THE PLURALISTIC THEORY
OF THE STATE

by

Kung Chuan Hsiao, A. B.

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INTRODUCTION

The introduction of the word plurlism recently into the terminology of political theory has attracted the attention of many students and inspired several extremely suggestive and illuminating articles in the leading periodicals of political science. Interest in the subject has become more and more manifest, and the discussion has assumed proportions which make it worthy of the careful consideration of every student of political theory.

It is with this view in mind that the writer undertakes the present task. The study aims at an analysis and scrutiny of the so-called pluralistic theory of the state in its more theoretical aspects, with the hope that some light may be thrown upon its meaning and more interest in its discussion aroused. Fortunately or unfortunately political theory cannot be judged solely by its logical consistency or abstract completeness. The final judgment of pluralism, like any other political conception, must be left to the test of the event. Discussions and criticisms attempted in this study will therefore necessarily be rather of a general and academic nature.

The general plan of the whole study consists of a four-part attack on the subject. The first part,

ending with the first chapter, will be devoted to the definition and clarifying of the meaning of political pluralism as an alleged rival theory of the state to political monism. The concrete details and the different lines of development of this new conception will be briefly treated in the second part, extending through three chapters. In the third part political pluralism will be discussed in the light of philosophy and ethics in so far as it has any implication in these fields, and the last part will wind up the whole thesis by summarizing the results obtained and conclusions arrived at.

CHAPTER I.

THE MONISTIC AND PLURALISTIC CONCEPTIONS OF THE STATE.

The task of giving a clear cut definition of the two types of political theory designated by the words pluralism and monism is at the start rather baffling. Thinkers, political theorists being no exception, are not always careful in terminology, and this carelessness usually causes a great deal of misinterpretation and misconception of their ideas. The terms monism and pluralism seem striking enough when we put them in contrast. But upon a closer analysis, we see that they are more or less vague, indefinite and of various meanings. Both have been common philosophical names, around which the time-honored and time-worn disputes about the one and the many have centered. It seems true that the one and the many are simply aspects of one single existence; a clear distinction between them is necessary, but a sharp sundering of them, as if they were incompatible categories, is in no way justifiable in a more profound metaphysic. Whether the disputes between the political monist and the political pluralist are similar cases of false sundering is a task which the present study endeavors to make clear.

First, the definition of the so-called monistic conception of the state. Monism is taken up first not only because it is chronologically prior to pluralism but also because in a certain sense pluralism is an outgrowth of the former. Historically, monism is, as Mr. Laski points out, a product of actual situations and actual needs. Thus he says,[1] "We must ceaselessly remember that the monistic theory of the state was born in an age of crisis and that each period of its revivification has synchronized with some momentous event which has signalized a change in the distribution of political power. Bodin, as is well known, was of that party which, in an age of religious warfare, asserted, lest it perish in an alien battle, the supremacy of the state. Hobbes sought the means of order in a period when King and Parliament battled for the balance of power. Bentham published his 'Fragment' on the eve of the Declaration of Independence; and Adam Smith, in the same year, was outlining the programme of another and profounder revolution. Hegel's philosophy was the outcome of a vision of German multiplicity destroyed by the unity of France. Austin's book was conceived when the middle classes of France and England had, in their various ways, achieved

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1. "Foundations of Sovereignty", pp. 233-234. Mr. Harold J. Laski is one of the most consistent pluralists, whose views we shall consider later, especially in chapter III.

the conquest of a state hitherto but partly open to their ambition." Thus monism, as understood by modern theorists, did not take its final shape until the decisive battles between the Church and the state had been fought, resulting in the establishment of the absolute powers of the prince. Before that time and in the early part of the Middle Ages, a dualistic view of human society was generally accepted as unquestionable. The community was conceived to be governed by two independent, though not entirely separated, powers typically represented by the doctrine of "the Two Swords".

But it would be a mistake to make monism and absolute monarchy synonymous terms. Political monism never definitely implies a specific form of government. The creation of the modern monarchy and the crystalization of the monistic conception of the state took place at almost the same time and there was a relation between the fact and the theory, but they are not identical. There were historical reasons why monism first got its fullest and most perfect expression and embodiment in a monarchical state, and a monarchy always found the monistic doctrine most welcome and congenial. But we shall find that monism has also been the fundamental principle of states which are not monarchical in their forms of government. Take France, for example.

The doctrine of the divine right of kings, which was the basis of the powers of the state sovereign before the fall of the Bourbons, was from beginning to end a monistic doctrine. The French monarchy with its theory of divine right fell in the Revolution and it might seem as if, with the establishment of a republic, a form of government apparently opposite in nature of the monarchical, a similarly new and opposed conception of the state would appear. But this was not the case. The king with his divine right, indeed, was no longer to rule; but the idea of centralization, of the indivisibility and unity of political power was very carefully and zealously preserved. The only change made was the substitution of a republic for a monarchy, of a monistic state with popular sovereignty for a government by royal prerogatives. Wherever sovereignty may reside, the state is monistic, if that sovereignty is conceived as one and indivisible.

The conception of a monistic state and the doctrine of sovereignty are the same thing in two different names. The theory of sovereignty, taking its root in the Roman imperium, has a long history into which we need not go here.[2] It is enough to point out that Bodin

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2. See Duguit, "Law in the Modern State", Engl. tr. pp. 1-10.

writing at the close of the sixteenth century first defined the word sovereignty as we now understand it as the "supreme power over citizens and subjects, unrestrained by law."[3] From the close of the sixteenth century on, no political writer was able to wholly escape the influence of Bodin and political theory became largely a theory of sovereignty. The state was conceived mainly under the form of political authority and political theory was largely concerned with the question of the location of this authority. Thus when the French revolutionary writers found it impossible to abandon the ancient notion of the unitary authority of the state, they simply substituted the nation for the king as the sovereign of the state, leaving the fundamental characters of sovereignty untouched, "one and indivisible, inalienable and imprescribable."[4] And similarly in England the transformation of the personal sovereignty of the king into the impersonal sovereignty of the Parliament led to no important change in the qualities attributed to the sovereign.

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3. Les Six Livres de la Republique, 1577, p. 89.

4. Article II of the Constitution of 1791 quoted by Duguit, "Law in the Modern State", Eng. tr., p. 11.

Sovereignty is, therefore, the cornerstone of the monistic conception of the state. For, in this aspect, monism is simply the doctrine of the indivisibility and unitary character of the sovereign power of the state, that is to say, it is the view that a political community must be under the command and authority of only one single power.

The idea of sovereignty, however, may assume still another form, i.e., the juristic theory of the state. According to this theory, the state is a juristic person and the law a command issuing from the will of this sovereign person. Sovereignty thus sets up an ideal of a legal independence free from external control and a legal supremacy over all internal affairs of the state.[5] However, the juristic theory is not a mere abstract fiction as the pluralist sometimes seems to believe.[6] Sovereignty in this aspect has been constantly used by the lawyers as a competent means of settling questions of conflicting jurisdiction within the state. The reason for this is clear. For it has been held that a system of law, being primarily a means of arbitration and settlement, must be consistent within

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5. Krabbe, The Modern Idea of the State , Introduction, p. xviii.

6. See Ch. 3, infra.

itself. It is this demand for consistency which is asserted when it is said that the enactment and enforcement of law must be carried out by a single ultimate authority which must, owing to the nature of the case, be exempt from any legal limitation in order that there shall be no possibility of insoluble conflicts of authority. Monism, therefore, regards consistency as the essence of law, and unity as the essence of sovereign authority. Here, indeed, we see the true meaning and significance of the monistic doctrine.

This theory of the unitary character of law and administration can be expressed in several ways. The purest, and incidentally the simplest, type of monism is that which conceives the state as a system of delegation of sovereign authority. Thus, a monistic state is one which possesses a single body with ultimate legislative power and able to fix the legal competence of the executive and judicial powers of all the state agents. The political organization of Great Britain after the Revolution of 1688, which established the supreme sovereignty of Parliament, and before the rise of the imperial system is a good concrete example of a pure monistic state. During that period, the judicial powers of the judges were brought under the complete control of the legislative, for all judges acknowledged the

binding force of parliamentary acts and Parliament was strong enough to coerce any judge who might have attempted to break loose from this force. Similarly, with the rise of the cabinet form of government, making the ministry responsible to Parliament, the control of the executive function by the legislative also became assured. Thus Parliament was the central site of all authority from which all other powers were derived or delegated, and sovereignty in such a state is truly unitary and indivisible. This is then the purest and simplest form of monistic state.

In the federal form of political organization we find a modified and more complex type of monistic state. Whether federalism necessarily implies monism, or whether it may involve a modification of monism in the strict sense of the word, is a question to be considered elsewhere. Nevertheless, if we take the United States as a concrete example, the monistic element is certainly present, not in a plan of delegation of powers, but in the arrangement of the federal Constitution as a means to fix the competence of the member states and the various organs of the central government. This is accomplished especially by the system of federal courts acting as the final authority in settling conflicts of

of the various authorities within the union. There are, it is clear, two systems of laws, the federal and the state laws, but neither of these is in itself absolute and supreme. These are, as a matter of fact, tied together into one system by the authority which is supposed to stand behind and enact the Constitution. Just what this authority is does not concern us. The important thing to note is the distinctly monistic feature of this arrangement, in that it provides a definite and permanent apparatus to act with final authority in any case of conflict and dispute that may arise among the various political agents. But monism in this instance is certainly greatly modified, for the idea of delegation has been softened down to the negative conception of a juristic means of determining jurisdiction and settling conflicts.[7]

From the above it appears that what the juristic theory of the state asserts is really this, that law as a system of control is, or ought to be, complete and consistent within itself. From the monist's point of view, it is only by having such a system without gaps and holes and with one central absolute juristic authority to enforce it that the state can always be sure of having enough power to solve all cases of dis-

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7. Sabine, "Pluralism - a Point of View", Am; Pol. Sc. Rv., Vol. 27, 1923, pp. 35-38.

putes and quarrels and to determine all boundary lines of jurisdiction. The monist, it should be noticed, is very anxious to have the state always safe in its law and the execution of it. For this safety, he sees no better means than to establish an absolute and unitary system of legal and political authority which will ideally be omnipotent and always ready to act in all cases of political adjustment. This authority is permanent, because by definition, it is competent to solve all cases of conflicts at all times. It is fixed and unchangeable in principle, because being a wholly consistent system it allows no change that brings contradiction. Unity, permanency, and fixity, here we have the chief characteristics of an ideal monistic state.

The pluralistic conception is still left to be defined. Negatively, pluralism, as an opposite doctrine to monism, may be defined as the conception of the state which refuses to admit the necessity of a single indivisible sovereignty in the state and denies that there is any imperative demand for a unified legal and political system. The political world as the pluralist sees it is an ever evolving and changing world in which there will always be inharmonious relations between the members and parts, but such relations cannot be adjusted by any fixed and predetermined plan of juristic and authoritative

control.[8] The best means to unity, for pluralism does not deny the necessity of political unity as we shall see later in the course of discussion,[9] is not to destroy and suppress the life of multiplicity, but to let the parts spontaneously function in cooperation to achieve the harmony of the whole. Positively, therefore, pluralism may be defined as the doctrine which holds that a community may be under two or more systems of laws and that government may be so organized as to have two or more sources of authority that are coordinate, i. e., without a superior coercive force. We say coordinate, because in a pluralistic state the multiple powers, while they are equal, are not separate and totally unrelated. Total isolation would be political anarchy, a position which no pluralist cares to defend.

Another very striking character of pluralism is its emphasis on the adaptive nature rather than the authoritative nature of political control.[10] And this is an inevitable corollary from the proposition that political power is or may be multiple in source. In a monistic state where every part of the community is subordinated

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8. Prob. of Sovereignty, p. 23.

