oligarchic elites.

From such a point of view we have to recall the forgotten insight of the famous French thinker **R. Aron**, who wrote in his book *Democracy and Totalitarianism*: „**It is inconceivable that a regime is not in some sense oligarchic.** It is in the very nature of politics that decisions are made not by but for the community. (...) Some of the facts (...) are undeniable. It is true that in all societies decisions are made by a small number of people. It is also true that in modern democracies the oligarchy has plutocratic features; the owners of the means of production, the rich, the financiers exert direct or indirect influence on those who manage public affairs. That is – concludes R. Aron – democracy is in many ways quite illusory, since minorities often make the most important political decisions in the shadows“<sup>106</sup>. This brilliant insight of the great Western scholar fully applies to the so-called „constitutional-pluralist regimes“ in the West, absolutely valid until now, not only and not so much because there is no government anywhere in the world without oligarchy (that is impossible), but first and foremost because it **reveals to us the true (overt and covert) nature of modern oligarchies.** Or, as the author sums up, **the minority that exercises political power thanks to electoral**

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<sup>105</sup> See **Todorov**, K. *The curtain: the big brother*. Sofia: Iztok – Zapad, 2020, p. 91.

<sup>106</sup> **Aron**, R. *Op. cit.*, pp. 75-76.

**mechanisms can be at the same time the class that actually holds economic power** in societies with democratic political systems.

Building on these profound arguments (by R. Aron) about oligarchic rule, one can definitely say that the last few decades in highly developed Western societies have seen the formation of **a new synthesis between political and economic power, or a qualitatively new stage of integrity between these two types of power**. This synthesis is the „offspring“ of super-modern technologies, of communication innovations, of Internet information flows and, in general, of everything new in the evolution of the market economy today and in many, many ways differs substantially from all known (and traditional) alliances in history between political elites and big private business. And not only that. Some scholars, such as **Ulrich Beck**, rightly believe that large EU member states, such as France, Germany, the UK and Italy, cannot be considered full-fledged democracies, since almost half of the laws passed through their parliaments are simply rehashed directives issued by Brussels, the World Trade Organization, etc.<sup>107</sup> That is to say, they are adopted under the strong influence of the elite alliance between the representatives of political and economic power or of the political oligarchies. Fundamentally, what is new here can be expressed by **two clearly distinctive and particularly important factors: one is a consequence of the rapid introduction of innovative technologies into the market, which forces all entrepreneurs to seek new markets for their goods, as well as the cooperation of the ruling elites by all means possible and, of course, above all, financial; and the other is inversely proportional to the first and boils down, as a matter of priority, to the fact that the higher institutions of power and the political system itself are generally hardly amenable to more rapid changes, which in turn objectively holds back the legal (and institutional) regulation of the changing market environment and therefore does not respond adequately to the demands of the market**.

The most noticeable and characteristic feature of these elites, distinguishing them from all others, can be synthesized as follows: **„the new oligarchic elites“ (political and economic), wielding political and economic power, have merged into a single entity to such an extent**

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<sup>107</sup> See **Beck**, Ulrich. The global risk society. Sofia: Obsidian, 2001, p. 26.

**that their common interests now threaten and „mine“ the principle of separation of powers in the state, because they (the elites) through the domination of power and money decisively influence both the decision-making of the government and the mood of the electorate in the electoral process.**

As a result of all this, one of capitalism's critics, **Immanuel Wallerstein**, argues that two opposing drives develop in modern democracy that lead to the creation of hierarchies, namely **the drive for privilege** and the drive for competent representation. Thus, according to him, the hierarchy of privilege masquerades, however, as a hierarchy of competent representation, which is in fact a huge deception. That is, it is a hierarchy that is legitimate in a limited range of social situations, but is universally and inappropriately applied in a far wider range of professional and social situations where democratic norms should actually be emphasised.<sup>108</sup> Thus, the size of **the privileged classes** as a percentage of the total population has grown considerably during the evolution of historical capitalism. Furthermore, to the extent that **all known historical systems are built on a hierarchy of privilege**, the world in which the privileged classes live is generally much better than all previous societies in every respect – educationally, health-wise, socially<sup>109</sup>, etc. – because they are part of the ruling elites. Or, we're only talking about about 10 – 15% of the population in individual capitalist countries who enjoy relevant privileges, take a real part in the political life of countries (make decisions) and have a higher standard of living (influence, authority, etc.) than the rest of the people in societies.

The unfolding of this kind of negative democratic processes in contemporary states actually leads to **the degeneration of meaningful (active) democracy into an imaginary, static and absolutely ineffective form of governance, which Prof. D. Radev very accurately defines it as „façade“ or formal democracy**,<sup>110</sup> as it serves as a screen behind which unsanctioned and in most cases, illegitimate actions develop.

„Formal democracy is therefore formal because it artificially incorporates the features of classical democracy without these features

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<sup>108</sup> See **Wallerstein**, Im. Historical Capitalism. Sofia: Katehon, Iztok – Zapad, 2022, pp. 124-125.

<sup>109</sup> See *ibid.*, p. 127.

<sup>110</sup> See **Radev**, D. Legal Reality and Legal Order. Plovdiv: VUSI, 2020, p. 129.

– many of which are basic principles and principles – being accepted as inherently necessary and unconditional. The difference between formal and actual democracy is like the difference between an animal and a human being. The animal has outwardly the same features as man – body, head, eyes, limbs, and performs certain movements – but it lacks the most important thing – consciousness, conscious activity, and rational action. So it is with **formal democracy – it has the same external features as classical democracy, but it lacks the most important thing – the unconditional qualities of a truly democratic, law-ordered and just society. Formal democracy lacks precisely the fairness** which, both in Aristotle’s time and in our day, has the same values. The essence of this virtue is that everyone should get what they deserve, whether it concerns material or spiritual goods, punishment, other sanctions, benefits, recognition, etc. It is justice as a virtue and a principle of a legally ordered society that distinguishes a cultural society governed by law from the chaotic and disordered low-cultural coexistence between individuals. And when a society lacks this essential element of the cultural legal order, then indeed people remain at the level of individuals on whom nothing depends. Their transformation into citizens does not take place due to their being ignored by state life, despite the fact that the principle of popular sovereignty exists on the books<sup>111</sup> (*emphasis mine – G. M.*) – summarizes prof. D. Radev. In other words, **formal democracy is that kind of populist-electoral but powerful „machine“ through which the ubiquitous political-economic oligarchy constantly multiplies its influence and profits in society.**

These striking trends in the life of developed Western countries are well captured and illustrated by the American **Lester Thurow**, who in his book *The Future of Capitalism* explicitly **emphasizes that capitalist societies today have constructed political systems in which economic wealth can be transformed into political power**, as evidenced by the following fact: in the US Senate, most of the 100 senators are millionaires, and there is a perfectly workable mechanism enabling people with political power (but without wealth) This is the reason why, according to Thurow, elections are more and more often profaned to the point of elementary polls, „revolve“ around trivial issues, depend

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<sup>111</sup> See *ibid.*, p. 133.

on the „better“ appearance of the candidates...; and why people more and more see elections as a replacement of one group of crooks by another group of crooks,<sup>112</sup> which, unpleasant as it may be for some, is a real fact in not a few countries in the world.

