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# "The Russian Imperial Succession – Another View" by Guy Stair Sainty



# THE RUSSIAN IMPERIAL SUCCESSION: ANOTHER VIEW

*by Guy Stair Sainty*

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The succession to the Headship of the Imperial House of Russia since the murder of the last Emperor has been subject to some considerable dispute. There have been two principal issues in contention: first the interpretation of the Fundamental Laws instituted by Emperor Paul and moderately revised by subsequent Emperors; second whether the primogeniture male heir could assume the position of Head of the Imperial House and, as such, enjoy the powers of the reigning Emperor in matters concerning the dynasty.

The Fundamental Laws required Russian dynasts to marry members of royal or reigning houses, the only class considered of "corresponding rank" to the Imperial House. Female dynasts, upon marrying into foreign royal houses, usually but not always renounced their rights, although the only two female dynasts to have married "equally" after 1918 (the daughters of Grand Duke Kyrill) were not so required. Emperor Nicholas confirmed these requirements for all Grand Dukes and Grand Duchesses, from 1911 prohibiting them from marrying at all except to persons of "corresponding rank", an act taken by some to mean that other dynasts (Princes and Princesses of Russia) were henceforward not required to make "equal" marriages. Confirmation of the restrictions on the marriages of Grand Dukes, however, did not mean that the restrictions were lifted for others, and Princes of Russia were not only required to marry persons of "corresponding rank" but their issue were given a new name and arms. The claim that after the collapse of the Empire the Fundamental Laws no longer applied only makes sense if one also considers that the dynasty ceased to exist entirely, that it had lost all its titles and claims and its members reverted to the status of commoners. While this view may be held by ardent republicans, it is entirely irrelevant to the points in dispute between descendants of the Imperial House, their advisers, Russian monarchists, the Heads and members of other ruling and former ruling Houses and those others who have chosen to interest themselves in the dispute.

After the fall of the Dynasty the only member of the Imperial House to make a marriage that conformed to the strictest pre-1918 interpretation of the House Laws was the Grand Duchess Kira, who married Prince Louis-Ferdinand of Prussia. Her elder sister's marriage to the Prince

of Leiningen, since this was a Mediatised Sovereign House of the Empire, was considered "equal" by her father, then Head of the House. The status of the Leiningen family was not much different to that of the family of Anhalt-Zerbst, into which the future Empress Catherine the Great had been born, and which in the nineteenth century was closely allied by marriage with the British Royal House. Whether the Grand Duke Wladimir's marriage, however, to Princess Leonida Bagration, was in conformity with the Fundamental Laws has been the subject of dispute, and is the source of the present dissent among descendants of the Imperial House.

In reality, the issue of the status of the Bagrations is only peripheral. The Emperor, being sole interpreter of those laws, was the only person who could decide on this matter. The Head of the House, as de jure Emperor, had already decided that the Bagrations were of "corresponding rank" two years before his own marriage, in a statement addressed to the Infant Ferdinand of Spain (regarding the marriage of the latter's daughter to Prince Irakly Bagration, see below). Princess Leonida is a member of the senior surviving line of the Bagration family, descended from the Kings of Georgia (Tsars of Kartli and Kathetia), who had reigned as Sovereign Princes of Moukrania until 1800. The Moukhrani line had become the senior, reigning line in 1658 when the then Prince of Moukhrani had become Tsar of Kathetia, ceding Moukhrani to his younger brother (from whom the present line descends). The Kathetia line became extinct in 1903, whereupon the present Moukhrani line became the senior branch of the family. Following the death of George XII, King of Georgia, in 1800, the Kingdom was forcibly incorporated into the Russian Empire, in breach of a solemn treaty with Russia which had guaranteed the independence of Georgia and the status of its ruling family. From thenceforward until the Revolution the Bagrations became Russian subjects and their family was inscribed in the fifth book of the Russian Nobility. This act of the new ruling power, however, could no more deprive the family of its legitimate claim to be included among Europe's former reigning houses than the revolutions of the nineteenth and early twentieth centuries could deprive those families who had reigned in Western Europe of their status.