9. Infra, ch. IV, and ch. VI.

10. Infra, ch. IV, and ch. VI.

to one single sovereign, the affairs of the community are conceived to be carried on under the authoritative command of the central sovereign. But in a pluralist state where there is no such absolute central force, the only way left open for the community to act as a living unity is by the voluntary coordination of the various distinct parts and functions, by "negotiation", as Mr. Laski puts it. This arrangement, not less than a monistic organization, the pluralist tells us, permits the solving of conflicts between these parts. There is no doubt that whenever there is political community there is unity. But there is a sort of political unity different from the monistic unity that the pluralist is picturing to himself. The pluralist, viewing society as dynamic, conceives the political community as always being in a process of development, but never arriving at a point where the unification becomes perfect and leaves no possibility of further growth. Thus in a pluralist state there will be negotiation which results in agreement and harmony, but since there is no final agreement, there will always be negotiation. It is on this basis that the pluralist denounces the conception of a permanent and fixed central authority. The monist, on the contrary, views society as ideally unified. To him, therefore, the political system must be one which is in itself

unified and without inconsistency so that it will take care of all conceivable conflicts arising at all times. We can make no better and more vivid contrast of pluralism and monism than Miss Follett, who characterizes the pluralistic as a "unifying" state, and the monistic as a "unified" state.[11]

In the previous pages attempts have been made to clarify the meanings of the terms pluralism and monism. It will be noticed that more space has been devoted to the latter than to the former for the reason that a clear notion of monism is necessary for the understanding of the meaning and significance of pluralism. In the following chapters attention will be almost exclusively directed to the discussion of the pluralistic conception and only incidental references to monism will be made.

An explanation has to be made in the use of the word "approach" in a number of the coming chapters. It is used only because it suggests the true manner of the development of the pluralistic conception. As we have seen, pluralism is a crystalization from the observations of political facts and from criticism of the traditional

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11. The New State, pp. 258 ff.

theory of the state. The pluralist, therefore, does not start from "first principles" and elaborate his constructions from them. He rather starts from some concrete problem in the political world and develops his argument until he comes to a pluralistic conclusion. To be sure, each individual has his own bias, and envisages the political problem from a different point of view. Consequently there are almost as many different ways of arriving at pluralism as there are pluralistic thinkers, although there is only one destination. Therefore the most natural method of procedure in the study of pluralism is for us to follow each of the main approaches to this conception, thus viewing the whole matter from the different standpoints and realizing the true significance of its development. When we have travelled all the important avenues to pluralism we shall be better prepared to survey the whole field.

In the next chapter, accordingly, pluralism will be discussed from the legal point of view as the first approach. We shall see in this chapter how certain jurists have come to their pluralistic goal through criticisms of some monistic juristic theories, especially the so-called fiction theory of corporate personality. In the third chapter the social and economic

approach to pluralism will be taken up, with special reference to the guild socialists and syndicalists. The administrative approach will be the subject matter of the fourth chapter, in which the questions centering upon the problem of decentralization, territorial and functional, will be discussed and correlated to pluralistic conclusions. The fifth chapter will be devoted to bringing out the ethical motives underlying pluralism, with a brief discussion of its implications in some popular ethical theories and in certain tendencies of philosophy. The sixth, and the last, chapter will wind up the whole study by the evaluation and criticism of pluralism, and whatever conclusions regarding this conception we may have arrived at will be summarily put forth, completing the whole undertaking.

CHAPTER II

THE LEGAL APPROACH

In the previous chapter it has been pointed out that the monistic idea of the state is a formally juristic conception of the political process. Indeed, if we take a merely formal view of the state we can never have a legal approach to pluralism. For, since the juristic and monistic are identical, we cannot deny the one without undermining the foundations of the other. However, we are not at all compelled to take such a view of the juristic process. There is another, and quite different, aspect of law which has been grasped by certain legal writers of note and which we are going to deal with in this present chapter. This is, in contrast to the above, the conception that law is not merely a formal construction, but a living and concrete reality based upon facts and actual forces in human community. This difference in legal view, it may be pointed out, was the chief basis of a series of battles waged in Germany by the so-called Germanists against Romanism and by the objectivists against legal subjectivism, and it is in the writings of certain Germanists and ob-

jectivists that we find the legal approach to pluralism.

In the first place, we may consider the main root of pluralism to lie in a trend of juristic theory in Germany and England in the nineteenth century centering upon the controversy over the reality of composite personalities within the state. The most important historical names in this whole matter are Dr. Otto F. von Gierke in Germany and his English disciple, Frederic William Maitland. Dr. Gierke's important and unfinished work was published in 1868-1913 bearing the title of "Das Deutsche Genossenschaftsrecht". It represents an attempt by a Germanist to free the legal theory of corporations and of the state from the dominion of the tradition of Roman law. Gierke was introduced to English readers through the translation by Maitland of a section entitled "Die publicistischen Lehren des Mittelalters" in the third volume of this work. Maitland's translation was published in 1900 under the title Political Theories of the Middle Age.

According to Dr. Gierke, the so-called fiction theory of corporation took its classical shape in the hands of the famous canonist, Sinibald Fieschi, later Pope Innocent IV.[1] Innocent believed that it was neces-

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1. Maitland, Introduction to Gierke's Political Theories of the Middle Age, pp. xviii-xx.

sary to make a very sharp distinction between a natural and a corporate person; the latter, being not natural, is therefore unreal. For the sake of legal convenience it was necessary to recognize corporations and associations as persons, but their personalities were only legal fictions, which could commit neither sin nor delict. Furthermore, as these personalities were legal fictions, they owed their existence to explicit creative acts of the Papacy whose sovereign will could freely make or unmake them. Later on,under the influences which led to the reception of the Roman civil law in Germany at the close of the fifteenth century and its vogue throughout Western Europe,the Innocentian doctrine developed into another form known as the concession theory of corporate life,which held that the political state was the sole creator of all political and legal rights, and there were no groups that did not owe their existence and life to grants and concessions of the all-inclusive state. Europe was at that time suffering anarchy and disorders resulting from feudal strifes. In such an age of despair, when clerical immunities had been abused and the faith in a universal Christendom had broken down, all looked toward the secular prince for salvation, and in their zeal for peace and unity, forgot the possible dangers of political despotism and autocracy.

And so the modern absolute state with its supreme sovereignty was born.

It was Gierke who, in opposing this Romanist idea of an all-inclusive state with the Germanic theory of corporations, first formulated a new "realism" in legal theory and suggested a new tendency in the conception of the state. He asserts that a political theory in order to be "philosophically true, scientifically sound, morally righteous, legally implicit in codes and decisions, practically convenient,"[2] must recognize the personality of certain essential corporations, not as artificial and fictitious creations of the state, but as real and spontaneous beings, having life and activity inherent in their very existence, independent of any creative action of the state. The state, indeed, may recognize the personality of such groups whose rights and obligations are thus formally established and defined by the state. But the recognition is merely the recognition of a valid fact already existant and does not create something out of nothing.

The bearing of Gierke's legal theory upon political pluralism is made clear by these words of Maitland regarding the true relation between the state

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2. Maitland, Ibid, p. xxv.

and corporations: "For when all is said, there seems to be a genus of which State and Corporations are species. They seem to be permanently organized groups of men; they seem to be group-units; we seem to attribute acts and intents, rights and wrongs to these groups, to these units. Let it be allowed that the State is a highly peculiar group-unit; still it may be asked whether we ourselves are not the slaves of a jurist's theory and a little behind the age of Darwin if between the State and all other groups we fix an immeasurable gulf and ask ourselves no question about the origin of species."[3]

The pluralistic element contained in Gierke and Maitland is of course the denial of the idea of the state as the "community of communities" maintained by the Romanists in the form of the fiction and concession theory. They justify their argument, first, by showing that historically and genetically, the groups are not state productions, and, second, practically and ethically the groups are as important as the state. The idea of state creation on the one hand, therefore, is a gross falsification of facts and, on the other, in its tendency to make the state the exclusive agent of all social interests, a great injustice to the community, which is a

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3. Maitland, Ibid, p. ix.

complex of interest-groups each with its own inner life and will power just as the state is.[4] Here we first meet the pluralist's emphasis upon groups as against the state, an emphasis which we shall frequently meet in the coming sections.

But we must always remember that neither Gierke nor Maitland deals with the question of corporations from a strictly and formally juristic point of view. They do not address themselves directly to the question whether the state shall determine the legal status of corporations or whether the latter are to be set up as juristically coordinate with the state, that is, to be given the right to fix the limits of their own legal competence. They concern themselves chiefly with the historical reality of corporation and their social and ethical importance in society, - matters which depend mainly upon the vigor of their internal powers rather than upon external legal status. Corporations and the state are species of one genus in their equal possession of ethical, social and practical importance, but he has made no reply to the question whether they are of one genus also in their legal competence. Maitland therefore does not meet the monistic argument of

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4. Maitland, Political Theories of the Middle Age, pp. 97-98.

sovereignty by a direct attack of the theory, but by taking a different viewpoint of the political and juristic process. The effect of Maitland's argument was to cause the advocates of the theory of sovereignty to identify their view more closely with a juristically formal conception of the state.

Although in his antagonistic attitude towards the monistic theory,[5] Gierke is in the same spirit with certain pluralists who view the matter from an economic and social standpoint,[6] it is unfair to call either Gierke or Maitland a pluralist in the true sense of the word. For after all, neither of these writers intended to recast the whole theory of the state or to reconstruct the theory of sovereignty.

There are several other writers who, although not lawyers, agree with and further elaborate the suggestions of Gierke and Maitland. J. N. Figgis undoubtedly is among the most important. His chief interest, it should be pointed out, lies in the relations between churches and the state, which on historical grounds he believes to be the chief problem of modern political theory. Being an ardent High Church Anglican,

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5. Ibid, p. 97-8.

6. See Chapter III, infra.

he fears the subjection of the church to the state as the principal outcome of the Reformation. The results of his writings[7] can therefore be very easily anticipated. He, in the defense of the right of the church to independence, has made a practical application of, and given a definite meaning to, Maitland's question about species of corporation. The doctrine of persona ficta, he says, does not correspond to the facts of social life.[8] It teaches that all corporate associations are fictitious persons. It follows therefore that there are but two social entities, the state on the one hand and the individual on the other. Corporate organizations are mere collections of individuals whose personalities remain unaltered by their membership in such organizations. National life is narrowly circumscribed by the boundaries of its political life, and naturally there can be no place for churches as bodies leading a separate supernatural life and other corporations as representing special independent interests of men. This is, Mr. Figgis emphatically points out, contrary to the real order of things. The whole structure of society is surely not

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7. Churches in the Modern State, (1914) especially Ch; II, "From Gerson to Gratius, (1907).