But the dominant role of the „new minorities“ in developed civilised countries has a paralysing effect on the activities of parties as the main actors in the democratic political process. **Under the pressure of the party oligarchies, the parties themselves are forced to pursue such policies as are imposed on them by the leading minority (of the party), which are in line with the will of the „money masters“ and are fully adequate to the intertwining oligarchic-corporate interests.** For example, this is done through so-called „logrolling“, whereby, in order to maintain their majority in parliament, the rulers resort to buying the support of certain small groups, thus preserving the integrity of their own power and the unity of the interests of big capital. This phenomenon can be supported by the words of **C. Crouch**, who, in the context of his thesis on post-democracy, explicitly notes that when powerful minority interests (i.e. oligarchic ones) become much more active than ordinary people, then they force the political system to work in their favour, and in turn political elites – to manage and manipulate popular demands.<sup>113</sup> In essence, the existing collaboration between the political and economic oligarchies in dictating the agenda of the society to the satisfaction of these minority groups is being very successfully concealed. Thus, in an unambiguous manner, **the „corruption of democratic oligarchies (and elites)“** is very carefully disguised from the public, which, through their large-scale „absorption“ in power through a costly „marriage“ with economic minorities and their reproduced political privileges, are in no way inferior to their fellows of the distant Roman Empire, for example.

„In fact, under these conditions – writes **F. A. Hayek** – political parties become almost only coalitions of organized interests, whose actions are determined only by the internal logic of their own mechanics,

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<sup>112</sup> See **Thurow**, L. The Future of Capitalism. Sofia: V. Lyutskanova, 2000, p. 375.

<sup>113</sup> See **Crouch**, C. Op. cit., p. 28.

and not by any general principles or ideas on which there is agreement.<sup>114</sup> This is how **the model of the so-called „spoils politics“ is actually implemented, where sometimes entire governments and parliaments become mechanical instruments for the promotion of narrow party and corporate group interests** under the leadership of the „new oligarchies“. In practice, this is done through a fundamental **„governance mechanism“ which, as a perpetual engine, never ceases to drive simultaneously the four nodal links – interests, clientelism, lobbyism and corporatism** – on which (hidden from the public) the highest state institutions function.

Under such a „governance mechanism“, a secondary degeneration of political democracy very often occurs, because **governance itself becomes a „civilised dictate“ of the partocracy**. Thus, governance naturally transforms from „majority rule to minority rule“ (D. Radev). In this case, electoral legislation literally serves only for the formal reproduction of the political elite, as it (the elite) actually „privatises“ the people’s sovereignty for its political purposes on the whole political market. For in this market the politician offers a certain commodity (promises) in exchange for which he receives privileges, benefits, money. Therefore, parliamentary (party) rule is not necessarily a consequence of popular sovereignty, even though in most cases it is fully associated with it.<sup>115</sup> This is a serious dilemma for modern democracy, because it grossly violates the ideas of the principle of parliamentarism. And what is even more unpleasant, „wedged“ between the market economy and the lack of rules, very often universal suffrage serves as a justification for so-called „market democracy“, which, however, has long since turned into an actual partocracy<sup>116</sup> and which literally nullifies the essence of real (true, actual) political democracy.

One of the most obvious evidences of the changed attitude towards politics as a specific sphere of human activity is the present-day appearance, qualities and structure of the **so-called „ruling class“**. In the conditions of representative democracy (with its inherent vices and weaknesses), this modern class, and especially its leading squad – the

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<sup>114</sup> Hayek, F. A. The political order of a free people. Volume III. Sofia: St. Kl. Ohridski, 1998, p. 29.

<sup>115</sup> See Radev, D. Legal Reality... Op. cit., p. 112.

<sup>116</sup> See ibid., p. 111.

oligarchy, is almost uninterested in the principle „for the benefit of the people“, replacing it with the egoistic credo „for the benefit of themselves“. This is so because, due to the structural changes in market-economic relations leading to a general „de-ideologization“ of social ideas (and to a reduction in the influence of parties), **the domination of organized group interests** is coming to the fore, whereby the „profession of politics“ (M. Weber) is gradually giving way to the occupation of „political entrepreneurship“. All this not only restructures the echelons of the political class, which undergoes a significant evolution from the so-called „idealist politicians“ to „businessmen politicians“, „middlemen politicians“ and „career politicians“, but also creates a radically different social conception of the nature of **political activity as a profitable, lucrative and prosperous business.**

Recently, however, this mainstream trend in the political life of developed Western countries has more and more assumed catastrophic corrupt proportions, forcing statesmen to admit that **„politics meant for the citizens“ has degenerated into „money-making politics“ by the politicians themselves.** Here is what the famous American scholar and congressman N. Gingrich wrote in his harsh criticism of the activities of the highest legislative body in the USA: „Corruption is on the rise in Congress. It is a body in which politics for money’s sake destroys and narrows politics for the sake of the citizen. We owe it to ourselves to restore self-government as a guiding principle, and to do so in a way that essentially makes politics a highly moral business. The first and foremost duty of our generation is to restore purpose and honesty to the political process. We must punish wrongdoers in politics and government and pass the kind of laws that will finally put the electoral and lobbying systems in order so that politics for the sake of the citizenry can defeat politics for the sake of money“<sup>117</sup>.

While we share the concern of the eminent American congressman for the preservation of political manners (and morals) in the US Congress, which, by the way, is a problem of all democratic systems in the world, we will nevertheless take the cultural liberty of objecting: **making politics a business, however highly moral it may be, in all cir-**

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<sup>117</sup> *Political Finance & Lobby Reporter*, 27.01.1995.



**cumstances commercializes the nature of political activity, the deepest essence of which is the realization of the „common cause“, or the realization of the universal interests in (and of) the state and society.**

Finally, all these fundamental problems of the modern Western world, which for decades have never received just social solutions, form in the mass public consciousness ingrained negative perceptions, the dimensions of which can be highlighted in two main points – the corruption of politicians and distrust in state institutions.

We should emphatically point out that in the first dimension of negative public perceptions in the minds of many people, **corruption among the ruling elites has long become an inevitable companion of political activity in general**, to the extent that it has acquired pathological proportions in dozens of countries around the world. This gives reason to large masses of people to believe that if you are a politician, you cannot but be corrupt, and to scholars and pundits to speak of the growth of a **„market of corruption“ (in politics)**,<sup>118</sup> pointing to the Italian „experience“ of 1992, where, according to some aggregate figures, the value of bribes given out alone is equivalent to about 3 to 4 billion dollars.

Negative social perceptions are no different in their attitudes about the ability of the political market itself to substantially limit the huge influx of „political money“ into campaigns. Today, in this market, the „pouring“ of big money into the battle for political power is a modified **intelligent „vote-buying trade“ that, compared to classical methods, goes well beyond the manipulation of public opinion, since: instead of money on hand for voters, huge sums are thrown at advertising; instead of free meals for the poor electorate, expensive concerts of world show stars are bought off; instead of stealing votes, the art of electronic manipulation is applied; instead of bribes and threats of violence, pseudo-propaganda rhetoric and political racketeering are employed; instead of fraudulent vote counting, all sorts of political myths about „messiah saviours“ of humanity are hammered into people’s minds; instead of political realism, the traditional media massively „muddle“ the voters’ heads with social media fabrications;**

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<sup>118</sup> See the detailed elaboration of this phenomenon in my books. The Political Market. Vol. 1. Theories, techniques, models. Plovdiv: Paisii Hilendarski, 2008, pp. 152-182; Manolov, G. The cost of elections... Op. cit., pp. 311-349; etc.

**instead of real and true facts of life of the leaders and parties, fake news is fabricated to deceive the people; instead of valuable discussions between the candidates, manipulative leadership videos are broadcast, distorting reality, etc.**

In addition to the above-mentioned ugly phenomena in politics (as a condition and a problem), the following most significant forms of political corruption in modern democratic societies are also highlighted: nepotism, patronage, illegitimate lobbying, trading in political (and electoral) influence, political patronage, unregulated party funding, etc.<sup>119</sup> These forms of corruption have literally „permeated“ the entire political life and have an extremely negative impact on the functioning of democratic state institutions.

Synthesizing, we will note that the cited **forms of political corruption may manifest themselves independently, but in fact their presence in the political and public space is often intertwined with other forms of corruption that stem from the normative, economic and administrative framework of the respective society and state.**<sup>120</sup> **As a result, the normal functioning of the political process is extremely hampered,** and the possibilities for countering corruption are reduced to a „dead end“ because empowered political actors do not implement effective anti-corruption governance strategies.

