

William A. Galston

*on the reemergence of  
political pluralism*

As recently as a century ago, the forms of government known in classical antiquity – empire, monarchy, aristocracy, democracy, and mixed regimes – still existed. Moreover, people regarded them as legitimate. However, in the aftermath of the political instability that World War I unleashed across Europe, new forms of government representing radical challenges to the status quo emerged. Leading thinkers lent their support to fascism and communism, in part because these new forms promised to solve economic

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and social problems that parliamentary governments could not.

But with World War II the range of political legitimacy began to narrow dramatically. Fascism was defeated on the battlefield and also discredited as a morally respectable form of politics. The subsequent founding of the United Nations initiated the development of universal norms of governance. Article 21 of the Universal Declaration of Human Rights specified that “the will of the people shall be the basis of the authority of government” and that “this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage.” For the first time in history, the nations of the world officially endorsed republicanism as the sole source of political legitimacy.

To be sure, this norm has often served to cloak authoritarian regimes – some oxymoronic (e.g., Indonesian President Sukarno’s “guided democracy”), others almost laughably hypocritical (e.g., the “Democratic People’s Republic of Korea”). Nonetheless, these examples show that governments, however repressive, now feel compelled to justify themselves in republican terms.

It is not surprising then that this development changed political theory as well. At one time, theorists had weighed the relative merits of government by the One, Few, or Many – or, in more contemporary terms, the rule of the Leader or the vanguard party versus democratic elections. But after World War II, debates about political theory focused increasingly instead on differences among forms of democracy – elitist versus populist, representative versus direct, consensus driven versus agonistic, deliberative versus bargaining based, substantive versus procedural.

The Universal Declaration of Human Rights also made it clear that legitimate

governments are not only democratic in form but also limited in scope. Not even democratic majorities can deny individuals freedoms of thought, conscience, religion, and association, among many others. Notably, the document made no effort to specify the basis on which human beings are endowed with rights that constrain the legitimate exercise of public power. The U.S. Declaration of Independence famously characterized this matter as self-evident, a stance that leaves theorists unsatisfied. Since sincere democrats disagree among themselves about the range of legitimate public authority, appeals to unargued consensus are unlikely to get very far.

Many contemporary democratic theorists endorse the view that only the norms of democracy itself circumscribe the scope of properly constituted democratic authority. Others espouse an alternative – a pluralist account of limited government. According to this view, social life comprises multiple forms of activity and association. Political association is but one of these forms. Others include families, civil associations, religious faith and faith communities, the pursuit of knowledge and knowledge-seeking organizations, and the activities of solitary reflection and conscience. Each of these forms has an identity partly independent of the others, and each generates claims to authority, no one of which is dominant in all spheres, for all purposes, on all occasions.

This is not a new idea. It takes as its point of departure an account of politics found in the writings of British political pluralists such as John Neville Figgis, G. D. H. Cole, Harold Laski, and thinkers working in the Reformed Calvinist tradition. Nor is the argument between pluralists and their adversaries a recent development. The pluralist movement began to take shape in the nineteenth cen-

tury as a reaction to the growing tendency to see state institutions as all-powerful or total, a tendency that took various practical forms in different countries: French anticlerical republicanism, British parliamentary supremacy, and the drive for national unification in Germany and Italy against subordinate political and social powers.

Historically, one can discern at least three distinct secular-theoretical arguments for political monism rather than pluralism. (Theological arguments, which raise a different set of issues, are beyond the scope of this note.) The first is the idea, traced back to Aristotle, that politics enjoys general authority over subordinate activities and institutions because it aims at the highest, most comprehensive good for humans. The *Politics* virtually begins with the proposition that “all partnerships aim at some good, and that the partnership that is most authoritative of all and embraces all the others does so particularly, and aims at the most authoritative good of all. That is what is called . . . the political partnership.”

Thomas Hobbes offered a second justification: Any less robust form of politics would, in practice, countenance divided sovereignty, an open invitation to conflict and civil war. Thus, sovereignty cannot be divided, even between civil and spiritual authorities. In Hobbes’s view, this undivided sovereign authority must also have unlimited power to decide whether, and under what conditions, individuals and associations would enjoy liberty of action. No entity, individual or collective, can assert rights against the public authority. Indeed, civil law may rightfully prohibit even the teaching of truth, if it is contrary to the requirements of civil peace.

Jean-Jacques Rousseau inspired a third argument for political monism: a society

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cannot achieve civic health and morality without its citizens' wholehearted devotion to the common good. Loyalties divided between the republic and other ties, whether to civil associations or to revealed religious truth, dilute civic spirit. Likewise, the liberal appeal to private life as against public life only legitimates selfishness at the expense of the spirit of contribution and sacrifice, without which the polity cannot endure. Representing this tradition, Emile Combes, a turn-of-the-century premier in the French Third Republic, declared, "There are, there can be no rights except the right of the State, and there [is], and there can be no other authority than the authority of the Republic."

It is in the context of these claims that political pluralism emerges as an alternative to monism. Political pluralism rejects efforts to understand individuals, families, and associations simply as parts of a political whole. Nor does it accept the argument that they are merely instrumental, existing 'for the sake of' some political purpose. For example, religion is valuable, not only for the contribution it may make to politics and society, but in its own right, and there is no guarantee that religion faithfully practiced will always support the existing political or social order.