Two years before his own marriage, Prince Irakly Bagration (Princess Leonida's brother) had become engaged to the Infanta Maria Teresa (de Baviera y Borbón). Before the marriage, the bride's father, the Infante Don Ferdinand, inquired of the Head of the Imperial House of Russia as to the status of this family. Grand Duke Wladimir responded after taking advice that the Bagrations could be regarded as of "equal" rank. Although the Count of Barcelona, Head of the Royal House of Spain, considered the issue of this marriage to be disqualified from the Spanish succession, that decision was based more on the fact that Prince Irakly was not a Roman Catholic but a member of the Orthodox church than the status of his family. The only son of this marriage was sponsored at his baptism by the Count of Barcelona but the latter's refusal to recognize his god-son as a Spanish dynast led to the Bagration's alienation from the Spanish Royal Family.

Russia under the Emperors was an autocracy, however, and history has demonstrated that what one Emperor could do another could undo. Even though the Emperor promised to uphold the Pauline laws on his succession, inevitably there were occasions when these laws had to be interpreted. After 1918 many of the families which had been "reigning" and therefore qualified to provide spouses for the Imperial House, had lost their thrones.

Emperor Nicholas II had had to determine whether the marriage of two Grand Dukes to Princesses of the tiny state of Montenegro could be considered equal, since, unlike the Bagratians, this family had not been reigning at the time Paul's laws were promulgated. Emperor Nicholas I had allowed his daughter to marry the younger son of Prince Eugène de Beauharnais, declaring him a member of the Imperial Family, although Eugène had only reigned as Regent in Italy and had the right of reversion of the Grand Duchy of Frankfurt to which he had never actually succeeded. The fact that he was an adopted son of the Emperor Napoleon would hardly have counted much in the Russia of the early 19th century, where Bonaparte was considered a usurper who had ravaged their country. Thus there were occasions when the Emperor (or his successor) had to make determinations as to equality of birth in ambiguous situations. The situation in 1946 when the Dynasty was in exile and the Bagratians were claiming the throne of the state over which their ancestors had once ruled was surely one such situation.

Grand Duke Wladimir asserted his claim to the Headship of the Imperial House as the primogeniture male heir of Alexander II of Russia. He was recognized as such by most of the surviving members of the Imperial family and the Heads of all the reigning and former reigning Houses of Europe. There were differences with his cousin Prince Roman Petrovich, however, the result of resentment on the part of Roman's father and uncle that Wladimir's father, Kyrill, had been in their eyes overly sympathetic to those advocating reform in 1917. Furthermore, Prince Roman, while accepting that his own marriage was not to a person of "corresponding rank," did not apparently consider that the Grand Duke Wladimir enjoyed the same prerogatives as other Heads of Royal Houses in exile in determining issues regarding equality of marriage and dynastic or family titles.[1]

On 22 July 1970, Prince Vsevolode of Russia, who was the next male in line after Wladimir, wrote that after himself, Princes Roman and Andrew of Russia and the latter's surviving brothers, the dynasty would become extinct in the male line, since he did not consider any of the marriages of members of the Dynasty, including "Prince" (as he now referred to him) Wladimir's, to be in accord with the Fundamental Laws. Vsevolode had actually changed his earlier position regarding the Headship of the House, since he had himself asked for a title from Grand Duke Wladimir for each of his three wives,[3] which he would not have done if he had not considered Wladimir to Head of the House at the time. Since Prince Vsevolode had then considered that the Grand Duke enjoyed the right to confer titles on members of the Dynasty, a prerogative exclusive to the Head of the House, it is difficult to see how he could justifiably deny the Grand Duke's right to the other prerogatives of Headship. In fact all the members of the dynasty, with the exception of Prince Roman, had asked for titles for their unequal spouses from either Wladimir or his father and most had specifically recognized one or the other as Grand Duke and Head of the Imperial House. Under the Fundamental Laws, the Emperor inherited his Crown by virtue of being the primogeniture heir of the previous Emperor and not by nomination or election by members of the Imperial House, so the view of junior dynasts is actually irrelevant.[2]

There was little logic and no legal justification for withholding from the Grand Duke Wladimir recognition as head of the Imperial House of Russia. The Grand Duke Wladimir, as heir of the Emperors, could surely act under the same authority as the Emperors themselves in dynastic

matters such as determining the equality of marriages.[4] This prerogative has been claimed by the heads of most former European royal Houses, many of whom have amended their House laws on marriage, without dissent. Thus, while it is understandable that the status of the Bagratians as "equals" of the House of Russia might have been questioned in the mid-nineteenth century, when the Fundamental Laws were first established in 1797 the Bagratians were still reigning in Georgia, Imeritia and Moukhrania. By the time the Romanovs had themselves been deposed, Georgia had already regained its sovereignty for a brief period following the revolution, and has re-established itself as an independent state since the break up of the Soviet Union. Hence the Grand Duke's advice in 1946 regarding the status of the Bagratians seems entirely reasonable; since he alone had the authority to interpret the laws of the Dynasty it was not for the more junior dynasts to challenge his decision.