Although these forms of political corruption are not the only ones and are not an isolated phenomenon, and although they are very difficult to prove because they are concealed, their real existence is more and more established as a negative fact of the whole political life, and thanks to them more than one and two plebeians in politics accumulate huge fortunes. What is more, political corruption is literally moving forward at cosmic speed, so much so that its proportions are already assuming threatening social proportions. In this context, it, **political corruption, as the core of corruption in general,** is a kind of „social“ transmission between the taking and the giving up of power, because there is practically no break in the „corrupt bloodletting“ of both state structures and business in general. On this occasion, the famous political

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<sup>119</sup> See a detailed analysis of these forms in **Manolov, G.** The political market... Op. cit., p. 157-158.

<sup>120</sup> See **Corruption** in Contemporary Bulgaria (analytical review). Sofia: Transparency International, 1998, p. 23.

corruption researcher **Claus Offe** believes that **corrupt politicians** do not act within the established rules at all, but **privatise state power** and act as if they were the state. „In cases of ‘corruption’... – he points out –...**politicians and civil servants behave as if they are merchants of decisions**. And in cases of nepotism, „contacts“, „connections“ and other forms of informal influence, they act as if they are in their community or family.“<sup>121</sup> Clearly, in developed democratic societies, and even more so in undeveloped ones, the defences against corruption have very weak immune systems, insofar as neither the constitution nor the laws can stop this long gangrenous social process.

As in almost all archaic historical societies (largely non-democratic), so here too, i.e. in democratic social systems, there is **a clientelistic system in which politicians secure individual benefits only for their political supporters** in exchange for their votes (in exchange for money and positions). That is – writes Fr. Fukuyama – these benefits can be public sector jobs, cash payments, political favours, and even public goods such as schools and clinics that are selectively used only by political party supporters. This naturally creates two negative political consequences: damage to the quality of governance and obstruction of democratic accountability.<sup>122</sup> Or, to put it another way, clientelistic relations have always been the contacts between unequal entities, where those in power regularly buy the support of ordinary citizens in society (with monetary or non-monetary incentives).

Without going into unnecessary details, we should mention that in the contemporary world there is **a deep erosion of democratic values** related to justice, freedom, equality, etc. This erosion is the result of the crisis of representative democracy, is vividly expressed in the relatively massive non-voting in elections, the apathetic attitude of the people towards recognized (and useful) public events, the negative attitude towards national and local dates, anniversaries, etc. Moreover, this erosion of distrust has evolved into what Norris calls a „growing cynicism“ (Norris) about democratic governance and governments in democratic systems, leading to a natural breakdown, according to **P.**

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<sup>121</sup> **Anatomy** of Corruption. Anthology. Compiled by Ivan Krastev. Sofia: Zlatorog, 2004, p. 276.

<sup>122</sup> See **Fukuyama**, Fr. Political order and political decline... Op. cit., p. 105.

**Perino** of classical democratic participation (in elections, in party support, in civic engagement).<sup>123</sup> This is without any doubt one of the major problems of democracy in general, because without combining representative democracy with participatory democracy (referenda, assemblies, commissions, etc.) we cannot claim that the political institutions of the state can provide the moral leadership in society and, respectively, solve the social and any other problems posed. In this sense, Nobel Laureate **Joseph Stiglitz** is quite right when he points out that the ruling elites got the politics wrong because „too many people thought that democracy amounted to simply holding elections. We didn't understand the dangers of money in politics, its power: we didn't understand how **the concentration of money corrupts democracy and how elites can use money** to shape the economy and politics so that they generate even more concentration of economic and political power. Nor did we understand how easily we could slide into the system best described as „one dollar, one vote“, nor **how easily disillusionment with democracy can set in once large parts of the population are convinced that the system is rigged**“<sup>124</sup> (*emphasis mine* – G. M.). This is one of the main reasons why in Europe, for example, the number of people dissatisfied with democracy has been steadily rising, with the percentage since 1991 crossing the 51% mark,<sup>125</sup> despite the fact that for the majority of those surveyed democracy remains the best system of government. In other words, the erosion of democratic values is complex, but hits hardest at the „heart“ of democracy – free and fair elections.

We have every reason to believe that there is **an acute deficiency of modern ideologies (ideas, values)** as one of the „sorest issues“ of spirituality in the age of various advanced technologies. This is so because after the collapse of totalitarianism at the end of the XX century, literally all the ideologies of the political parties – left, centrist and right – seem to have fallen into the „black hole of timelessness“, finding themselves unable to propose new ideological constructs and schemes.

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<sup>123</sup> See **Perino**, P. In: Todorov. The quality of democracy. – In: *Kanev*, D., Ant. Todorov. The quality of democracy in Bulgaria. Sofia: Iztok – Zapad, 2014, p. 76.

<sup>124</sup> **Stiglitz**, J. Power, People, Profits. Progressive capitalism for the age of discontent. Sofia: Ciela, 2020, p. 261.

<sup>125</sup> See **Brod**, F. Political Democracy. Sofia. St. Kl. Ohridski, 2021, p. 189.

Most of them remain captive to their own **party dogmas**, among which is **the dogma of liberal democracy**.

This dogma is one of the most enduring and enduring dogmas, whose roots go far and far back in time. It should be stressed, however, without denying the values of liberalism as an ideology, that from the standpoint of a more critical contemporary view, **democracy can hardly be defined anymore as liberal, socialist, social-democratic, Christian-democratic and what not**. Rather, such an interpretation of popular power is a relapse into the contemporary realities of the late XX century. **There is and can be no less liberal or more liberal democracy, since freedom and democracy are like Siamese twins – there is no real democracy without freedom and no real freedom without democracy**. Moreover, seen both as a common human value and as a system of government, democracy is above all a mechanism for regulating contradictions and interests in society through elections, constitutionalism, parliamentarism and political pluralism. In this sense, one can categorically conclude: democracy is first and foremost a primordial universal human value whose basic postulates are immutable and eternal (separation of powers, political pluralism, human rights, etc.), for which millions and millions of people have given their lives throughout human history, as well as for its realization. Therefore, it cannot and should not be privatized by any political ideology, but only its basic principles should be used in immediate political activity.

From the position of a higher degree of criticality, we must explicitly stress that the crisis phenomena of democratic development discussed so far have a very negative impact on democracy as a whole, because they contribute to maintaining **the inequality of people in the political system of society**. This inequality is expressed in the inequality of whole social groups in obtaining certain or other political benefits after the elections (posts, privileges, etc.) because they do not possess the corresponding power resources. Thus, according to M. Friedman, „**new privileged social classes** have emerged in place of or in addition to the old classes: **the bureaucrats** with secure incomes, protected from inflation and in active working age and after retirement; **the trade unions**, which claim to represent even the most oppressed worker, but in fact consist of the highest paid workers – the labour aristocracy; **the new**

**millionaires** – the people who have circumvented the laws of parliament and the administrative apparatus and found a way to evade taxes and accumulate wealth outside the country where the tax authorities are powerless. There has been a great redistribution of income and wealth, but it has hardly been fairer<sup>126</sup>. In other words, there is a particular, we would call it „**double inequality**“ in democratic society, because, **once, it is political** (resulting from the results after the vote), and **secondly, – economic**, because it allows the formation of new privileged social classes that have high incomes, positions of power, state benefits, political benefits, etc. This inequality „markedly lowers the level of the democratic process in polyarchies“ (R. Dahl) and dulls the senses to observe the relatively full equality in modern democratic societies.