Instead, political pluralism regards human life as consisting of a multiplicity of spheres, some overlapping, but each with distinct inner norms and a limited but real autonomy. Moreover, it rejects any account of political community that creates a hierarchy of these spheres. Rather, different forms of association and activity interrelate in a complex manner.

Furthermore, political pluralism does not seek to overcome, but rather endorses, the division of human loyalty and political authority created by the rise of re-

vealed religion, summarized in Jesus' maxim "Render unto Caesar what is Caesar's and unto God what is God's." Obviously, this division creates problems of practical governance. But pluralists refuse to resolve these problems by allowing public authorities to determine the substance and scope of allowable belief, or by elevating devotion to the common civic good as the highest human value. They recognize instead that fundamental tensions rooted in the structure of human existence cannot be abolished in a stroke but must rather be acknowledged and adjudicated with regard to specific circumstances and controversies.

In short, pluralist politics is a politics of recognition rather than of construction. It respects the diverse spheres of human activity; it does not understand itself as creating or constituting those activities *ex nihilo*.

However, a pluralist polity is responsible for coordinating other spheres of activity, especially in adjudicating the inevitable overlaps and disputes among them. This form of politics requires the mutual limitation of some freedoms, individual and associational. For example, it monopolizes the legitimate use of force, except in cases of self-defense, when the polity cannot or does not protect its members. It also foresees the possibility of group tyranny and therefore protects the individual against some associational abuses. But a pluralist polity also presumes that the enforcement of basic citizenship and exit rights, suitably understood, will usually suffice. Indeed, it respects that groups have a broad, though not unlimited, right to define their own membership, to exclude as well as include.

While political pluralism undoubtedly has moral implications, it rests on empirical claims about the diverse forms of

human activity and association. For example, in most cultures, family ties limit the scope of political authority. Sophocles' *Antigone* revolves around the primordial imperatives of kinship that stand opposed to the imperatives of patriotic loyalty. In the story, the king, Creon, attempts to keep Antigone from burying one of her brothers. The fact that her brother was slain in battle fighting against his own city does not justify per se Creon's effort to prevent her from burying him. To be sure, Antigone is as deaf to Creon's legitimate concerns for his city as he is to her family obligations. One could make a case for Creon's stance. Still, Sophocles clearly implies that the disaster that befalls Creon is the result of his assertion of political authority beyond its rightful bounds. Whether we ultimately agree with Sophocles or not, *Antigone* contains this basic message: political leaders should not disregard nonpolitical values completely.

American constitutional law also endorses the proposition that family ties restrict political authority; parenthood is its own sphere of authority. For example, in the famous case *Pierce v. Society of Sisters*, the Supreme Court denied the right of a public authority – in this case, the state of Oregon – to require all parents within its jurisdiction to send their children to public schools. In justifying its stance, the Court declared, “The fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the State to standardize its children by forcing them to accept instruction from public school teachers only. The child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.”

Of course, this does not mean that family activities are immune from political regulation. *Pierce* explicitly recognized a substantial degree of legitimate governmental regulation of the family, including its educational decisions. The deep theory of liberty on which the Court relied allows the state to require “that all children of proper age attend *some* school.” It is the task of so-called pluralist casuistry to distinguish legitimate from illegitimate assertions of political authority over families.

Consider another example. U.S. law and jurisprudence restrict the sway of public authority over religious associations. It is a commonplace that these associations may establish their own criteria for their religious offices, notwithstanding general public norms of nondiscrimination to the contrary. For example, public law cannot invoke these norms to compel the Catholic Church to admit women into its priesthood. But the limits are even stricter. As Laurence Tribe observes, courts and other agencies of the U.S. government “may not inquire into pervasively religious issues.” The rationale for this restriction goes beyond prudential fears of entanglement and political divisiveness. It reflects, as well, the belief that doctrinal and scriptural interpretation is beyond the competence and rightful authority of political power.

At first glance, this position, and the pluralist thesis it buttresses, might seem to be a classic example of cultural particularism masquerading as universalism. Yes, Jesus instructed his followers (and adversaries) to render unto Caesar what is Caesar's. But don't all the Abrahamic faiths actually tend in principle toward theocracy, to which each has succumbed at points in its history? And isn't this theocratic thrust alive today – among Protestant fundamentalists who call for

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the official designation of America as a Christian nation, among messianic Jews in Israel who invoke God's will in support of their settlements and against the authority of their own government, among the Wahhabi clerics in Riyadh and the Shia clerics in Tehran?

Pluralists respond that each of these faiths contains resources that validate distinctions among different spheres of authority in social life. Both Christianity and Judaism developed doctrines that drew lines between civil and religious authority, a stance that eventually defeated the entrenched Constantinian tradition within the Catholic Church. And Islam, which traditionalists interpret to require the rule of God's law in every aspect of life, nonetheless endorses propositions that open a path toward pluralism. Article X of the Universal Islamic Declaration of Human Rights begins by quoting the Quranic principle that "there is no compulsion in religion," which it insists governs the religious rights of non-Muslims. Therefore, "in a Muslim country religious minorities shall have the choice to be governed in respect of their civil and personal matters by Islamic Law, or by their own laws."

Like every other kind of political theory, political pluralism is contestable. But its guiding insight, anchored in widely recognized features of human life, offers an appealing basis for liberty and diversity. The pluralist wager is that this approach will prevail, not only over civic totalism, but also over theories that find it easier to assert rights than to justify them.