

## Quadrant II - Notes

**Programme: Bachelor of Arts**

**Subject: Political Science**

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**Paper Title: Introduction to Political Theory**

**Unit: 4**

**Module Name: Kinds of Sovereignty**

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### **Kinds of Sovereignty**

#### **Titular Sovereignty -**

A titular sovereign is one who is sovereign only in name and not in fact. Although outwardly the power is vested in one person, the real power is enjoyed by another. The Queen of England is the titular head and does not enjoy any real power.

In India, the President of India is the titular sovereign and the real power lies in the hands of the cabinet.

- **De facto and de jure Sovereign-** The term de facto means something which does not exist in the eye of law.
- A de jure sovereign is one who is considered to be sovereign in the eye of law although he may not be so in actual practice.
- For e.g. The de facto Sovereign is the one who possesses the actual power. When Mussolini came to power in Italy in 1922, de facto power was passed into his hands although Victor Emmanuel was the de jure sovereign.

- **Legal and political Sovereignty**-It is definitely organized, precise and recognized by law. It alone declares in legal terms the will of the state. Law is a command of the Sovereign.
- Dicey says “That body is politically sovereign the will of which is ultimately obeyed by the citizens of the state”.

In a direct democracy there is no distinction between legal sovereign and political sovereign .The people themselves are both the political sovereign and legal sovereign. In a Indirect democracy for e.g. in England, King in parliament is the legal sovereign, while the electorate is the political sovereign.

- **Popular Sovereignty**- It implies that the supreme power in the state rests with the people. It is they alone who decide as to how the administrative machinery of a country has to be worked.
- This theory was put forward by the anti-monarchical writers of the 16<sup>th</sup> and 17<sup>th</sup> centuries as a counterblast to the despotic power claimed by the monarchs at that time.
- Rousseau also advocated the sovereignty of the people. He took pains to show that sovereignty rests with the general will, which is the will common to all the people.

Lord Bryce says that the idea of popular sovereignty is the basis and watchword of democracy.

- **National Sovereignty**-The idea of national sovereignty was given by the leaders of the French Revolution. It was stated in the declaration of the Rights of Man that “all Sovereignty resides essentially in the nation”.
- According to Duguit -This theory of Sovereignty became “one of the intangible dogmas like the articles of a revealed religion and it forms today assuredly a positive principle of our political law”

## **Conclusion**

Thus we can conclude that Sovereignty has all the above different facets such as Titular, Legal, Political, de jure, de facto, Popular and National sovereignty.