And finally, we cannot help but include **political privilege** itself **among the essential flaws of modern democracy**. These privileges, though regulated, continue to be a source of very good income because they are special privileges of the political class or of leading individuals. Moreover, these are the so-called „compulsory benefits“ of the political craft, which according to **F. Brod** derive from the possession of electoral mandates and are inextricably linked to the conditions under which they are obtained or fulfilled (insofar as all mandates, whatever they may be, provide) in addition some kind of notoriety, legitimate power and social influence – of course, in proportion to their political significance.<sup>127</sup> This – on the one hand. On the other hand, **the special privileges and bonuses received by top state and party officials or company bosses are almost always in kind – use of state cars, access to better goods or bigger apartments**. They cannot be converted into money, saved or passed on to the next generation because they are strictly official privileges, *ex officio*. And this is no accident, since **these privileges are expected to guarantee obedience precisely because they can be taken away very easily**. For a privilege that can be converted into money, passed on as an inheritance, or is inalienable in general, creates a sphere of independence for the individual.<sup>128</sup> And on the third hand, it should not be forgotten that the members of **the „privileged class“** not only

<sup>126</sup> **Friedman**, M. „Created Equal.“ *The Philosophies of Capitalism*. Sofia: Pero, 1996, p. 202.

<sup>127</sup> See **Brod**, F. *Op. cit.*, p. 110.

<sup>128</sup> See **Milanović**, Br. *Only Capitalism. The future of the system that rules the world*. Sofia: Iztok – Zapad, 2020, p. 227.

consume a greater quantity of food than is necessary for their sustenance and physical efficiency, but their consumption is also oriented towards consumer goods of higher quality. They **consume without restraint, and they consume the best, whether it be food, drink, housing, services, jewellery, clothing, entertainment, amulets, idols or cult objects.** In the process of gradually improving the objects they consume, the guiding principle and the closest goal is undoubtedly the search for improved products that **provide personal comfort and well-being.** This is not, however, the sole purpose of their consumption. The rules of social prestige continue to operate, taking advantage of every innovation that is compatible with them. Since the consumption of goods of superior quality is a sign of wealth, it becomes prestigious; conversely, the inability to consume with the right quality and quantity becomes a sign of inferiority, of weakness<sup>129</sup> (*emphasis mine* – G. M.). That is, all this not only brings luxurious prestige and political well-being, not only fuels luxurious consumption and parvenu behaviour, not only demonstrates enviable self-confidence and „privileged arrogance“, but also creates all the necessary preconditions for abuse of power and office (and participation in corrupt schemes), for which we will give a few more striking examples from European political reality.

**One example** in this context is very revealing because it covers several **countries in Europe** where **privileges actually become a hidden source of wealth** and security for the material situation of MPs and ministers, as follows: **in Italy**, for example, the overall **annual maintenance of MPs costs €2.55 billion** (as of 2008), and a significant part of this money is spent on luxury consumption: €56,000 for „official shirts“ (for 6 months only); €16,200 for clothes for motorcycle couriers; €8,200 for socks and tights for service staff (for 3 months only); money returned for stolen clothes (luxury jackets) of the Armani brand, naturally against the corresponding invoice... and covering „high“ expenses by the parliament for deputies who drank €20,000 worth of coffees (34 people) without ever paying for them!!!!;<sup>130</sup> **In Germany**, according to Spiegel magazine, **about 28.5% of all members of the Bundestag**

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<sup>129</sup> See **Veblen**, T. A theory of the idle class. Sofia: Iztok – Zapad, 2016, p. 63.

<sup>130</sup> See „**Politics**“ newspaper, 28.11 – 4.12.2008; „**Duma**“ newspaper, 11.08.2015.

**„earned“ in 2016 about €16.5 million from extra-parliamentary activities** alone (which means at least one honorarium per year for 202 out of 709 members of parliament), and **this amount swelled in 2017 to €36.7 million (received by 193 MPs)**, given that according to German sociologists only 45 of all MPs in parliament are actually engaged in their main job – debating and passing laws;<sup>131</sup> **in Greece, until mid-2015, local MPs have a 25% tax deduction on their salaries**, which is a serious privilege for the parliamentary elite and which saves a lot of MPs' salaries, so to speak, „for rainy days“<sup>132</sup>; **In Poland, on the other hand, the top executive (the government) in 2017 granted itself annual bonuses amounting to €15,000 – 19,000**, which shocked the public, given that the average salary at the time was around €1,000 (these bonuses were subsequently given to charity and MPs' salaries were reduced by 20% after a newly adopted law);<sup>133</sup> and **in Russia, according to the special law on the status of the deputy, apart from the standard types of privileges (free apartments, food, transport, offices, villas, medical services, etc.), in addition to the standard types of privileges (free apartments, food, transport, offices, villas, medical services, etc.), MPs receive 125 million rubles a month (one salary and three bonuses)**, which is worth as much as the maintenance of 123 taxpayers a month; they get extra money from speculating on the stock exchange, playing with securities books (which are not prohibited by law); they use about 50 audis (for the leadership), 160 Volgas, etc. (with only one volga with the driver and petrol costing 40,000 rubles per hour, and the audas 55,000); while contrary to these „petty privileges“ the former Russian president – the reformer B. Yeltsin, got a super-luxurious property on the French Riviera worth 10 million dollars,<sup>134</sup> of course, with the money saved from his presidential salary!?!

**The next striking example** is that of **the most costly to the state monarchical dynasty in Europe, which is undoubtedly the royal family in Britain**. This is because each year the Crown receives a bombastic subsidy from the state known as the Sovereign's Fund (or Sovereign's

<sup>131</sup> See „*Sega*“ newspaper, 20.08.2019; „*Banker*“ newspaper, 11 – 18.08.2017.

<sup>132</sup> See „*Standard*“ newspaper, 11.08.2015.

<sup>133</sup> See „*Trud*“ newspaper, 12.05.2018; „*24 chasa*“ newspaper, 7.04.2018.

<sup>134</sup> See „*Democracy*“ newspaper, 8.10.1997; „*24 chasa*“ newspaper, 27.10.1997.



Grant), the amount of which is determined as a percentage of the income the family's estates bring in (i.e. the family's large portfolio of real estate – palaces, estates, villas, etc.). This money, in the form of perquisites, finances all the city's bounties (and needs): the monarchs' official duties, security, palace servants' salaries, building maintenance, ongoing repairs, transportation costs, etc. And all this, given that today's Queen of England is much richer than her entire family taken together (see Table No. 10).

**Table No. 10. Wealth of the English royal family at the end of 2019**

No.	A member of the English royal family	Wealth (£)
1.	Queen Elizabeth II	1,6 billion
2.	Prince Charles	1 million
3.	Prince Andrew	57 million
4.	Prince Edward	35 million
5.	Prince William	30 million
6.	Prince Harry	30 million
7.	Zara Phillips	15 million
8.	Kate Middleton	8 million
9.	Meghan Markle	6 milion
10.	Princess Beatrice	3,9 milion
11.	Princess Eugenie	3,8 milion

*Source: „Telegraf“ newspaper, 25.10.2019.*

In the context of these staggering figures on the royal wealth in the UK (according to some estimates it is even around £20 billion), a few more telling facts should be added: the first concerns the income from so-called „investment assets“ – stamp collections, etc., The second relates to the Crown Estate Company, which has been managing the monarchy's real estate and other assets since 1760 and from which the Queen receives 15% of the profits per year (for example, in 2016 alone, out of the company's total profits of \$450 million, the Queen received \$67.9 million).<sup>135</sup> That's a pretty decent dollar amount, which would probably support at least a few offshoots of the royal family for years on end.

<sup>135</sup> See „Standard“ newspaper, 3.07.2017.

Alongside the privileged status of the Queen and the royal household (in terms of figures, data and facts) set out so far, it would be interesting to provide the „modest“ sums that the UK state allocates to the maintenance of the head of state over a decade (*see Table No. 11*).