8. Churches in the Modern State, Ch. V.

made up of a sand-heap of individuals, unrelated except to the state, but of an ascending hierarchy of groups, family, school, town, church, professional union, club, etc., which transform and alter personalities of the individuals belonging to them. Mr. Figgis' arguments seem to answer the fiction theory in a two-fold way: On the one hand, they attack the theory of the distinction between the natural and real personalities of individuals and the fictitious personalities of corporations by pointing out that the real personalities of the individual are rather a social product than a result of individual self-growth, for, "in the real world the isolated individual does not exist; he begins always as a member of something, and . . . his personality can develop only in society."[9] Therefore, when we speak of the real personalities of individuals without recognizing the reality of the life and activities of the group, we are slaves of a juristic theory and have forgotten a great social fact. On the other hand, we cannot give real personality to the state and deny it to other corporations, because, as has just been said, the state is not the only organization that models the life of the individual. Obviously it is this part of the argument that, when

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9. Churches in the Modern State, p. 88.

pushed further, leads into a pluralistic conception of the state. But Mr. Figgis, being primarily interested in the question of churches and the State, does not care to go very far into a new political theory of the state, and his arguments stop at a defense of the rights of the group against the absolutism of the state. His argument is not directly juristic like that of Gierke and Maitland. He does not say anything with regard to the theory of sovereignty or a new idea of the state which, remains for him, the supreme corporation whose function is to regulate and control the various groups, and to define and protect their rights against agridgement and invasion by virtue of its superior political power.[10] This would sound very monistic to some of the more thorough-going pluralists. The ideas of Mr. Figgis seem to be similar to those of the "natural right" theorists, only the group has been substituted for the individual in his claim of inherent rights.[11]

The writings of Mr. Harold J. Laski[12] reveal a more definitely pluralistic leaning than either Maitland, Gierke, or Mr. Figgis. The chief interest of .

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10. Churches in the Modern State, p. 90.

11. Infra, Ch. V.

12. Foundations of Sovereignty", (1921) Problems of Sovereignty (1917), and Authority in the Modern State, (1919) are the most important.

Maitland is legal history; of Mr. Figgis, the questions of the churches and the state; but Mr. Laski, although interested in legal history,[13] is only interested in the historical side of ecclesiastical problems.[14] Historical essays, however, have done much to elaborate suggestions of Mr. Figgis relative to the opposition of Church and State. The thing which appears most interesting to him is economic and industrial phenomena of the modern western society and their bearings on politics. Thus he says, "Indeed, the greatest lesson the student of government has to learn is the need of him to understand the significance for politics of industrial structure, and, above all, the structure of the trade-union movement."[15] Therefore the problem of corporations, which has been one of rather abstractly general concern in the minds of Gierke and Maitland and one of special application to the churches as religious corporations with Mr. Figgis, becomes, with Mr. Laski, a problem of the rights of economic and industrial groups. The most important pluralistic elements in Mr. Laski are found in his writings concerning these questions and

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13. Foundations of Sovereignty, pp. 103-291.

14. Problems of Sovereignty, pp. 27 ff.

15. Foundations of Sovereignty, p. 242.

these, for the sake of convenience, are reserved until later parts of this paper.[16]

The French jurist, Leon Duguit,[17] has gone in a way farther into pluralism than either Gierke, Maitland or Figgis. But he approaches the matter in an entirely different manner. Gierke does not really intend to give a thorough revision of the whole legal theory. He stops, it is clear, with a new idea of corporation and state relations without going into the very nature of law. He does not reject the legal theory of sovereignty nor the personality of the state which, in the hands of the monist, is the basis of state will and sovereignty. M. Duguit, on the other hand, attempts at a complete revision of the theory of law, and denies the validity of the assumption of both state personality and sovereignty.

Starting from the principle of "social solidarity" - that society is made up on the basis of an interdependence of functions - M. Duguit proceeds to show that this interrelationship at once creates spon-

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16. Infra, Ch. III.

17. Transformation du Droit Public, (1913), Traite de Droit Constitutionel (1911); Le Droit, Social, le Droit Individuel, et le Transformation de l'Etat (1908); Le Droit Objective, etc., (1901); Law in the Modern State, English translation by Laski (1917).

taneously a code of general rules of conduct and that law, as it is usually understood, is simply the sum total of such rules which have successfully won the organized legal sanction and approval of the community. Such rules are formulated and sanctioned because from experience it has been found out that observance of them is conducive to welfare of the whole society and is helpful towards strengthening the tie of social life. The real basis of law is therefore objective. It derives its obligatory force not from any subjective imperative-ness, but from objective utility and necessity.

The state, as an instrument of social good, is not an end in itself. It is justified only by its social service. Consequently, since law is the code of social service, it is to demand obedience from the state as well as from other social organs and the individual.. The state is not a person because such a conception is simply the fiction of an abstract theory answering to no practical utility. The state has no will because a "general will" is not ascertainable, and a state will is as fictitious as the state person. It follows then that the state rules not by command, for command implies a theory of sovereignty which is not tenable after the theory of state personality has been denied and a conception of objective legal obligation established;

whatever right of coercion it has is derived from the conformity of its conduct and action to objective law, that is, in accordance to the principle of social solidarity and service. Legally, therefore, the state is on equal ground with all other social entities.

But it is very doubtful whether we can rightly call M. Duguit a pluralist. A system of law with the objective basis of social solidarity can be as monistic in application as a system that finds its support in a sovereign will. It is true that law in the former case is the product of social relations and not the creature of the political state. But it is equally obvious that the sovereign of a monistic state, whether a monarch or the people, in making law, cannot fashion it simply according to his mere will, but must have certain principles of moral and utilitarian justifications like the principle of solidarity of M. Duguit. Stripped of all their technical subtleties, there seems to be very little real difference between these two views. In a monistic state law is supposed to be willed by the sovereign. But when we analyze what this law is, we find that it is nothing more than a bulk of customary laws or "laws of nature" combined with positive laws already established and enacted by a formally organized sanction of the community, namely, the state. And the

real sovereign will, if it is not perverted, is simply the rational decision of the state sovereign guided by the wills of the people aiming at the good of the whole community. Thus viewed a monistic legal system at once becomes not substantially different from the objective legal system conceived by M. Duguit.

In the matter of the subordination of the state to law insisted upon by M. Duguit there is again no necessity that we interpret it in terms of pluralism. Of course a state that is responsible for something like M. Duguit's system of objective law is less absolute in theory than a wholly irresponsible state. But this does not help us to differentiate a pluralistic from a monistic state. For we must remember that in a monistic state the sovereign may be conceived to be subject to an obligation to obey moral laws, just as the state as conceived by M. Duguit has. The state, after all, in his mind, is the possessor of all coercive power for the social good, and the power of this state is to be virtually supreme and undivided. For the law of solidarity is one unitary system of law and the authority of the state is one unitary system of control based on this system. When viewed in this light, M. Duguit can be rightly called a thorough-going monist and his legal theory a consistent monism. He has too

great a love for social unity to emphasize the value of multiplicity. And this perhaps accounts for the fact that, although he recognizes the fact of the multiplication of modern social interests and the importance of spontaneous activities, he has no great concern in the rights and inner life of the groups as Mr. Figgis and Mr. Laski have.

In the legal writings of the persons mentioned above we find the starting point, but only the starting point, of pluralism. We have noticed that the juristic historians, Gierke and Maitland, the ardent churchman, Mr. Figgis, and Mr. Laski, so far as his writings on questions pertaining to juristic matters are concerned, have endeavored to prove that the state is but one form of the many human associations through which man expresses himself, and further that it is on the same level and not superior to, or inclusive of, all the other associations. They have done this not by directly attacking the formally juristic theory of the state, but by assuming that the real significance of the political and legal process is not formal but empirical and concrete. Their arguments have suggested the need of a new scheme of organization of groups and of a new definition of the relations between them and the political state. But by leaving the theory of sovereignty practically untouched,

they fall short of a really new definition of the state. The true reason for this is that their views of the corporation are not strictly legal, although they seek to discredit an old legal theory of the corporation. M. Duguit is truly a jurist, and he has tried to overthrow the theory of state sovereignty by denying the real personality of all associations including the state, and by making the law of social solidarity the supreme authority in society to which the state as well as the individual is equally subjected. But as we have seen,his principle of social solidarity may well have a thoroughly monistic interpretation. He develops his legal theory in very general terms, and it is hard to tell whether he has in mind a pluralistic theory at all. Therefore, for more direct statements and fuller expressions of pluralism we must go to the group of economic and social writers whose views we are going to present in the following chapter.

CHAPTER III

SOCIAL AND ECONOMIC APPROACH

The most striking psychological trait of the modern thinking man is no doubt his conscious or unconscious emphasis on the economic aspect of society. This psychology is obviously the result of the actual growth of economic and industrial life in the west, creating a vast number of economic and industrial problems that demand the attention of all serious students of modern politics. The transformation of the modern state from a purely political and cultural to an economic-industrial national organization has taken place rapidly since the Industrial Revolution. This transformation has not only altered the character of the political state to a very considerable extent, but has, on the other hand, created many economic and industrial organizations whose relations to the state await new efforts in adjustment and fixation.

At the same time, this situation has been made more serious by the very important position which the modern state has assumed in the past several decades. With the gradual dying away of the revolutionary doctrine of the restriction of governmental powers, the

modern state has evolved from a mere "police state" to a state which does a thousand-and-one things within its territory and jurisdiction. The state regulates trade, controls public utilities, directs education, settles industrial disputes, and does many other things made necessary by modern industrial conditions. With the economic transformation of society, there is always a growth in the complexity and number of the affairs within the community that the state is charged to look after.[1] Owing to the ever growing complexity of modern life, the state soon has too much business to transact and too difficult tasks to perform. The legislature, which has to decide upon all the different issues concerning foreign and domestic affairs, finds its burden the heaviest, and owing to its prominent place in the state, becomes the target of all blame.[2] Everywhere the legislature has declined in popular esteem, and competent observers agree that representative assemblies, as at present organized, are hopelessly inefficient and inadequate to perform the tasks cast upon them. As a result the legislature has tended to decline

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1. For example, W. F. Willoughby, see his article "The National Government as a Holding Corporation", Pol. Sc. Qrtly., 1917, pp. 505 ff.

2. Webb, A Constitution for the Socialist Commonwealth of Great Britain, p. 78.

in power, relative to the administrative departments. This condition of affairs has led a number of observers to reconsider the problems of the basis of representation, with the result that they have arrived at pluralist conclusions.

The first names that we may mention in this connection are those of Sydney and Beatrice Webb, two important Fabian socialists, and G. D. H. Cole, a guild socialist. In their books, A Constitution for the Socialist Commonwealth of Great Britain (1920) by the Webbs, and A Social Theory and Self Government in Industry (1919) by Mr. Cole, the need for reform in representation and an elaborate system of pluralistic organization are unambiguously set forth.

The first attack upon the existing representation system is directed against representation by purely territorial divisions and the supposition that the electorate is a mass of undifferentiated citizens uniform in interests. Representation is therefore always unitary; that is, each voter can cast only one vote because he is supposed to have only one single interest which is represented exclusively by the political state. The voter is regarded as expressing his will in terms of political representation - a will that is not an ex-

pression of any specific and concrete interest, but one very general and vague in meaning. This, the Webbs point out,[3] is an injustice to the voter and a misrepresentation of the whole community life. It is not only true that different persons have widely different interests, but the same person may have several different interests at one time or different interests at different times. It is impossible that his vote should express his will in reference to all these interests. His will at any given time, if it has become definite enough to be uttered, always is a will expressing some of his interests in particular and not an abstract will expressing interests in general. Thus, to quote, "We ask the elector what is his will as a human being; whereas he never has, and never will have any definite will as a human being. When he is conscious of himself as a consumer, he has a will, which he can often express articulately enough. When he is conscious of himself as a producer, he has a will, very often a turbulent and determined will. When he is conscious of himself as a citizen, concerned with the administration of the national resources, and the physical and mental environment in which he and his

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3. A Constitution for the Socialist Commonwealth of Great Britain, pp. 79-80.

family have to live, he has a will, though often needing, on the part of his representatives, patient study and expert interpretation, so as to secure, in the event, what he desires. When, finally, he is conscious of himself as a citizen concerned with the independence of his country, with the maintenance of personal liberty and with the defense against aggression from without or from within, he has a will, which may easily become so intense that, to attain his ends, he will go even to death. But when the twenty-two million electors are asked, in the vague, what is their will about all sorts of things at once, how can we wonder that any manifestation of a general will is imperfect and indistinct?"[4] Moreover, a general assembly chosen by popular vote to decide on all sorts of business is a very poor instrument to carry out the divergent desires of the electors. Says Mr. Cole, "Parliament professes to represent all the citizens in everything, and therefore as a rule represents none of them in anything."[5] Here, the opinion of Mr. Cole coincides with that of the Webbs.

