

Dr. Ashutosh Kumar

Department Of Pol. Sc.

B. S. College, Danapur

B.A. Part -

Meaning of Pluralism:

Pluralism is a powerful protest against the monistic theory of sovereignty which endows the state with supreme and unlimited power. Harold Laski, J.N. Figgis, Ernest Barker, G. D.H. Cole, A. D. Lindsay, Duguit, Maclver and others are the exponents of Pluralism. According to Pluralists, sovereignty resides not with the state but it resides with many other institutions. There exist many social, political, cultural and economic institutions in society and many of these institutions are prior to the State. For example, Family and Church are prior to the State. According to Pluralists, the State is not only the supreme institution. On the contrary, like other institutions the State is also one of the institutions of society. There the State does not reserve the authority to exercise sovereignty according to his will. Sovereignty is not his private property. The Pluralistic state is, therefore, "simply a state in which there exists no single source of authority". According to Pluralists, sovereignty is not indivisible and exclusive". On the contrary it is a multiplicity in its essence and manifestation, it is divisible in two parts and should be divided".

A.D. Lindsay has very aptly remarked in this connection. "If we look at the facts it is clear enough that the theory of sovereign state has broken down". Professor Laski is of the opinion that "it is impossible to make the legal theory of sovereignty valid for political philosophy". He believed that "it would be lasting benefit to political science if the whole concept of sovereign was surrendered". Krabbe is of the opinion that the "notion of sovereignty must be expunged from political theory". While Barker says, "We see the State less as an association of individuals in a common life; we see it more as an association of individuals, already united in various groups for a further and more embracing common purpose". These associations have an inner life which is at least as autonomous as that of the state. Thus, the pluralists ardently advocate the autonomy and freedom of profession, political, religious, economic, social and educational associations. Gettell has beautifully summed up the idea of pluralism in these words, "The pluralists deny that the state is a unique organisation, they hold that other associations are equally important and natural, they argue that such associations for their purpose are as sovereign as the state is for its purpose. They emphasise the

inability of the state to enforce its will in practice against the opposition of certain groups within it. They deny that possession of force by the state gives it any superior right. They insist on the equal rights of all groups that command the allegiance of their members and that perform valuable functions in society. Hence, sovereignty is possessed by many associations. It is not indivisible unit; the state is not supreme or unlimited”.

Development of the Pluralistic Theory:

The pluralistic theory originated in the writings of Otto V. Gierke. “The germ of Pluralism is to be found”, says Professor R.N. Gilchrist, “in the work of the German Jurist, Von Gierke (1844-1921) whose monumental work on the legal theory of corporation, part of which was translated, with a sympathetic introduction, by the English Jurist, F.W. Maitland, in his “Political Theories of Middle Ages” (1900), gave an impetus to the idea of corporations as legal entities, with a life of their own independent of government” No doubt it is true that the theory of pluralism originated in the last quarters of the nineteenth century and developed in the beginning of the twentieth century, yet its background can be traced in the Medieval Age. In Medieval Age, the organisation of the State in Europe was loose and the church, vocational associations and Guilds played their significant role in society. In sixteenth and seventeenth century, national sentiment gathered force in Europe and as a consequence national states emerged. These national states became powerful and all the powers, in these states, were centered with the ruler. In due course of time, these national states faced revolt and public-movements and the result was the dawn of democracy. In Democracy, the authority of the ruler was confined, the cabinet became more powerful but the state remained sovereign and supreme. With the advent of the Welfare State there came a rapid increase in the functions of the State and there remained no sphere of life with which the State did not interfere, the sovereign and the supreme state also faced revolt and reaction. This reaction against the sovereign and supreme state resulted into the dawn of pluralism.

Factors responsible for the development of Pluralism:

(1) The individuals laid emphasis on the reduction of the powers of the State. The Pluralists also followed suit. But the main point of difference between the individualists and pluralists is that the individualists laid emphasis on the rights and freedom of the

individual whereas the pluralists laid emphasis on the rights and freedom of the associations of the individuals and guilds.

(2) Both the individualists and pluralists laid emphasis on the need of cooperation between the state and other associations for promoting the common welfare.

(3) In the modern age, all the states of the world are inter-dependent on one another in one way or the other and, therefore, the need of confining the sovereignty of the state is felt these days.

(4) Famous German Jurist Otto Von Gierke (1844-1921), F.W. Maitland, famous English Jurist, J.N. Figgis and others have argued that the Churches and Guilds possessed internal freedom and were party to sovereignty in the Medieval Age. They argue that if the Churches and Guilds possessed freedom in the Medieval Age, associations must possess freedom and autonomy these days also.

(5) Anarchism and Guild Socialism laid a great stress on the confinement of the sovereignty of the state and this gave impetus to Pluralism.

Criticism of Pluralism:

The theory of the pluralistic state has been criticised by a number of political thinkers on the following grounds:

(1) The State is needed to control various types of institutions existing in society. It is the sovereign state that brings about unity and regulates all the associations existing in society. Gierke, Barker, Miss M.P. Follet and Figgis and many other supporters of Pluralism have to realise the need of the State for this purpose.

(2) If sovereignty is divided among various associations existing in society, this division will lead to the destruction of sovereignty. As a result anarchy will prevail in society and there will be chaos.

(3) Many of the pluralists believe that law is superior to the state and the State is controlled by law. But this hypothesis is wrong because laws are framed by the state.

(4) It is a mere illusion and not a reality that other associations are equal in status to the State.

(5) Laski, the ardent advocate of Pluralism, has also gone to the extent of criticising Pluralism by saying that it has not closely studied the different sections of society.

(6) If sovereignty is divided among various associations existing in society, these associations will be so powerful that it would be difficult, if not possible, for the State to have a control over these associations. This will lead to the rise of numerous problems in the State.

(7) If these associations are transferred limited sovereignty, society will deteriorate and mutual disputes will arise. Professor Gilchrist believes like this.

(8) State is needed for protecting people from the excess of associations.

Importance or Value of Pluralism:

Miss M.P. Follet in her famous book, "The New State" has summed up highlights of Pluralism in the following manner:

(1) The Pluralists "prick the bubble of present state's right to supremacy. They see that the State which has been slowly forming since the middle Ages with its pretences and unfulfilled claims has not won either our regard or respect".

(2) They recognise the value of the group and they see that the variety of our group life today has significance which must be immediately reckoned within political life".

(3) "They plead for revivification of local life".

(4) "The Pluralists see that the interest of the State is not always identical with the interests of its parts".

(5) "Pluralism is the beginning of the disappearance of the crowd".

(6) "Pluralism contains the prophecy of the future because it has, with keenest in sight, seized upon the problem of identity of association, of federalism". Gettell describes the contribution of the Pluralists in these words: "The" emphasis on the fact that states, In

spite of legal omnipotence, should be subject to moral restraints is a desirable reaction against the idealization of the state and the doctrine that state is an end in itself, free from all moral restraint. The Pluralists also make a timely protest against the rigid and dogmatic legalism of the Austinian theory of sovereignty". Gettell further remarks, "The Pluralists emphasise the necessity of studying the actual facts of political life in a rapidly changing social system. In this connection, they point out the growing importance of non-political groups, the danger of over-interference by the State with the proper functions of such groups and the desirability of giving to such group's greater legal recognition in the political system".