**Table No. 11. State maintenance of the English royal family for 10 years (in millions of dollars)**

No.	Year	Resources
1.	2010	10,6
2.	2012	44,9
3.	2016	56,3
4.	2018	65,7
5.	2019	86,0
6.	2020	96,2
7.	Total	359,7

*Source: „24 hours“ newspaper, 11.03.2021; „Telegraf“ newspaper, 25.10.2019, 28.08.2019; „Standard“ newspaper, 3.07.2017; money.bg/Gettyimages.*

From the figures presented we see that in the six years shown in the table alone **the State has set aside nearly \$360 million for the maintenance of the Royal Family**, which privilege fully covers the annual cost of official duties, transport, travel, security, service, repairs, etc. Or, re-calculated hypothetically, it can be assumed that **in just one decade (2010 – 2020) this state expenditure exceeds \$500 million**, which comes at a very high cost to the UK taxpayer, as in return for this huge amount of money they „get“ in portions a bloated ostentatious representation (not producing any real and worthwhile policy). Put another way, these state funds are legitimised political perks for the royal family, which have been „rightfully“ due to the worthy British dynasties for as long as the monarchy has existed as a form of government and institutions. And if these traditions have been sacrosanct to the United Kingdom for centuries, today in the modern XXI century it is hardly very normal for a super-rich family with a fortune of around £20 billion to receive upwards of \$100 million in state „aid“ for their living and being, given that they receive cosmic percentages (and commissions) from the many estates they own all over the place. Of course, the word here

belongs to the British taxpayer, on whose back rests the annual upkeep of the entire royal family...

And **the last striking example** stems from the strenuous work of the MEPs who spare no effort, means and opportunities to spend the people's money both for personal and party purposes or for events smelling of corruption schemes. Here is what the results of periodic checks over the years on the spending of MEPs' money by the MEPs themselves show: 1) an excessive **waste of money** by MEPs (because the European Parliament meets in buildings in Strasbourg and Brussels) **for meetings**, which costs around **€240 million a year**; 2) an absolutely unnecessary expense **in Luxembourg**, where the European institutions are organised **in three locations in 27 buildings, 14 of which are owned by the European Parliament, while the remaining 13 are hired for work at a cost of €48 million a year (2015)**; 3) the total **wastefulness of parliamentary delegations in the travel of MEPs, at a cost of more than €48 million** in 2012 alone; 4) the carelessness and **wastefulness in the maintenance (and servicing) of the EU's properties around the world, which are worth more than €4 billion, which house 36 000 staff**, with €55 million paid for security alone in 2010, and around €46 million for building maintenance;<sup>136</sup> 5) gross violation of the rules on the use of offices and other buildings by MEPs, as evidenced by **the audit (2017) in all EU Member States, where it was found that in at least 42 cases MEPs paid rent for offices of national political parties or transferred the amounts to their personal bank accounts**;<sup>137</sup> 6) due to the lack of an effective control mechanism for EU funds, an OLAF (the EU's EU money monitoring organisation) investigation found that between 2014 and 2019 some **MEPs paid €3,000 – 4,000 to their party, which equates to more than €540,000 over the entire five-year period (and which is in breach of EP rules)**;<sup>138</sup> 7) it is an unspoken **common practice for MEPs to misspend office money on expensive lunches and dinners**, as was the case with the Europe of Nations and Freedoms group, which in 2016 The MEPs bought 228 bottles of champagne for €29 – 54, Christmas gifts for over 100 euro, expensive dinners for over

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<sup>136</sup> See „Duma“ newspaper, 30.11.2015.

<sup>137</sup> See „Sega“ newspaper, 15.07.2017.

<sup>138</sup> See „Monitor“ newspaper, 1.05.2020.

€400 per person, while the allowed (permitted) amount for lunch or dinner is €75 per person, etc.);<sup>139</sup> and 8) and as a crowning achievement of this grandiose political attitude towards the European taxpayer's money, we have to recall that against the background of the „great costliness“ of food a few years ago, **MEPs and officials were furious at the sudden increase in prices in the EP canteen by as much as 25% on top**, because a portion of fried potatoes from €2 became €2.5, onion soup from €1.80 – 2.25,<sup>140</sup> etc. In fact, the „taking away“ of this privilege from MEPs, and on the condition that they receive extremely high salaries and other privileged bonuses, hopefully finally gives them a clue as to how millions and millions of Europeans feel when inflation is 'eating' their money and they (MEPs) continue to raise their salaries, spending it as money is spent at a feast during a plague – lavishly, uncontrollably, profligately.

From the foregoing, the question quite legitimately arises: what conclusions can be drawn about the role and place of political privilege in the context of the crisis of democracy in the contemporary world?

It would be logical to bring to the forefront the fact that **since the second half of the XX century to the present day, privileges have been regulated in all democratic countries (in constitutions and laws) and as such are considered to be an integral part of modern politics**, which is why they are rarely subject to comment (and criticism), being constantly renewed (i.e. increased) according to the inflation index over the years.

It should not be overlooked that **the principle of universal suffrage is an objective social prerequisite for the preservation and modification of legitimate privileges in the democratic world**, because its dual nature (voting for all but privileges for the elite) practically imposes, legitimizes and validates all benefits for minority elites.

It should certainly be pointed out that, **thanks to the considerable amount of privileges of politicians (especially the top elite), a large number of them live almost for free on the strong back of the rule of law** (we have already given enough examples of this), since a number of basic items, services and consumer goods – food, holidays, security, transport, etc., are actually paid for by the democratic institutions of power.

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<sup>139</sup> See „24 chasa“ newspaper, 31.05.2018.

<sup>140</sup> See „24 chasa“ newspaper, 16.08.2019.

Although regulated, **the permanent and unrestrained inflation of privileges in the political life of society logically leads to a natural alienation of people from power and state institutions**, where the ruling oligarchic overlords are considered by the electorate as pronounced egoists, i.e. as those who think only about themselves, their personal well-being and family and family self-rule.

One cannot ignore another, extremely unpleasant, but also completely fair conclusion: **regardless of the „beauty“ and attractiveness of different ideologies (left, centrist, right, extreme), their political carriers – the leaders and party elites, always benefit from one or another privilege** when they manage to get hold of power. It could even be said that **in this capacity the different ideologies, through the parties, are a direct breeding ground for political inequality, insofar as they use universal suffrage as an instrument to acquire power privileges**, political advantages and personal gains.

Finally, it could be concluded that **privilege as an important component of political inequality, and political inequality itself, represent some of the most significant obstacles to the evolution and deployment of social equality in general**. This is collectively achieved through formal but unjust equality through the application of substandard legislation through the manifold political privileges, etc., on the basis of which political power and the functioning of state institutions are exercised. Something that is extremely characteristic of all modern democracies from the 1950s to the present and which is difficult to change (but not impossible), because it affects the interests of almost all political subjects who rush to „conquer“ the cherished Olympus – the pinnacle of political power.