The remedy for these evils, according to them,

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4. Webb, Ibid, pp. 79-80.

5. Cole, Social Theory, p. 108.

is functional representation. Representation should, Mr. Cole argues,[6] always be social and particular. It should be social because "no man can represent another man and no man's will can be treated as a substitute for, or representative of, the wills of others." It is only interests organized as definite purposes of a certain number of persons that can be represented, but never the individual as such. It is particular, because, as has just been said, when a body is elected to represent everything, it will virtually represent nothing. The old theory of "representation of the general will of a heap of uniform and unrelated individuals arbitrarily grouped in geographical divisions by a colorless central assembly is utterly false." And hence Mr. Cole holds[7] that if representation is functional, it is necessary to let a person have more than one vote provided he has more than one interest. Thus, as a citizen of the state, he should cast one vote on issues concerning affairs of the state, and as a member of the consumer class, another vote concerning the interests of that class. For, he says, "The essence of functional

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6. Cole, Social Theory, pp. 103 ff.

7. Ibid, p. 115.

democracy is that a man should count as many times over as there are functions in which he is interested. To count once is to count about nothing in particular: what men want is to count on the particular issues in which they are interested."[8] The Benthamite axiom that each person counts for one and no person counts for more than one does not hold in a functional democracy.

Mr. Laski agrees with the Webbs and Mr. Cole in the need of reformation in the system of representation, although he does not venture any suggestion in the way of a concrete plan of reform. Speaking of the "general will", he says,[9] "Here we have been led astray by the facile brilliance of Rousseau. The more carefully the political process is analyzed, the more clearly does it appear that we are simply confronted by a series of special wills none of which can claim any necessary pre-eminence." What Mr. Laski means by "special wills" here is really wills that express economic desires and impulses, desires of man as a consumer or a producer. As we have noted before in the previous chapter, Mr. Laski's main interest lies in the economic-industrial field.

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8. Cole, Social Theory, p. 115.

9. Foundations of Sovereignty, preface, p. vi.

But there is another side of the proposition of the guild socialists, and also of Mr. Laski's inevitable corollary from the first, but one demanding more of our attention on account of its more direct bearing upon pluralism, which we have so far neglected to take account of. As soon as the chief interests of the members of the community have been recognized and classified, according to the Webbs, into consumption, production, and politics, it follows immediately that each of these interests will become a class, a union, a "democracy", or what not. According to the idea of the Webbs, Mr. Cole, and Mr. Laski, these classes of interests should always be self-governing and be kept on the same level so that none will dominate or claim any superiority over the others. Government, for there is still a need for some means of control over all the equally important interest units, therefore necessarily becomes a government of correlation and coordination of the various interests instead of a government of the political power or authority over the economic and others. Thus Mr. Laski declares,[10] "The pluralistic State is an attempt to remedy these defects [the defects of the

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10. Foundations of Sovereignty, p. vii.

monistic state] by substituting coordination for a hierarchical structure."

Starting from the premise that the allegiance of man is diverse and that where his loyalty conflicts it is safer and better for the community that the decision should be left to the individual conscience, Mr. Laski[11] concludes that the business of social control becomes a problem of coordination and adjustment of parallel parts instead of the authoritative command of a superior sovereign authority over a hierarchical structure of society. Of the various interests, he recognizes two, the function of production and of consumption, as the most significant. The division of sovereignty in a "pluralistic state" will be based upon the division between these two economic functions. While he admits that "the possibility of anarchy is theoretically at every moment present,"[12] a system in which supreme power is concentrated at a single point is to be by all means avoided. To be sure, some mechanism of ultimate adjustment is needed where the interests of each group touch upon those of another, but

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11. Foundations of Sovereignty, pp. viii, 241.

12. Authority in the Modern State, p. 30.

such an adjustment is only a matter of joint deliberation and agreement of the "legislatures" of the functions.[13] Mr. Laski believes that the state as now organized has been mainly the representative of the consumers' interests and historically political power belongs to those who at the time wield economic power.[14] In the future, the producing function is to be represented by a "legislature" just as the consuming function has always been, and these two legislatures are parallel in status and power. The balance of the powers of these two functions would constitute what he terms the "pluralistic state". And he further points out that the central authority within either division is not to be considered as uniquely sovereign. For, within these functions there will again be a balance of internal powers between smaller functional divisions.

The scheme of Mr. Laski, however, is fundamentally the same as that of Mr. Cole and the Webbs, and he is probably influenced by these writers. Mr. Cole's division of functions is also made on an economic basis and in the same distinctions between the vocational or producing and appetitive or consuming associa-

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13. Foundations of Sovereignty, p. viii; Authority in the Modern State, pp. 88-89.

14. Authority in the Modern State, p. 88; Foundations of Sovereignty, p. 238.

tionstions.[15] These associations, like the functions of Mr. Laski, are coordinating bodies linked together by balance of powers.[16] He points out[17] that the state ought not to be the possessor of an exclusive sovereignty merely because the state, as a compulsory political and territorial association, includes everybody within its area. For the state does not include the whole of every body, since it represents only one function, that is, the political, and not every function in the whole community.

In their book referred to above (A Constitution for the Socialistic Commonwealth of Great Britain) the Webbs put forth a plan which is more elaborate than either that of Mr. Laski or of Mr. Cole. In a truly democratic[18] society, it is necessary to recognize at least three chief functions of life, namely, man as a producer, man as a consumer, and man as a citizen. The last involves a twofold aspect: on the one hand it is

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15. Social Theory, pp. 66-73.

16. Ibid, p. 134; Self-Government in Industry, Ch. V.

17. Social Theory, pp. 131-132; Self-Government in Industry, pp. 126-127, 130.

18. A Constitution for the Socialistic Commonwealth of Great Britain, pp. 108 et seq. See also above, pp. 6-7.

concerned with national defense and internal order, the strictly political and "police" affairs of the state, and on the other hand with the promotion of the type of civilization that the citizen desires to realize, including all the non-economic and non-political matters. Social organization should therefore be designed according to these divisions of functions. Thus, besides the "political democracy" which exists at present, there will be created parallel to it a "democracy of the consumers"[19] and a "democracy of the producers". The economic democracies shall be represented by a "social parliament" with an executive to which the control over the nation's economic and social activities is to be assigned. The political democracy shall have its own parliament and ministry, and an organ possessing judicial powers. There are, therefore, in this society, two national assemblies existing side by side, and each is, within its own sphere, supreme. Coordination of these two assemblies can be secured by a device of interlocking committees and joint conferences, but in no way shall there be any single authority above them, nor shall either one be allowed to dominate the other.[20]

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19. Mr. and Mrs. Webb do not identify the state with the consumer's interest as Mr. Laski does. See above, p.42.

20. Cf. above, pp 40-43.

In the writings of Mr. Laski, the Webbs and Mr. Cole we find the main trend, and the orthodox doctrine, if we may so speak, of pluralism. They attack the monistic state, not so much from the formal and legal aspect, but almost entirely from the standpoint of practical reformers who try to stick close to concrete problems of political life. Mr. Laski, being interested both in juristic history and economic problems, although his interest in the latter is much stronger than in the former, supplies a connecting link between the legal and socio-economic conceptions of pluralism. Maitland's assertion that the state and other corporations are species of one genus[21] restated, but with a more concrete embodiment and more definite meaning by his application of it to the economic corporations of the day. "The state is only one among many forms of human association"[22] and any attempt to make it inclusive of all of social life is totally against the facts in human organization. The state is not inclusive because on the one hand there is the fact of the diversity of human interests which causes divergent and even contradictory allegiances making a unitary "general will"

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21. Supra, Ch. II, p.

22. Authority in the Modern State, p. 65.

impossible. On the other hand, granting that there is a consciousness of an end of society, the state is not the only association that can realize this end, or at any rate it cannot realize it by itself alone. Furthermore, the state "is not necessarily any more in harmony with the end of society than a church or a trade-union, or a freemason's lodge."[23] We cannot assume the inferiority of other forms of association, for example, the church to the State for "Moral inferiority in purpose as between a church and the state there can hardly be; legal inferiority is either an illegitimate postulation of Austinian sovereignty, or else the result of a false identification of state and society."[24]

After having presented the views of these writers it is time for us to examine the bearing of their views. First we must see that a system of functional representation does not necessarily imply a pluralistic state, if the different functions are represented in one central assembly, a point which Mr. Cole has not made entirely clear in his discussions of representation by functions. We must remember that a functional state as

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23. Authority in the Modern State, pp. 65-66.

24. Ibid.

described by Plato can be thoroughly monistic in principle. Furthermore, Mr. Cole's idea of letting each person have as many votes at the polls as he has different interests sounds more idealistic than practicable. One difficulty would be to establish a criterion by which to measure or ascertain what a person is really interested in, and to what extent he must be interested in one thing to justify giving him an extra vote. Such questions, of course, do not concern us here and we may pass them over with this brief remark.

These writers, it is clear, make a sharp distinction between the political state and a larger society including the state and other functions. It is true that many monists make the same distinction which, in itself, does not necessarily imply pluralism. But the same distinction has been made by these two types of political thinkers in two different senses. The monist, whenever he distinguishes society from the state, conceives the former as an entirely unorganized and formless entity, whether it is supposed to be the embodiment of a common good which the state is designed to achieve, or simply the community of individuals prior to political organization. Society may be larger in extent than the state; but it is the state that is organized, or rather, politically organized, and this marks it off

from the amorphous society. Organization therefore is the basis of this distinction, and, consequently, when a monist thinks of organization and control, he thinks of the political state alone.

The pluralist, on the other hand, does not think that society is unorganized as the monist does. On the contrary, society is a highly organized community in which every important human interest and function is united into bodies that manifest active intent and spontaneous activities like the political state. The latter, in fact, as has been repeatedly said above, is merely one of these interests. Society therefore is not distinguished from the political state by the fact that it is not organized, but by that it is actually more extended in scope than the state; for it includes the state and all the other functions. It is extension or scope, then, that forms the basis of the pluralistic distinction. Naturally, it follows that since organization is not characteristic of the state, control of society should not be exclusively given to it but to all the organized bodies of that society. The social democracy of the Webbs and the social legislature of Mr. Laski are designed to divide the power of social control between the state and other legitimate organizations.

It is undoubtedly the idea of a larger society, embracing all social functions, that leads Mr. Laski and others to recognize the need of some real relation between the independent functional parts, and to try to construct plans which will successfully bring all these fragments into a harmonious whole. But why is this necessary? Why not let each function live its own separate existence and simplify our problem of social organization? The answer is, of course, that the functions are not in fact separable because they inter-penetrate owing to the fact that all individuals belonging to one function have interests that lie beyond the boundary of that group, and that a single individual may have several allegiances at the same time. These inter-penetrating functions constitute a larger unit of organization which we may conveniently call society. It is in this society that the political economic and other functions or associations are parallel and coordinate. Otherwise, it would be a much simpler proposition to make the organized functions separate nations than to make them coordinate as a unity of some sort.