Wladimir died in 1992 leaving an only daughter, Maria, whom he had titled Grand Duchess of Russia and declared "Guardian of the Throne" in 1970. This decision might have been considered imprudent since at the time there were several living dynasts who, at least in theory, might have contracted alliances with Princesses of "corresponding rank" and fathered sons who would have enjoyed a prior right of succession. It was this action that led several dynasts, who had hitherto accepted the Grand Duke's authority as Head of the House without challenge, to join with the dissenting Prince Roman and protest at his action.

Following the death of Prince Vassili of Russia, the last male Russian dynast other than Wladimir himself, Maria was declared heiress to the throne by virtue of the succession law under which the Crown would pass to the nearest female dynast to the last male of the House. The position of the Grand Duchess Maria Wladimirovna as Head of the Imperial House is acknowledged by most serious Russian Monarchist organizations and by most of those Heads of Royal Houses which continue to maintain relations with the Imperial House.

At the same time, as is widely known, there is a dissenting position which denies that the Grand Duchess is a member of the Imperial House and that she cannot therefore be its Head. This view is taken by the "Romanoff Family Association" which is composed of most of the male line descendants of those Grand Dukes and Princes of Russia who enjoyed these titles at the time of the Russian Revolution but who made marriages which did not transmit dynastic rights to their issue. Although some of the members of the Romanoff Family Association bear titles which they had been given by the Grand Dukes Kyrill and Wladimir, none of them can be considered Russian dynasts. Nonetheless, they are each entitled to the titles of Prince or Princess of Schleswig-Holstein-Gottorp, Heir of Norway, Duke or Duchess of Schleswig, Holstein, Stormarn and Ditmarschen, Count or Countess of Oldenburg and Delmenhorst

The present head of the Dynasty, Maria Wladimirovna, Grand Duchess of Russia, has one son by her marriage to Prince Franz Wilhelm of Prussia (which ended in divorce), the Grand Duke George.

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*The powers of the Emperor are define in the following articles of the Fundamental Laws Art 4:"Supreme Sovereign power belongs to the Emperor of All the Russias. Obedience to this power, not only out of fear but for the sake of conscience, is ordained by God himself." Article 219 "The reigning Emperor must in every case be regarded as head of all the Imperial Family and as its trustee and protector." Article 220: "Every Member of the Imperial House is committed to the reigning monarch, as Head of the House and Sovereign, with complete respect, obedience and allegiance." Article 221: "An inviolable pledge, moreover, of the privileges accorded to every Member of the Imperial House is their peaceful conduct and their maintenance of family calm and concord." Article 222: "The reigning Emperor, as a sovereign without limitation of his rights, has the right to deprive an insubordinate of the rights appointed in this law and to deal with him as with one who has defied the will of the Monarch".*

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*Art 53: "On the demise of an Emperor his heir succeeds to the Throne by virtue of the law ...the accession is counted from the day of the demise of his predecessor".*

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*Although Princes and Princesses of the Blood Imperial could marry a person not "of corresponding rank" with permission of the Emperor, the issue of such marriages were not dynasts or members of the Imperial family, they had to be given a new name, title and arms by the Emperor and could not succeed to the throne. By decree of the Head of the Imperial House of 28 Jul 1935 the descendants of legal unions between male dynasts and ladies of unequal rank (Fundamental Laws, art. 134 and 183; part II O.3) "will receive the title and name of prince or princess Romanovsky with the addition of the maiden name of the spouse of such member of the Imperial House or the addition of a name granted by the Head of the Imperial House of Russia, with the predicate, for the spouse and eldest son, of Serene Highness."*

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*Communication from Minister of Imperial Court, 14/28 Jun 1911, Art 7"when the Lord Emperor sees fit to subject the permissibility of marriages of Princes and Princesses of the Blood Imperial ... the decision regarding the permissibility of the marriage will be made by the Lord Emperor".*

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