### **3.2. Anti-crisis measures and limitation of privileges**

From all that has been said so far in this chapter, it is evident that democracy itself is in thrall to its own vices and ills, from which follows an unpalatable but realistic conclusion, namely that this is the **„other (hidden) face of power and democracy“** in the modern world, which, whether we like it or not, we must unconditionally acknowledge. These crisis processes and phenomena (problems, ills, defects, weaknesses) must be addressed as soon as possible, especially in European countries,

because they have been accumulating for decades and their neglect so far seems to be very close to the „historical patience“ of human civilisation. In this sense, many unconventional, rational and courageous **political measures** are needed to at least begin to overcome the current crisis of democracy. They (the measures) should be comprehensive in nature, affecting all social spheres to varying degrees, and the emphasis should fall on **radical change** in the individual units and elements **of the political system**. This could be done taking into account national traditions and specificities in order to improve democratisation, and especially after a thorough assessment of the crisis processes in the countries and the extent of their spread in the following directions:

#### **A) Improving representative (indirect) democracy**

The overall reform of this type of democracy can be carried out by reforming the political system in the following order: first, carrying out a constitutional reform (partial or complete), including a reduction in the number of deputies, if necessary; second, changing the form of government of the state where there is a need for such measures; third, introducing new forms of control over MPs, including the adoption of a norm for their removal from parliament (for not having done their job), however controversial this may be; Fourth, rethinking electoral systems and using new ones, such as mixed type; Fifth, reforming the executive by reducing the number of ministries, carrying out administrative reform and electing the prime minister by the people; sixth, a vote on a new law on the judiciary, which will make profound organisational and qualitative personnel changes, introduce the institution of the independent prosecutor, decentralise the prosecution, etc; Seventh, reforming the party system through amendments to party legislation, through anti-corruption measures of the state, etc.; Eighth, the development of a state anti-corruption strategy covering the three branches of government (legislative, executive and judiciary), civil society structures, etc.

#### **B) Application of non-representative (direct) democracy**

When we talk about reforming the political system in different countries, it is hardly necessary to stress the advantages of public choice in **direct democracy** as an effective form for selecting professionally trained, quality politicians and for rational control of the work of the institutions of power. This form, also popularly known as „referendum democracy“ (as it is in Switzerland), is too rarely applied on a mass scale

around the world, because it does have considerable scope for limiting any lobbying influence under the pressure of money in the electoral process. Its greatest advantage is that it largely eliminates the vicious distortions of representative democracy that come from the vested interests of politicians, since the various decisions are taken by the voters through popular referenda. In essence, such a democratic forum for consultation with the people is **a secondary and effective form of control over the people's elected representatives that stops the possible legal advancement of narrow, self-serving and corporate interests.** This is precisely the main reason why direct democracy is unjustifiably neglected in most democratic countries (in the West), despite the conviction of the vast majority of people there that this is the future of a more perfect and fairer people's government (according to authoritative opinion polls). Naturally, that is why it is necessary to adopt completely new and qualitative laws on referendums, which would guarantee the quality, efficiency and fairness of their conduct (of popular consultations).

### **C) Revival of deliberative democracy**

Deliberative democracy is democracy in which citizens not only vote for politicians but also talk to them and to various experts. This democracy is a form of people's democracy in which collective deliberation is central, and participants formulate concrete and rational solutions to societal challenges based on expert knowledge and reasoning and on people's opinions. To avoid a situation where some assertive participants „take over“ the group process, it is advisable to work with smaller sub-groups, professional facilitators and a prepared script.<sup>141</sup>

This type of democracy has been „resuscitated“ by the American scholar James Fishkin, thus triggering a real theoretical turn in political science. And that deliberative democracy – writes D. van Reybrook – can (and does) give a powerful impetus to the painful body of electoral representative democracy is now almost beyond doubt for most serious researchers. For civic participation is not just a matter of taking part in protests, strikes, signing petitions, and other forms of permissible mobilization in the public sphere. On the contrary, it must also be institutionally anchored and guaranteed,<sup>142</sup> to be effective politically. In this

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<sup>141</sup> See **Reybrook**, David van. Op. cit., p. 98.

<sup>142</sup> See *ibid.*, pp. 100-101.

context, deliberative democracy can be a powerful weapon for democratizing society and curbing oligarchic and corporate encroachments on political power.

#### **D) Restriction of political privileges**

This is, in any case, one of the most difficult reformist measures for the simple reason that the consumers of these privileges, i.e. the incumbent politicians themselves, have to do such a popularly useful statesmanship. Yet there is no one but the legislators in the various states to „dare“ to make changes by a whole series of measures to drastically „shrink“ political privilege, viz: the adoption of special laws on the privileges of politicians, in which, on the basis of quantitative and qualitative criteria, state benefits can be enjoyed, but only for a job well done; a drastic reduction of the current bloated privileges and their reduction to just a few – a decent salary, official transport, medical care and special security (according to the position of the politician); a special review of the privileges of MEPs and all bureaucrats in the European institutions through a 30 – 50% reduction in salaries, ra; a review of all legal and regulatory documents (decrees, ordinances, regulations) regulating privileges and the adoption of a single new regulation on their use; the creation of a specialised control body of public experts to carry out checks on compliance with the clauses on the consumption of certain or other benefits, etc.

The synthesized views just outlined for overcoming the crisis of modern democracy and inflated political privileges everywhere in the world are, of course, not the „healing panacea“ that will immediately resurrect the faded modern values of people power. For that, many other effective state mechanisms are needed to improve democratic development, and above all **a new democratic formula for governance**, through which the social challenges of the high-tech XXI century can be overcome and **the tyranny of privilege that now reigns** in democratic societies can be **totally rejected**. A century in which the battle against the unjustified but regulated privileges in politics will invariably continue, including in Bulgaria, which anyway cannot get rid of the „infectious grip“ of these sweet goodies.



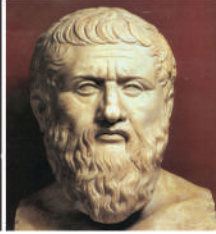
# **APPLICATIONS**

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Confucius



Plato



Aristotle



Augustine of Hippo



Thomas Aquinas



Niccolò Machiavelli



John Locke



Charles de Montesquieu



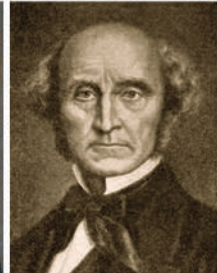
Jean-Jacques Rousseau



Georg Hegel



Alexis de Tocqueville



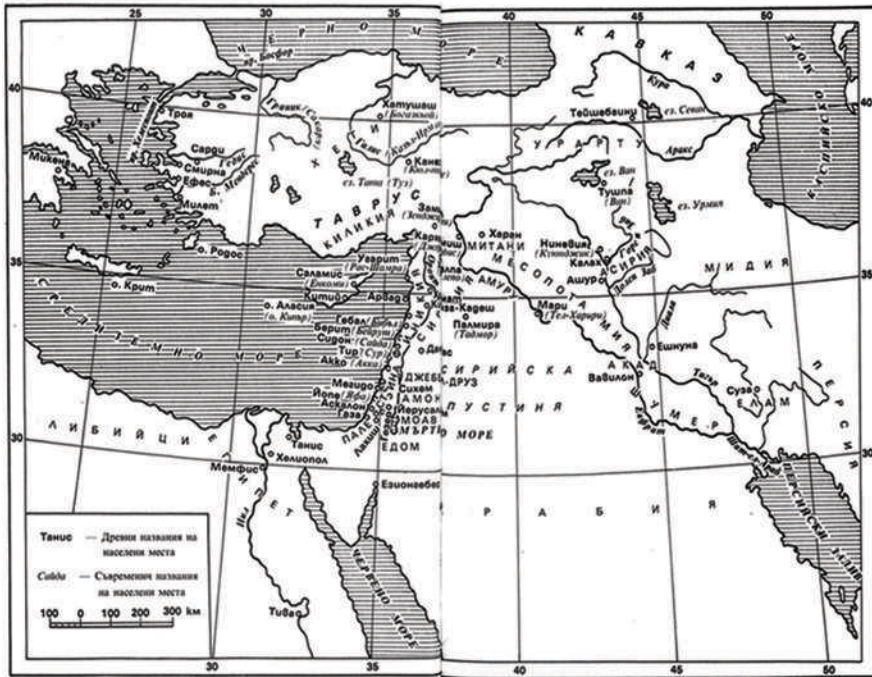
John Stuart Mill



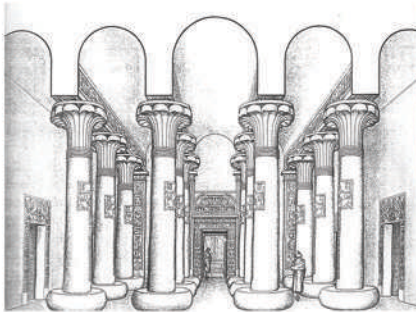
Ruins of a royal palace at Mari near the Euphrates, XVIII century BC