Hence the conceptions of Mr. Laski, Mr. Cole and the Webbs may be more truly termed social than political pluralism, and the new form of organization which they imagine is a pluralistic society with

separate governing organs for each of its non-political parts as well as for its political rather than a pluralistic state in which powers are divided within the political organ itself. The whole thesis of their thought, it is clear, is to minimize the importance of the political function in society and to emphasize the importance of other functions, especially the economic functions of production and consumption in order to secure a balance of power of these by thus counteracting the traditional views. But when the other functions are taken out of the control of the political, the state itself becomes a very homogeneous and unified function. Persons, as citizens, would have wills that are more or less homogeneous in representation in the political democracy of the Webbs, and a "general will" in political affairs may perhaps be ascertained. The incapacities of the existing monistic state pointed out by these pluralists are therefore removed, and there is nothing to prevent this new, though smaller, state from being monistic. And in fact the Webbs seem to admit this. They say that in order to minimize deadlocks in joint conferences, it is necessary to let each of the democracies to deal with matters within its own realm as completely as possible, and that each function within itself is supreme. Even the sub-functional division within the chief functions

suggested by Mr. Laski would not answer this question. For the essential characteristic of the pluralistic state is the absence of a central authority, but in his legislatives, all the sub-functions are centrally represented, and the power of negotiation with other main functions is given only to these legislatives. Logically, pluralism cannot go beyond the division of the main functions. For otherwise the division would not stop until we reach the individual person and make direct consent of the individual the only basis of government.

If we now turn to more specific questions connected with the pluralistic conception, we see that pluralism, as propounded by these men, undoubtedly has its merits. First the substitution of flexible adjustment for a system of fixed authority as the means of social control conforms more to the needs and conditions of modern complex and ever changing social life. The "pluralistic theory" is calculated to be "consistently experimentalist"[25] in form and content because it is only in this way that new needs and new situations can be more adequately met. Mr. Laski always sees, it is

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25. Laski, Foundations of Sovereignty, p. 23.

apparent, the need of a unity in society. He speaks of the "social end" and the impossibility of any one function realizing it. But social unity can be achieved, Mr. Laski would agree, although he may object to the use of the word unity, not by the exercise of political authority alone, which is only one function within the society along many others, but by the constant coordination of all the more important functions with a view to realizing the social purpose, and this is necessary to make authority workable. But coincidence of the functional purpose with the social purpose does not justify the supremacy of a single function. For the domination of one function, for example, the state, is not a safe policy, and is, therefore, not a correct means of control. A system must be judged not merely by the end it serves, but also by the way it serves these ends.[26]

The underlying motives of these writers are very obvious. They have envisaged the whole matter almost entirely from an economic-industrial standpoint, and the result is a scheme in which the rights of economic associations are carefully guarded. In the

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26. Laski, Foundations of Sovereignty, p. 248.

scheme of the Webbs, a balance of power is aimed at between the political and economic functions, but in that of Mr. Laski, where the function of consumption is identified with the political, the balance is not so much between the political and economic as between the economic functions of consumption and production. Mr. Laski, however, has another prominent motive besides the economic. He has stressed very frequently[27] the ethical significance of the political system, and this inclination explains some of the points in his acceptance of pluralism. In his arguments he very often returns to the individual, with his rights of freedom and political responsibility, for justification, and the rights of the groups, in the last analysis, become a medium to secure individual rights. In this respect, pluralism may be said to be a reaction of a new individualism against the socialism of the modern state.

Guild socialism, as outlined above, is the most clear and consistent expression of pluralism. Its chief exponents on the practical side are the Webbs and Mr. Cole, and Mr. Laski, on the other hand, supplies a theoretical basis and grounds for the system, although

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27. Especially in Foundations of Sovereignty, pp. 232-249.

we must remember that the first and the last mentioned names cannot be altogether associated with guild socialism. The guild socialists, being economic reformers, attack the state only with the purpose of securing an equal balance of powers between the political and economic functions, and their position is one that is approximately midway between state socialism and syndicalism, about which we shall add a few words in conclusion.

Syndicalism,[28] aiming at the perfect autonomy of the professional and economic groups, has gone a step further than guild socialism and the Marxian state socialism. The syndicalists start with the same end in view, the suppression of capitalist domination and the emancipation of labor by the creation of a new society. But in the method of achieving this and in their conception of the nature of the new society they differ widely. The party socialist believes that the task can best be performed by the acquisition of political power by the labor class, and he would transform the political state from one of capital rule to labor rule. The guild

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28. Buell, Contemporary French Politics, pp. 236-269; Cole, The World of Labor, Chs. 3 and 4; Russel, Proposed Roads to Freedom, Ch. 3 and passim; Sorel, Reflection on Violence, trans. by Hulme, 1914; Les Illusion du Progres, 19 ; Levine, Syndicalism in France, 1914.

socialist, whose views we have outlined above, seeks the balance of political power between all the economic functions, production as well as consumption, instead of the substitution of the domination of one economic class for that of another. Syndicalism differs from both of these in method and purpose. The emancipation of labor is not to be effected by the redistribution of political power but by destroying it. He recognizes only one important economic function, namely, production, and in consequence, he goes to war with the political state which to him is the same evil clothed in a different garment. He has no place for the political function in his new society.

It is the passionate aversion of the syndicalist to any form of political control that makes him the most extreme pluralist. He has a scheme of organization in which all public and industrial affairs are placed under the control of labor bodies and unions, and these unions are all self-governing and autonomous. Cooperation between them will insure a working order in society, and any suggestion of central and superior authority above them is sure to arouse the suspicion of the syndicalist. To him, disorder is a much smaller evil than despotism: for "a certain amount

of disorder is good for liberty."[29]

In the syndicalist picture of society, therefore, we see a great host of associations of the productive function, every one self-governing and every one equal in status to all others. Each one has its own internal life, a separate system of regulations and laws, and a claim upon the allegiance of all those belonging to it. But it is perhaps not entirely correct to call the syndicalist society a pluralistic state, nor even a pluralistic society. For in completely abolishing the state, the syndicalist has abolished one function in society, the political function, the utility of which the guild socialist, who is the most genuine pluralist, does not deny. Furthermore, the chief objection of the guild socialist against the present state is its domination in society, which amounts to the dominion of the political function over the economic, or, if we accept the formula of Mr. Laski, the dominion of the function of consumption over that of production. What the syndicalist has done is precisely to reverse this situation and make production the dominating and controlling function. It seems fair that we should recognize Mr.

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29. Maxime Leroy, quoted by Buell, Contemporary French Politics, p. 236.

Laski's views as the most representative of pluralism, since he is the first to adopt that terminology, and guild socialism as the best expression of it, since its ideas come very near to those of Mr. Laski. Syndicalism is pluralism that has gone to the logical limit in its conclusions. The syndicalist obviously starts where the guild socialist starts, from a discontent with the existing condition in which politics overshadows economic interests, and a desire to elevate the position of the economic groups. But when he has pushed his reasoning so far as to extinguish one function in order to make room for another, his logic loses its consistency, The syndicalist is an extreme pluralist, in the sense that he defies authoritative central political control; but he is so extreme that he can no longer remain a true pluralist.

CHAPTER IV

THE ADMINISTRATIVE APPROACH

In the previous chapter, the economic and social approach to pluralism has been outlined and examined in the discussion of the views of Laski, Webb, and Cole. It has also been pointed out that in that approach we find the main trend and the most direct and full statement of this new political conception. It is clear that these writers question monism by giving a thorough examination of the meaning of the state, and propose a reconstruction of the whole organization of society. There is, however, another trend of thought which does not concern itself so much with the general purpose and nature of the state, as with its mechanical side, its organs of function, in other words, with the question of state administration.

Until recently the tendency towards centralization of administration has been general in government during many decades. This was partly a result of the need for unified action by the nation in times of danger and crisis, partly a result of the greater efficiency in concentrating executive power at one point, and partly

the result of consistent application of the doctrine of a unitary state in the realm of actual political management. Up to a certain point this centralizing tendency doubtless justifies itself. But, with the marvelously rapid development of economic and industrial enterprises and the increase of international intercourse and relations, the affairs of a civilized state have multiplied by leaps and bounds in volume and heterogeneity. It becomes a question whether or not the same centralized system of administration which worked well in the past is working as well in the present, or will work so well in the future. It has been urged by various writers, such as Mr. Laski,[1] Mr. Figgis[2] and Mr. W. F. Willoughby,[3] that under modern conditions thoroughgoing centralization becomes impossible. There seems to be a law of "diminished return" in administration just as in economics: Centralization works well until a certain threshold is reached where further centralization means increase of inefficiency. Opinions from

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1. Foundations of Sovereignty, pp. 30-102; 240-245.
2. Churches in the Modern State, Ch. II.
3. "The National Government as a Holding Corporation", Pol. Sc. Qrtly., 1917, pp. 505-521.

almost all quarters point to the condemnation of centralization in the modern state and perhaps none has uttered a more emphatic verdict than M. Lamennais,[4] "With centralization, you have apoplexy at the center and paralysis in the extremities."

Perhaps the strongest reaction against centralization is represented by the French administrative syndicalist[5] whose views are not to be confused with those of the socialist syndicalist discussed in Chapter III above. The programme of the latter is economic while that of the former is administrative. The reaction against centralization is strongest in France because there the tendency in that direction has gone farthest, all administrative power being centered at the head of the various departments and leaving the subordinates completely at the mercy of the head. We need not go into the numerous evils of over-centralization which the French syndicalist points out.[6] Enough to note that French administrative syndicalism as a reformatory

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4. Quoted by Buell - Contemporary French Politics, p.383

5. Buell, Contemporary French Politics, pp. 340-372; Leroy, Pour Gouverner, (1918); Lysis, Vers la Democratie Nouvelle (1917); Paul-Boncour, Les Syndicats de Functionaire (1906).

6. Laski, Authority in the Modern State, pp. 321-387.

movement advocates decentralization as the only remedy for these evils. The programme of the administrative syndicalist has two sides. The first is the demand for autonomy and self-government in the public services and the second, the application of codes of conduct recognized in the economic and industrial realm to the realm of civil service.

In connection with the first aspect, which is more concerned with the efficiency of administration, the administrative syndicalist insists upon the need of placing in the hands of governmental agents responsibility, freedom of action, and initiative in matters entrusted to them. He argues that it is only by giving them very general administrative powers that efficiency in business can be guaranteed. Each agent or administrative body, he argues, should be an autonomous organ, with powers and authority of its own, although such powers are legally given to it by the central government to whom it is responsible for the successful outcome of the task entrusted to it. It should be free to decide its own modes of execution, and within its own field, its powers should be supreme and it should be free from interference by a superior authority. The whole system of administration will therefore be divided into a group of more or less independent parts.

But it is the second aspect of the theory of the French administrative syndicalism dealing with the rights of public servants, that comes nearer to pluralism - the application to public servants of rules in force for employees of private industries. The administrative syndicalist argues that owing to the growth of economic and industrial interests of the government, the state itself has become an industrial instrument, a view born out by the various economic affairs that the modern state undertakes to perform, especially in France. Therefore it is natural that the state should subject itself to the code of conduct which has been accepted in the economic realm. Persons who are working for the government are accordingly not on a different footing from ordinary industrial employees, and should not be treated differently from them. Like industrial employees, the government agents and civil servants are to have the right to form professional associations, to "unionize", to have self-government in technical and internal affairs of their organizations and in matters entrusted to their care, and to be free in the promotion of their welfare and the improvement of the conditions of service. The government, on the other hand, should deal with its agents not by the exercise of an unlimited authority, but should recognize a certain legal status

to which both the government and its agents are equally subjected. The French administrative syndicalist has therefore rejected the authoritarianism of the state and aims at subjecting the government to law in order to safeguard the rights of certain professional groups, in this case, groups of civil servants. Their demands have the same spirit as those of the economic socialists whose views we have represented in the third chapter. The only difference is that in the case of French administrative syndicalism the opposition to the state comes within the machinery of the state itself, whereas in the other case the protests start as a rule from outside the state.

