The issue of legal pluralism in contemporary society

Abstract

This work aims to describe the phenomenon of legal pluralism, its expressions and functioning in contemporary society and evaluate the findings in connection with the weakening role of the state.

The role of law is changing more and more in today's global world, especially in an increasingly less homogeneous society. The plurality of contemporary society is increasingly penetrating normative systems, which in turn affects the very functioning of the state as an authority. Legal pluralism reflects the life of contemporary society. From the perspective of legal pluralism, we gain a new understanding of law.

The concept of legal pluralism enables the law to respond in a more flexible way to the plurality of contemporary society, as law increasingly faces difficulties in reflecting the social reality of contemporary society. Related to laws that do not reflect this plurality is a growing distrust of people in the state and its institutions, which contributes to the weakening role of the state. One of the possibilities for the state to strengthen its role is to restore confidence of the citizens in the state and its institutions. This can be also achieved by creating good written law. State law should take into account the phenomenon of legal pluralism and have a vision that it currently lacks. This vision then arises primarily from the existence of shared values, because no matter how divided contemporary society is, shared values form the basis of a democratic society.

The combination of flexible law in the sense of legal pluralism with firmly anchored shared values, which should be enshrined by the law, is the key to strengthening the role of the state and the restoring the trust of the addressees of the law in the state as legislator.

The increase in the complexity of contemporary society then forces us to a new and broader understanding of the concept of law. Thus, the changes and effects of law in contemporary society can no longer be described without the phenomenon of legal pluralism. This phenomenon is shaping a new paradigm of legal science.

Key words: legal pluralism, weakening role of state, contemporary society