The inner sarcophagus of the 18th Dynasty pharaoh Tutankhamun



Egypt and Western Asia in Antiquity



Column Hall in the Palace of Ramses III in Medinet Abu



Temple of Hatshepsut in Deir el-Bahri



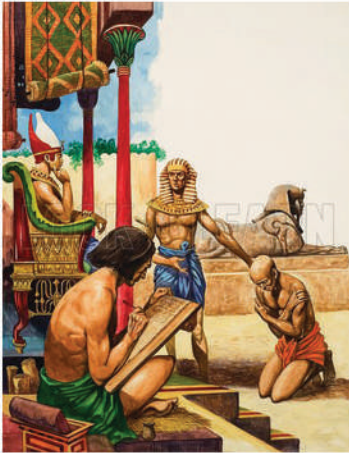
The Pyramids of the Pharaohs of the 4th Dynasty near Giza



The sphinx of the 4th Dynasty pharaoh Hephren at the pyramids near Giza



# ANCIENT EGYPT



ANCIENT MESOPOTAMIA

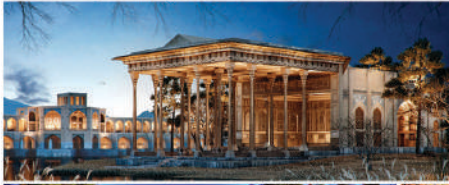




ANCIENT SUMER AND AKKAD



# ANCIENT PERSIA





ANCIENT CHINA



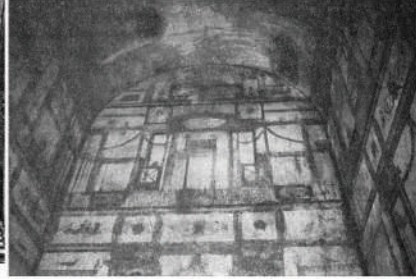


ANCIENT GREECE





The new Forum of Augustus in Rome



Decoration of the Golden Palace of Nero



Pools and fountains from home in Pompeii



East side of the Pantheon on the Acropolis of Athens



The palace of the Persian king Darius in Persepolis



The Acropolis of Athens



A pool from Emperor Hadrian's villa in Tibur



Part of the Forum of Augustus in Rome





Tiberius  
(14 – 37 BC)



Gaius (Caligula)  
(37 – 41 BC)



Claudius  
(41 – 54 BC)



Nero  
(54 – 68 BC)

Between Nero's death and Vespaian's rise as emperor there were three others who ruled briefly – Galba, Otho and Vitellius



Vespaian  
(69 – 79 BC)



Titus  
(79 – 81 BC)



Domitian  
(81 – 96 BC)



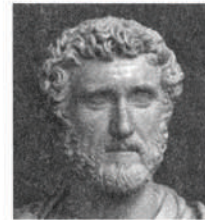
Nerva  
(96 – 98 BC)



Trajan  
(98 – 117 BC)



Hadrian  
(117 – 138 BC)



Antoninus Pius  
(138 – 161 BC)



Marcus Aurelius  
(161 – 180 BC)



Lucius Verus,  
joint reign with  
Marcus Aurelius  
(161 – 169 BC)



Commodus  
(180 – 192 BC)

**DYNASTIES  
(ANCIENT ROME)**

Julio-Claudian  
(14 – 68 BC)

Flavian  
(69 – 96 AD)

„Dynasty  
of the Adopted“  
(96 – 192 BC)



Augustus as a priest and as a heroic, semi-divine warrior



Coronation of Charlemagne as Roman Emperor



The Senate building where Cicero delivered his speech on 8.11.63 BC (painting by Maccari)



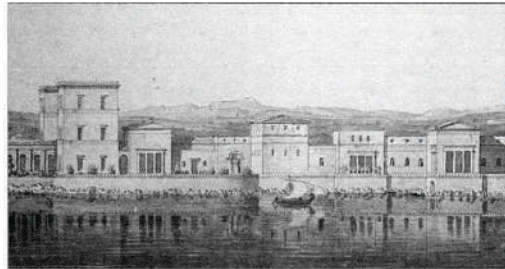
Julius Caesar



Head of Gaius, revised by Claudius – a symbol of the obliteration of the old regime



Marble head of an empress (Theodora?). Constantinople, VI century



Pliny's magnificent villa



The Column of Marcus Aurelius in Rome



Family of Emperor Caracalla



Otto I and his first wife Edith – statue in Magdeburg Cathedral





Christ crowns Emperor Constantine X Duca and his wife Eudocia. Reliquary (1059 – 1067)



The Good Shepherd. Mausoleum of Galla Placidia in Ravenna (Byzantium)



Emperor Andronicus III Palaeologus (1328 – 1341)



Emperor Michael VIII Palaeologus (1259 – 1282)



Christ crowns Emperor Constantine I



Justinian I with his retinue and Bishop Maximian. „San Vitale“, Ravenna



Empress Theodora. Detail of a mosaic in „San Vitale“, Ravenna



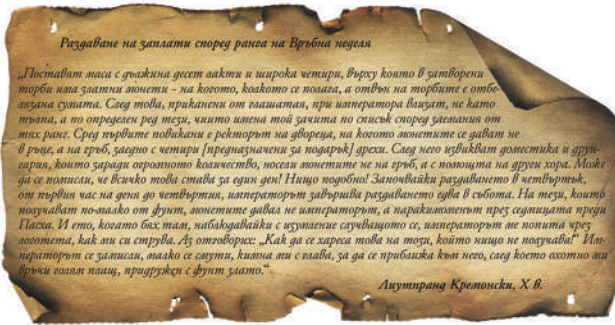
Manuel II Palaiologos



Justinian I the Great



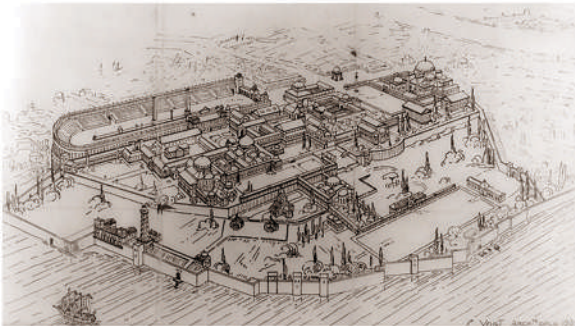
Constantine I the Great



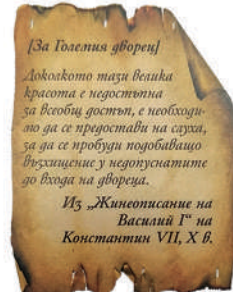
The acquisition of a title quite naturally conferred certain material advantages



John VI Kantakouzenos



The Great Palace (by A. Vogt)



Ottoman Empire



Mehmed II Fâtiḥ (1451 – 1481) – the conqueror of Constantinople (1453)



Hurrem Sultan (Roxolana)





Topkapi Palace



„The Blue Mosque“ (Sultan Ahmet Camii)



Murad III (1574 – 1595) was the record-breaking sultan for the number of concubines and children in his harem



Sultan Mahmud II points the way to reforms



The Ottoman harem was reformed as an institution in the XV century under Mehmed II