In America, the need of decentralization has been recently stressed by Mr. F. W. Willoughby in his article "The National Government as a Holding Corporation".[7] He views the process of administration as a delegation of powers from a central source to the various agents, but he distinguishes two types of this delegation.

In the first place, there is the simpler and older type of delegation in which a central authority creates its agents and delegates minor powers to them to do certain definite things. The things that they

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7. American Political Science Quarterly, 1917, pp. 505-521.

can do are clearly defined beforehand and their powers are definitely circumscribed. In this plan, the agents are no more than special tools or instruments used by the government for specific ends, and no intelligent will or self-activity is presupposed in them.

In the second type of delegation, however, the agent is not appointed merely with a mandate to do specific acts, but is given very loose and general powers to take charge of a certain problem, the details of which are not beforehand defined. The ways and means to solve the problem are left entirely to the discretion of the agent who is not interfered with by the delegating authority in the execution of the task. No subordinate, however, is to be held responsible for results through a machinery of audits and the like.

It is this second kind of delegation that Mr. Willoughby is advocating as the basis of his proposal to regard the government as a sort of holding corporation, and it is essentially similar to the claim of the French administrative syndicalist, that government agents should be placed in the control and not at the command of the government.

But we should remember that this second type of delegation conceived by Mr. Willoughby, and the autonomy of government agents demanded by the French

administrative syndicalist, while they are modifications of the traditional monistic idea of centralization, do not necessarily imply pluralism. For no matter how autonomous the agents are, or how loose the delegation is, there is still the central authority which delegates powers and controls all the agents. The monist would not admit that such a theory of administration as Mr. Willoughby's is a violation of monism; but the least that can be said is that it involves a profound change of emphasis from that formerly found in monistic theories.

Decentralization of administration is sometimes advocated in the form of a division of administrative power on territorial lines, instead of on the basis of services, as advocated by the administrative syndicalists. This group of administrative reformers that have adopted the localization of political and economic control of public affairs in small units is known in France by the name of the Regionalists supported by P. Deschanel,[8] J. Jennessy,[9] A. Ribbot,[10] and others, and in England, the Distributists, headed by Hilaire Belloc.[11]

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8. Buell, Contemporary French Politics, pp. 394 ff.

9. Regions de France, (1916); Reorganization Administrative de la France, (1919).

10. Buell, op. cit., p. 395.

11. The Servile State (1913).

The proposals of the regionalist are made with a view to preserving popular self-government against the encroachment of a remote, unrepresentative, overwhelming central authority, as they themselves declare. This is to be done, not by restricting the function of government generally, as the syndicalists and others attempt to do, but by narrowing down the territorial areas of governmental action in administration. Their plan is two-fold:[12] the re-definition of existing areas so as to make them real units in respect to the social feelings of the inhabitant and in respect to economic life, and the devolution of many existing governmental functions to these reconstructed local regions.

Distributism, the territorial decentralization movement in England, as summed up by Mr. Coker, embodies two ideas of reform: individual ownership of property as the only guarantee of social freedom, and voluntary cooperation and self-government in small communities of individual property owners as the only means to prevent a narrow concentration of economic and political power. Mr. Belloc's interests are predominantly economic, and his motive is really economic redistribution rather than purely political reform in the realm of administration

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12. Coker, "Technique of the Pluralistic State," Am. Pol. Sc. Rev., Vol. 15, pp. 197-8.

such as the French administrative syndicalists endeavor to effect. Administration in the eyes of the distributist is but a means to an end, while according to the syndicalist it is an end in itself.

Again, however, we must bear in mind that territorial decentralization, still less than decentralization by services, implies a modification of the state conception in terms of pluralism. Territorial devolution of centralized power has been reconciled with the monistic theory in all existing federal government. Furthermore, both the regionalists and the distributists are too busily engaged in practical questions of economics and administration to follow their proposals to a point where a new conception of the state becomes necessary. The bearing of these two movements upon pluralism is therefore not so much in the way of theoretical contribution to political organization as in a spirit of rebellion against the authority of the state in general in favor of the rights of freedom and self-activity of the parts within it.

CHAPTER V

PHILOSOPHICAL AND ETHICAL IMPLICATIONS OF POLITICAL PLURALISM

While political pluralism is not a philosophical doctrine, and its development not to any considerable extent due to direct influences of past and contemporary philosophical thought, there are certain parallels between the pluralistic temperament and the tendencies of a certain type of philosophy that need to be brought out in order to have a fuller and deeper understanding of this new political conception.

In the study of political pluralism the thing which strikes us most is its "consistently experimentalist"[1] and thoroughly empirical spirit. Pluralism, as has been noted before, places its whole confidence in the flow of concrete experience in actual political life. It insists that nothing can be constructed a priori in the political and social realm, and hence, writes Mr. Laski,[2] "It does not try to work out with tedious elaboration the respective spheres of State or group or individual. It

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1. Laski, Problem of Sovereignty, p. 23.

2. Ibid.

leaves that to the test of the event. It predicates no certainty because history, I think fortunately, does not repeat itself."

As an empiricist, the pluralist would necessarily be an enemy to rationalism, which is closely allied to political monism. For what the monist emphasizes is the unity and theoretical completeness of the political system; to him, political reality is "rational", that is, self-consistent from beginning to end. In substance, this amounts to an insistence upon the formal unity of the juristic system and an emphasis of formal legal validity.

This relation of political pluralism to empiricism explains also the emphasis which it places upon the question of the one and the many. The rationalist attitude, to use the phrases of William James,[3] arises from "the habit of explaining parts by wholes" and on the other hand, empiricism means "the habit of explaining wholes by parts."[4] What this really means is that the empiricist, centering his whole attention on experience as such, sees reality as an aggregation or succession of separate individual events, and when he comes to the

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3. A Pluralistic Universe, .

4. Ibid. p. 7.

question of the individual human self, the ego is an aggregation or succession of separate sensations or feelings. The political pluralist would be content to make his case a concrete application of the empiricist metaphysics and psychology. The plufalist glorifies experience and asserts the reality and importance of the parts against the absorption of the political whole.

Although political pluralism does not owe, as was said above, any phase of its development directly to philosophical empiricism there is one pluralist who has expressly acknowledged the importance of a radical sort of this empiricism. Mr. Laski writes that James' book, A Pluralistic Universe, "has vital significance for political theory,"[5] and quotes from it to strengthen the force of his argument for the reality of the group. There is indeed a parallel between James' metaphysical thought and Mr. Laski's political ideas, a parallel which Mr. Laski would readily acknowledge. The group is real for Mr. Laski as the "each-form" is for James: to the former the state is but one of the many forms of human organization, and therefore it is in no way all-inclusive of the groups; to the latter the absolute is "only one of the eaches"[6] and "things are 'with' one another

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5. Foundations of Sovereignty, p. 169.

6. A Pluralistic Universe, p. 344.

in many ways, but nothing includes everything."[7] Political and philosophical pluralism can thus be expressed in the same formula.[8]

But it needs to be added that neither political nor philosophical pluralism denies some form of unity. However autonomous and self-governing the groups are, they are supposed to be capable of mutual adjustment and agreement. However divergent and even antagonistic the different interests are, they become socially unintelligible and unrealizable if each is taken by itself in isolation. For in the last analysis all the functions cannot escape the fact of being in a larger complex of functions which may be conveniently called a society. The important thing is not to let one interest occupy all the attention, or one organization represent all the interests of society. Political pluralism stops with an emphasis on the non-identity of the political state with

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7. A Pluralistic Universe, p. 321.

8. Philosophical pluralism does not belong exclusively to empiricism, still less to that of James. An absolute idealist like G. H. Howison gives, in his books, The Limits of Evolution (1901) and The Conception of God, (1897), a thoroughly pluralistic interpretation of the Absolute as a community rather than as a single self. This Absolute, as a larger Self constituting the living bond of the union of finite selves, rules not by the exercise of authority but by reason. There is, however, no relation between Howison's philosophy and political pluralism as there is between James' radical empiricism and pluralism.

the totality of all social interests and organization just as philosophical pluralism insists upon the non-identity of God with the totality of existence.

There is another factor in political pluralism which needs to be made explicit - the idea of evolution and change. The pluralist,[9] starting from an empirical premise, envisages the political world as always in a state of flux in which no single predetermined principle of conduct can be formulated. If there is any single safe rule of conduct at all for him, it is the rule of constant observation of facts and constant experimentation in order to find out workable means of control. He does not claim to make a rule that will be applicable at all times because this presupposes a knowledge of all that will happen in the concrete political world in all the time that is yet to come. But this is to him absurd. For the world is an incessant stream of change and development. The insistence of the pluralist upon negotiation or other flexible devices as the best means of control, instead of the monistic idea of pre-established

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9. Similarly the philosophical pluralist, like James. He writes of monistic rationalism: "Movements and changes are absorbed into its immobility as forms of mere appearance. A vision of what already is excludes one of what goes on." Hence the relations between the each-forms are to be external and loose.

authority, is really then based upon a different conception of the nature of society.

It is necessary to add that the real connections between political and philosophical pluralism are not to be seriously sought for in the details of their arguments but in the fact that they are two concurrent, though distinct, trends of thought in two different fields of human life stimulated into expression under the same set of conditions characterizing modern society. The political and the philosophical pluralist have the same kind of temperament. And it is no wonder that they view their own respective realms of reality in the same way - the universe of each is a "multiverse."

But there is one more important point left to be made. Pluralism,[10] in whatever form it may express itself, has always an individualistic bias in its background - an individualistic respect for personality - a love of freedom and an aversion to external authority or coercion. In other words, every form of pluralism

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10. The pragmatic pluralism of James and idealistic pluralism of Howison are no exceptions. See Royce, William James and Other Essays, pp. 16-26, and Rogers, English and American Philosophy since 1800, (1922), p. 303. Regarding political pluralism, Mr. Laski says it "is in fact an individualistic theory of the state - no pluralistic attitude can avoid that." Problems of Sovereignty, p. 24.

has an underlying ethical motive as its propelling force, and this ethical motive is especially evident in political pluralism. It is the task of the rest of this chapter to make this clear.

"The problem of today," declares Mr. Laski, "as the problem at the time of the French Revolution, is the restoration of man to his place at the center of social life." This declaration, when properly understood, gives the keynote to the whole range of pluralistic arguments which many pluralists fail to utter distinctly enough to be easily recognized. The pluralist wishes to elevate the position of the group, to give it freedom and personality against the external authority of the state. But why is this necessary or desirable? Not because of the intrinsic importance of the group as such. It is rather the individual persons who form the group that are after all the final aim of social organization. But he who thinks that individuals are free in the sense that they are isolated and that they are equal to one another as abstract human beings is certainly wrong. For with the modern complex civilization, it has been found out that individuals unorganized are too often the victims of oppression, and that equality becomes meaningless when it is not supported by organizations based upon an

identity of concrete interests. The elevation of the group is at the bottom an elevation of the individual; for it is only by the division of powers within society between the functional groups through which the individual expresses himself that the oppression of the unitary authoritarian state may be avoided and individual freedom safeguarded. And freedom "alone enables the individuality of man to become manifest."[11]

From this individualistic ethical premise, the pluralist comes to several conclusions that deserve our attention. First, since individual personality and freedom are ultimate values, the powers of the state are to be limited in order to make the individual safe. This limitation works out in a two-fold way: on the one hand, it is denied that law can be conceived merely as the command of the sovereign; the state is placed under moral laws and its aim and conduct are to be judged by their moral content. On the other hand, limitation of state power is to be effected by the division of the power of control among the different groups upon the basis of function. This we have sufficiently treated in the third chapter and need not repeat here. The

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1. Laski, Authority in the Modern State, p. 90.

first type of limitation, the pluralist's emphasis upon morality as against authority calls for a few more words of explanation.