Dolmabahçe Palace



Dolmabahçe Palace interior



Ottoman Empire in the XVI – XVII centuries



„Pool in Harem“ – Jean-Léon Jérôme





Janissaries



Imperial Council during a meeting



Topkapı Palace, view from Galata, 1746



Ascension of Mehmed II



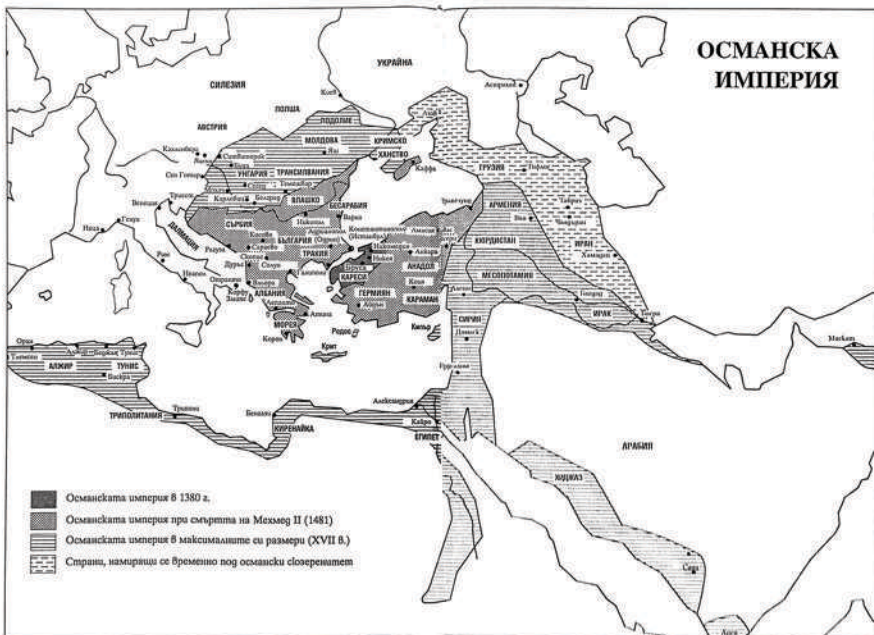
Turkish ladies in a drawing room



Turkish lady goes to bath



Entertainment for old and young during a holiday



Ottoman Empire XIV – XVII centuries



# THE AGE OF THE SUN KING

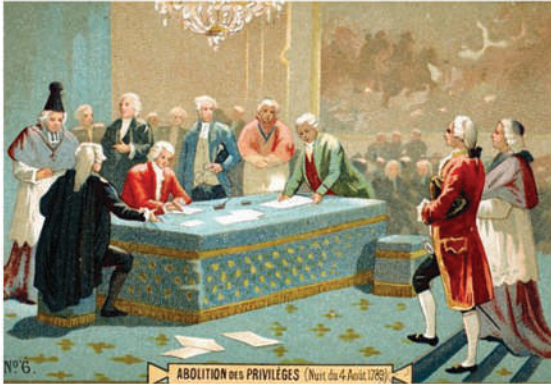




Louis XVI and his wife  
Marie-Antoinette



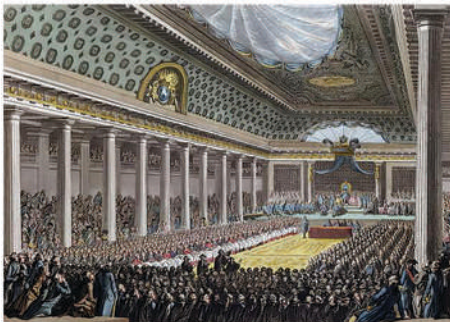
Storming of the Bastille 14.07.1789



Abolition of privileges 4 – 5.08.1789



Emmanuel-Joseph Sieyès



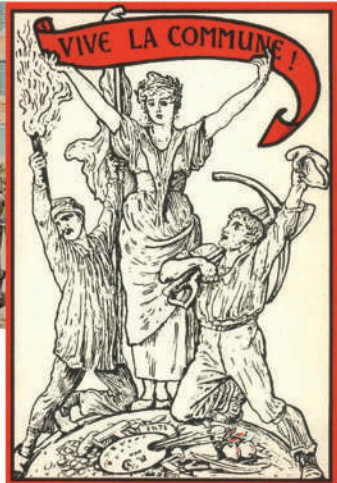
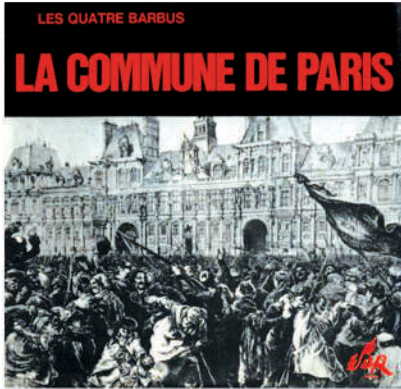
Opening of the Estates General  
5.05.1789



Palace of Versailles – symbol  
of absolute power of the Old Regime



# THE PARIS COMMUNE AND THE ABOLITION OF PRIVILEGES



**RÉPUBLIQUE FRANÇAISE**  
N° 39 LIBERTÉ — ÉGALITÉ — FRATERNITÉ N° 39

**COMMUNE DE PARIS**

**LA COMMUNE DE PARIS.**  
Considérant que le premier des principes de la République française est la liberté;  
Considérant qu' la liberté de conscience est la première des libertés;  
Considérant que le budget des cultes est contraire au principe, puisqu'il impose  
les citoyens contre leur propre foi;  
Considérant, en fait, que le clergé a été le complice des crimes de la monarchie  
contre la liberté;

**DÉCRÈTE :**

**Art. 1<sup>er</sup>.** L'Église est séparée de l'État.  
**Art. 2** Le budget des cultes est supprimé  
**Art. 3.** Les biens dits de mainmorte, appartenant aux  
congrégations religieuses, meubles et immeubles, sont  
déclarés propriétés nationales.  
**Art. 4.** Une enquête sera faite immédiatement sur ces  
biens, pour en constater la nature et les mettre à la dis-  
position de la Nation.

**LA COMMUNE DE PARIS.**  
Paris, le 3 avril 1871.





The US Congress



French National Assembly



Vladimir Lenin



Joseph Stalin



Adolf Hitler



Benito Mussolini



Francisco Franco



Mao Zedong



Augusto Pinochet



Kim Il-sung

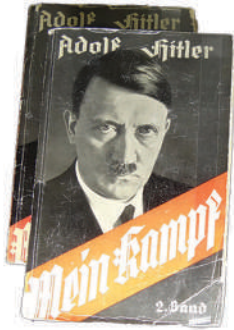


Founding Congress of the Communist International



Political privileges for Members of Parliament





Two volumes of „My Struggle“



Plentiful vegetarian food for the dictator, but not for his soldiers



The Führer's favourite Mercedes



A sweet talk with the Führer



Hitler's view from castles in the Bavarian Alps



Hitler and Mussolini, June 1940



The Dictators



Vi. I. Lenin



The favourite Rolls Royce of Vi. I. Lenin



Lenin: There will be privileges, but only for communists



Fairy-tale life in the USSR led by Stalin



A canteen for starving people in Pokrovsk, near Saratov in the Soviet Union, 1923



A small part of Stalin's residences (villas)





The privileges of the Soviet nomenclature.  
Lavish palaces and halls for lunches and dinners



The privileges of the Soviet nomenclature.  
The favourite Soviet vehicle only for defence



Another pearl in the fleet  
of the first car collector of the USSR –  
Leonid Brezhnev



The privileges of the Soviet nomenclature.  
Super cheap special state resorts



The privileges of the Soviet nomenclature.  
Specialty stores at outrageously low prices



The privileges of the Soviet nomenclature.  
Communism in action – housing without  
limited square footage



Leading parties in the UK, France and Germany and their leaders



Grand Royal Banquets at Buckingham Palace



Boris Johnson at huddle during lockdown due to Covid-19





The White House



English Parliament



European Parliament



German Parliament



Austrian Parliament



Spanish Parliament



Italian Parliament



French Parliament

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*Professor, Doctor of Political Science*

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