The pluralist usually takes over the ethical idea of the responsibility of the individual will and applies it to the group as a real personality. Monism is "ethically inadequate" because it is a doctrine of the rule of an overwhelming central authority over all the groups and consequently a suppression of their spontaneous expression of moral wills and conduct. But without making any formal transition of argument, he shifts to the ground that the pluralistic programme is really planned with the aim of cultivating the sense of individual responsibility in social affairs.[12] The real basis of law lies, he believes, somewhere in the mind of the individual as a moral being and the moral criteria of state action are determined some way by the moral wills of its citizens.[13] Government is, or should be, at bottom, a government by direct consent. Each action of the state is to be referred back to the judgment of the individual conscience and the "totality of such conscience" is the supreme arbiter of the event.[14] Thus,

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12. Laski, Foundations of Sovereignty, p. 241.
13. Authority in the Modern State, p. 30.
14. Ibid, p. 65.

the ruling force in the community is not sovereign or external authority, but the collective moral will of the members of that community.

The duty of citizenship in such a morally significant state is to examine constantly the conduct of the state to see whether it has always kept the right end in view and is always using the right means in its achievement. But this duty cannot be performed without giving the citizen certain favorable conditions which we may call "natural rights"[15] of citizenship and which are to be carefully guarded against the encroachment of the authority of the state. Among such rights, Mr. Laski mentions freedom of speech, a living wage, an adequate education, a proper amount of leisure, and the power to combine for social efforts. To him, these rights are natural because "they do not depend upon the state for their validity", and are "inherent in the eminent worth of human personality."

Here indeed we may raise a legitimate question as to what extent the pluralists accept the theory of natural rights. According to Mr. Laski[16] the problem of today is the same as that at the time of the French Revolution, the emancipation of the individual; this

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15. Laski, Foundations of Sovereignty, p. 246.
16. Supra, p. 74

sounds like a revival of the revolutionary spirit. And it is perhaps not too extreme to say that men like Mr. Laski are really championing a moral revolution against the existing state. Discontented with the prevailing state conception and conduct and passionately cherishing the moral freedom of the individual, some of the pluralists go back to the principle of natural rights for the final ground of their pluralistic argument. Mr. Laski's enumeration of certain natural rights for the citizen cited above does not differ in spirit from the enumeration contained in the Declaration. "Rights such as these are necessary to freedom because without them man is lost in a world beyond the reach of his understanding. We have put them outside of the state to traverse; and this again must mean a limit upon its sovereignty."[17] Such a statement puts him wholly into the position of the revolutionist who held that the limitation of government power was the only guarantee of individual rights.

But there are certain pluralistic writers who accept the natural rights principle in a very different manner. In the case of Mr. Figgis the issue is not a defence of individual rights, but an assertion of the

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17. Foundations of Sovereignty, p. 246. Cf. also Cole, Social Theory, pp. 180-192.

inherent rights of groups, especially the churches.[18] He earnestly insists upon,[19] while Mr. Laski only admits, the fact that individual personality can develop only in social institutions, and there can never be any isolated individuals in the real world. But instead of going further to argue that the rights of the groups are desirable for the sake of the securing of the rights of the individual, Mr. Figgis - perhaps it is only a matter of difference in emphasis - proceeds to show that in the first place the churches as well as all other corporations have certain rights of existence, growth, and freedom in action inherent in their existence as groups,[20] and moreover, that the existence is a necessary social fact which no state however powerful can safely deny. In the hands of Mr. Figgis, therefore, the natural right principle assumes a somewhat new form: the moral unit of rights has been enlarged from the individual to the group. The notion of limitation of the powers of government, however, is as prominent in

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18. Churches in the Modern State, Ch. II.

19. Ibid, p. 88.

20. Ibid, pp. 86, 93, 91, 13, 17, 32, 52, 100-101.

his arguments as in the writings of Mr. Laski.

Considered in this light, pluralism seems to lose to some extent its strangeness and radicalism. It becomes, in its ethical aspect, a reassertion of the doctrine of the importance of the respect for individual personality and freedom either of the moral person in isolation, or in association. This indeed is a very familiar ethical doctrine. The novelty of pluralism lies, it is obvious, not in its "first principles" or underlying motive, but in the applications of these principles it makes to the realm of the political state and social life in general.

CHAPTER VI

SUMMARY AND CONCLUSION

In the previous chapters attempts have been made to define the meanings of the pluralistic conception of the state as a distinct idea from the more commonly accepted monistic conception and as a remedy calculated to cure the evils of monism to which the newer school of political thought has earnestly called our attention. We have seen, in the legal approach to pluralism, how certain juristic writers, by discarding the narrowly and formally juristic view of the political process, have elevated the position and importance of groups and corporations in the community and reduced the claim of the state in the representation and control of social interests to equality with all the groups. They however, have done nothing more than give pluralism a start, for they have neither directly attacked the juristic theory of sovereignty which is the real basis of monism nor consciously visualized any new doctrine of the state. It is in social and economic writers that we have found the pluralistic conception most fully developed. By emphasizing the diversity and complexity of organized interests and their importance in modern

society, they have successfully shown why the political state alone is not adequate to take care of all the affairs of the community. They base their arguments on both utilitarian and ethical grounds, that the control of society by a single political authority is harmful and unjust. Pluralism in their hands frequently appears to be a defence of natural rights of the groups, and when they push their logic a little further, certain of them come back frankly to the old doctrine of individual natural rights. The powers of the state must be limited because it is the only way to safeguard individual personality and freedom. But they have gone farther than a mere theory of limitation of governmental powers. They have made plans in which the whole society is divided up into many self-governing parts on the basis of social functions or interests rather than territorial divisions. The state in every case is made to represent only one such function, and it becomes only a part of the social whole. While there is still unity in these pluralistic arrangements the means of securing it is no longer authority but coordination.

In the fourth chapter attention has been called to the revolt of the French administrative syndicalists against centralization and to other similar movements of

decentralization, including the recent tendencies in administration in the United States as pointed out and suggested by Mr. W. F. Willoughby. Centralization of administration is a normal tendency of monism, and decentralization, while it is not necessarily synonymous with pluralism, is included in the programme of every thorough-going pluralist. In the fifth chapter pluralism has been examined in its ethical aspect, and certain relations have been pointed out between political pluralism and pluralism in philosophy. The meaning of pluralism has thus been made sufficiently clear and explicit, and the ground is prepared for a final scrutiny and criticism of this new conception of the state. In this chapter, as a conclusion to the whole study, a general evaluation of pluralism will be attempted.

The first thing that strikes us in our study of pluralism is its predominantly negative tone. Pluralistic literature is eminently controversial in nature for the very term pluralism suggests opposition to monism. The latter maintains a thesis, namely, that the state is, and ought to be, characterized by a single indivisible sovereignty; the former presents an antithesis, that such a sovereignty is impossible in the modern world and it ought not to be allowed to exist even if it were possible. When we go into the matter of plural-

ism a little deeper, however, we find that pluralism aims to be more than a purely academic criticism and negation of monism. It is in reality a reaction in contemporary political thought incited by the great changes in modern society which have occurred in the past few decades and which have been referred to in a previous chapter (Ch. III). Pluralism is indeed not a passionless doctrine. It gains its force from a discontent with the existing organization for political control and a moral revolt against factors that tend to repress individualism and freedom (See Ch. V). Hence all the discernible shortcomings and evils of the monistic system are eagerly brought out and forcibly put forth in order that the old regime may give place to a new order of things. The pluralists are therefore revolutionists in spirit, although most of them are but radical reformers in their practical propositions.

That the antagonistic attitude of pluralism towards monism is unfortunate will become obvious when we see, upon closer scrutiny of both these conceptions, that they are really two points of view or two different aspects of the social and political process.[1] Not only is there no necessary antagonism between them,

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1. Sabine, "Pluralism; A Point of View", Am. Pol. Sc. Rev. Vol. 17, 1923, p. 49.

but a comprehensive and consistent theory of human organization must realize the merits of both.

The terms monism and pluralism, as has been suggested before (Ch. I), suggest the old problem of the one and the many around which centuries of controversy have raged. While the controversies have by no means completely ended, it is correct to say that most of the profounder thinkers have come to the conclusion that the one and the many are but aspects of one existence and not two separate entities. An absolute idealist like Josiah Royce[2] while maintaining the validity of the Totality of Knowledge and Experience or God, does not deny the reality of the Individual and to him the World is unreal without the Individual real. On the other hand, a radical empiricist and pluralist like James recognizes the existence of a universe, though he is careful not to let the postulate of a universe preclude the existence of a multiverse. The difference in this connection between Royce and James, or between the philosophical monist and pluralist, is really a difference in emphasis rather than one of opposite attitude. In the opinion of the writer, ultimate monism and ultimate pluralism are both impossible: for the one and the many

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2. The World and the Individual.

are relative terms, one cannot speak of the one without logically implying the other.

This is exactly the case with the political pluralist and monist. The monist insists upon the necessity of a unified source of authority and a single self-consistent system of law in the state. He insists upon this because he thinks that it is only by providing such a scheme that efficiency and certainty in administration can be insured. Within limits, this insistence is certainly correct. For within any entity, whether a person, a group, or a state, at a given time, there must be a unity of purpose and coordination of functioning organs, otherwise action is impossible and business can not be transacted. The monist therefore rightly emphasizes unity in the definition of the state and definiteness of legal competence on the part of its organs. The fiction theory of the corporation is after all only a theory recommended by its juristic convenience and it never was intended to settle the question of the metaphysical reality of groups. For, as a matter of fact, the monist has always implicitly recognized the reality of them. They were sufficiently real to the Romancists to secure their recognition as "persons" which were fictitious only in the light of legal theory.

They were to Hobbes worms within the entrails of the state. But objectionable as worms were, they were real, and so real that Hobbes took the trouble of condemning them. Unity is merely a practical postulate for juristic convenience: for the monist the one is preferred, but the many not in any explicit way denied.

But the monistic mistake becomes obvious when unity is applied to an organization in which allegiance is divided, or to realms beyond the formally juristic and political. In times when industrial and economic interests were unknown or subordinated to the political, when the individual owed no other allegiance than to the state, when the will of the majority or the general will of the people was dominantly a political will certainly monism could, and did, work with admirable success. But with the advent of modern society, in which interests are so widely diversified and so compactly organized into various groups, as the pluralists point out, there comes a split of individual allegiance and a general will that is exclusively political is no longer ascertainable. The state, instead of keeping its claim of authority within the strictly political field, has endeavored to embrace the whole range of social organizations. Here the monist, retaining his old way of thinking, views the whole complex of interests as one

single system and logically to it he applies his principle of unified control. But with many contending and contradictory parts struggling incessantly in society, the political state day by day proves its incapability to keep up with the amount and complexity of work that it undertakes to perform. The pluralist, therefore, points out that the monistic principle will never work in this state of affairs. For each and all of these interests when organized into permanent groups are separate entities in themselves, and each requires a separate system of control. A monist may perhaps still retain his principle in his own field, namely, the political and legal realm as represented by the state; but he will have to leave all the rest alone.

The pluralist is of course right here, although he has still to work out a detailed and consistent plan of the new social structure. However, we must not suppose that the pluralist goes so far as to deny the necessity of unity. The need for negotiation and co-ordination is insisted upon by Mr. Laski and the Webbs and they admit that the groups are not independent entities which permit of no common correlation. They differ from the monist only in this, that they view the modern society as an aggregation of many separate entities of organized interests including the political

state, while on the other hand, the monist, without denying the existence of groups, views society as one entity and hence a legitimate place to apply the unitary doctrine. Both have the same material to work with: society and the group. The one takes society his unit of thought, the other the group.[3] And consequently the seemingly irreconcilable controversies. But it is clear the difference between these two conceptions is only a difference in point of view, a difference in emphasis, not a difference that is opposite and entirely incompatible in fundamentals.

That these two ideas are merely different viewpoints can be proved in still another way. As has just been said, in any political system that is calculated to be stable enough to function efficiently there must be an established working harmony. Orderly administration implies that certain juristic standards have already been achieved, and that workable limits of jurisdiction have been fixed - in short, that political and legal relations have been generalized and simplified through actual experiment and trial.[4] But immediately it becomes obvious that before this can be accomplished,

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3. See Ch. V., supra.

4. Sabine, "Pluralism: A Point of View", Am. Pol. Sc. Rev., Vol. 17, 1923, p. 49.

there must be a stage of tentative experimenting, of flexible and loose relations, of adjusting and re-adjusting until a practicable order can be achieved. Thus viewed, therefore the juristic process consists of two distinct though inseparable stages: first, the experimental, hence comparatively changeable, and second, the completed, hence, fixed and unified. The monist, being a lover of logical completeness and ideal perfection stresses the latter stage of the political process and thinks of it always as something that is already accomplished and has attained relative perfection. Without going into the trouble of being entirely consistent with actual facts he takes unity and stability for granted and constructs a political conception that is beyond impeachment if we can see with him what he really has in mind. His mistake, however, cannot be overlooked. In his emphasis on one phase of the process, he has failed to take account of the other. And that is the reason why the monist cannot always make good all his claim of unity and order.

The pluralist, on the other hand, being empirical in temperament, grasps the second stage with great clearness and understanding. He rightly points out that a political system cannot be a purely logical construc-

tion because this presupposes a completed and perfect knowledge of all that is going to happen in the political world. But in such a changing world as the modern society, we can know nothing that is yet to come. Everything is in a flux; the groups which are very recent creations are still foreign elements in the social system; their relations with each other and with the state are yet to be defined; their exact functions in society, the limits of their power, and the means of controlling them are all problems to be solved. Never before has society been confronted with a set of problems as complex and baffling as this, and the solution of them cannot be found in past precedents. It is only by careful trial and experiment that any satisfactory system for this new order can be worked out. It is in this light that we see the true meaning of the insistence upon the procedure of negotiation by Mr. Laski and the scheme of separate democracies by coordination proposed by the Webbs.

If monism represents the established and pluralism the tentative stage of one and the same process, then they cannot be opposite doctrines. As a matter of fact, they supplement each other. Monism and pluralism always go, or ought to go, hand in hand. Legal

norms are constantly being achieved, and are being constantly replaced and modified with the change of circumstances. In a society where there is sufficient order and unity there is always the monistic ideal of perfection, and when such a society is progressive enough, it will always manifest pluralistic behavior. Whether monistic or pluralistic it is always one and the same reality. We can perhaps reconcile the antagonism between the monist and the pluralist if we agree that at any given time in a community, there will always be tendencies toward monism, but such tendencies never arrive at a point of perfection as the monist imagines. For there is no finality in political reality. A working harmony and legitimate authority in society are desirable and above all necessary, as the monist sees. But he should also see that the best means to insure working harmony is incessant experiment, and the best means to achieve legitimate authority is by "negotiation", or spontaneous agreement. There is no occasion to make a choice between monism and pluralism, as if they were opposite and incompatible doctrines. It is far truer to say that a society is monistic so far as at any time it can be, and pluralistic so far as it must.[5]

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5. Sabine, "Pluralism: A Point of View", Am. Pol. Sc. Rev., Vol. 17, Feb. 1923, p. 50.

Thus we have arrived at a theoretical reconciliation of monism and pluralism, and this is the main result of the present study of political pluralism. It remains for us to examine the conception in some specific and concrete details and to state its real significance in the present social situation before we draw the study to a close.

While it is true to say that pluralism is a criticism of the old political order and hence that it is a vision into the future with untested validity, it should be noted that there are already certain facts in western social life that to some extent support the claims of the pluralist. Pluralism, when viewed in this light, becomes the expression of certain actual but latent tendencies of the present rather than a mere reaction to the old or a mere prophecy of the future.

First, pluralism is supported by the fact of the continuous and rapid growth of group life in the modern western society.[6] As has been said before, this growth is most spectacular and important in the economic and industrial realm. While man has always been an economic animal, it is only in very recent times that

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6. Chapter II and III, Supra.

human organization becomes more and more preeminently economic in principle. At the same time, the national and political idea of human society still reigns. Thus a situation is created in which two tendencies, the economic and the political idea of organization, incessantly, if not openly, contest for survival. The representatives of the latter, not unaware of the fact of economic growth, endeavor to retain the old political organization by making the state the sole ruler of society. This in theory means the political control of economic and industrial affairs. Monism, therefore, sees no reason why authority should be divided and why groups other than the state should be given the powers of government. The representatives of the former, on the other hand, see no reason for political organization to dominate over the economic and industrial. Consequently some extreme economic socialists go as far as to abolish the political function entirely from society.[7] Others who are truer pluralists, plan to divide society into political and social rule, thus making all groups, political and economic, free and autonomous.[8] Pluralism appears here to be a compromise of two extremes: the ex-

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7. See Ch. III, discussion of Syndicalism, pp. 54ff.

8. See Ch. III, discussion of the views of Mr. Laski and Mr. and Mrs. Webb, pp. 35ff.

treme political conception of society and the extreme economic conception.

But it is important to remember that an economic view of society does not necessarily imply pluralism. This becomes clear if we recall that the Marxian socialist or any state socialist would like to give the economic function all the controlling powers in society. In his scheme, the economic function is a highly unitary organization, with all the monistic essentials of the political state. State socialism may, for our purpose, be conveniently called economic monism. The struggle between state socialism and the old state is therefore a struggle between economic and political monism.

The true pluralist professes not only political but also economic pluralism. The syndicalist as well as the guild socialist is dissatisfied with the centralization and unitary organization of state socialism, and they believe that the solution for the difficulties they see lie not essentially in economic control but in economic division of control. For this reason, groups, especially organizations representing the economic functions of consumption and production,[9] are of immense

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9. The syndicalist recognizes only the function of production to have a right to control; see above, Chapter III, pp. 54ff.

importance in their new social order. Pluralism, when thus viewed, becomes more than a merely political conception of the state. The important thing to note here is that the growth of economic interest and the consequent growth of economic groups in modern western society have become open and unquestionable facts and the nature of social organization has to undergo a process of revision. Pluralism, if it does not mean anything else, means an earnest attempt at such a revision. Whether society should be ruled by politics, by economics, or by the divided rule of both, are questions for social philosophers of the present and of the coming years to answer.

Secondly, the pluralist finds certain facts in connection with the internal organization of the political state itself to substantiate a certain phase of his doctrine. This is the demand of decentralization in administration which we have considered at length in the fourth chapter. We recall how the multiplication of business for the national state has made centralization inadequate, how the French administrative syndicalist attempts to remedy this, how the more consistent pluralist similarly argues for division of administrative powers, and how Mr. F. W. Willoughby, although far from

being a pluralist, offers to solve the difficulty by a scheme making the national legislature a sort of holding corporation for more or less self-directing governmental administrative agencies. But we should also notice that a considerable process of decentralization is already taking place in the United States through the multiplication of administrative boards and commissions[10] necessitated by the increase of administrative matter chiefly in industry and economics. These commissions, starting as branches of the executive, are gradually coming to exercise judicial functions and acquiring virtually legislative powers. Because of the prevalence of the monistic idea, and of the suspicious attitude of the legislature toward any division of its powers, and especially because of jealousy with which it guards the power of national budget making, the development of decentralization to the extent desired by the pluralist seems at present impossible. But it cannot be denied that there is a definite tendency toward decentralization and this process will certainly go much farther than it has yet gone.

Thirdly, there are certain facts in international relations, which, although not an essential

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10. Sabine, "Pluralism: A Point of View", Am; Pol. Sc. Rev., Vol. 17, 1923, pp. 47-49.

part of the pluralistic idea, point toward the destruction of the idea of state sovereignty, the corner-stone of monism. International agreements, according to the monistic conception, are binding on the states taking part in them, in so far as the sovereign wills of such states choose to bind themselves. In other words, international agreements never impair the sovereignty of the states concerned. Under monism, therefore, a world state is impossible, unless all existing states lose their sovereignty and become merely administrative divisions of the universal state. But suppose, as the League of Nations has suggested the possibility,[11] that a world organization be realized. The consequences would be the actual negation of the assertion of the theory of state sovereignty. For on the one hand, when such a world organization were definitely formed, no state would be able to withdraw from it without provoking the resistant forces of other states, and on the other hand, fulfillment of international obligations by any state could only be determined in terms of international law and international public opinion of states, not the state itself. In other words, the legal

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11. Sabine, "Pluralism: A Point of View", Am. Pol. Sc. Rev., Vol. 17, 1923, pp. 41-45.

competence of the individual state could not be fixed wholly by itself, nor by international constitutional law. Consequently the individual as well as the world state would not be sovereign in the monistic sense of the word.

Furthermore, the citizens in such a state would be virtually subjected to two different systems of law, the international and the national. In case of conflict obligations in these systems, it seems apparent that adjustment could only be made by agreements and negotiations which might be perfectly workable in practice, but might never be correctly considered as either instances of the delegation of authority from the world state to the member state, or as merely promises given by the voluntary sovereign wills of the states without a legally binding force. The monistic conception in these connections is indeed untenable.

In conclusion it may be said that pluralism reasserts the ethical importance of individuality and freedom. But it has transformed the idea from a purely individual to a more social application. The groups have, in the hands of the pluralist, become units of morality alongside with, if not supplanting, the individual. For this reason he repeatedly refutes the

monistic formula of social structure consisting only of two entities, the state on the one end and the individual on the other.

The emphasis on the importance and reality of groups is timely for it brings to light one of the most striking facts in modern society - the growth in power and numbers of voluntary associations based on similarity of interest. We have discussed this whole matter fully especially in Chapter III. It may be true that in time a functional division and organization of society will prove a more economical and efficient means of social organization than the monistic form of society with one function, politics, taking charge of all the different affairs of the state. Pluralism means a division of labor in society upon the basis of groups. When a really workable scheme of coordination of these groups has been found out, this division might mean the conduct of society's business with the maximum of efficiency and with the minimum of wasted effort.[12] Miss M. P. Follet points out, this must be more than a mere balance of forces, which she rightly thinks might be only another name for anarchy.

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12. The New State, p. 308.

Pluralism, lastly, in its empirical inclinations, its insistence on evolution and change, its pragmatic and utilitarian temperament, is thoroughly in accord with the general trend of modern spirit and tendency, and, as a matter of fact, it is one integral aspect of the whole system of modern thought. The true significance of pluralism, therefore, cannot be fully understood apart from this system and its arguments cannot be fully answered in the realm of political theory alone. Perhaps we may say, in the spirit of the pluralist, that the present social situation is far too complex to be adequately accounted for merely by a theory of the state.

THE END

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Dean Walter Miller,
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Dear Dean Miller:

I am returning herewith the dissertation of Mr. Chung Chuan Hsiao on The Pluralistic Theory of the State. In my opinion, this is an excellent dissertation and fully meets the standards established in this University for the master's dissertation.

There are a few slight errors, chiefly typographical, which I have indicated by a question mark on the following pages: 1, 20, 26, 45, 83.

On page 38, the closing quotation marks have been omitted from the quotation about the middle of the page.

On page 59, it appears that the word "decentralized" at the beginning of line 10 should be "centralized".

Very truly yours,

[redacted]

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