Political Obligation 4

Dr Simon Beard
Sjb316@cam.ac.uk

Centre for the Study of Existential Risk
Summary of this lecture

• Why ‘Philosophical Anarchism’ doesn’t usually involve smashing the system or wearing a Che Guevara T-Shirt

• How classical anarchists subverted the idea of the state of nature and the original position to work against arguments for political obligation

• Why Robert Wolff believed governments were not only unjustified, but unjustifiable, and that political obligations were like the square circle

• Why John Simmons rejected Wolff’s account of philosophical anarchism, even though he also believes that we have no political obligations either

• Why one does not always have to choose between theories in political philosophy, but people tend to give you funny looks if you don’t
Philosophical Anarchism

- If arguments for political obligation have succeeded then it follows that moral people have some special reason to obey the law.
- Philosophical anarchism is simply the denial of this, moral people have no special reason to obey the law.
- Of course they may well still obey most laws:
  1. Most laws forbid things that would be immoral to do anyway
  2. Laws are universal, non-voluntary and coercive, so it is also in our self-interest to obey most of them most of the time
  3. Obedience to the law may form part of 'the good life' (Plato, Hume, Rawls)
- Does it bother you if I say that you have no reason to obey laws that are both immoral and bad for you and that you would not be punished for breaking? If not then you may well be a philosophical anarchist
On the other hand, a philosophical anarchist also believes that there is ultimately no justification for the state – at least on moral grounds. States simply happen to exist, they are 'amoral'.

Furthermore, they think that if an action is wrong, then its also being illegal provides no additional (moral) reason not to do it – but most of us probably feel that it does (e.g. theft is worse than not giving to charity which is worse than taxation).

Note that people who believe in conditional political obligations (such as Natural Duty theorists) are not the same as philosophical anarchists. They may both think that (some) laws are unjustified, e.g. undemocratic laws. However, they still think that just laws do give moral agents additional reasons to obey them.
William Godwin

- Lived 1756-1836. Husband of Mary Wolfstoncraft. Responder to Edmund Burke. All around rebel and Georgian bad boy.

- Human beings in the state of nature are capable of building a moral society without any need for the state (as Locke argued). However, this takes a lot of time to perfect, and right now we are on our way towards that perfection.

- Our sense of obligation to the state is not what protects us from reverting to the state of nature, it is something that prevents us from moving forwards to a state of free cooperation. Such a state would be clearly preferable because it allows us all to act according to our private judgement about morality, which is the most reliable mechanism we have for living ethical (utility maximising) lives.

- So we should not consent to the government deciding for us, do not benefit from it doing so and cannot regard it as just.
Peter Kropotkin


- People, and other animals, are capable of tremendous degrees of cooperation even without the interference of state power. Even the most selfish people can easily evolve patterns of cooperation when they have to interact with others (e.g. soldiers in opposing trenches).

- Authoritarian institutions such as state governments entrench divisions along the lines of nationality, gender, race and class. Many laws play the role of policing these divisions and hence preventing valuable cooperation from taking place.

- This creates a state of conflict that is much harder to resolve than those occurring in the state of nature.
Classical Anarchism

- Philosophical anarchism - we have no (moral) reason to obey the law.
- Political anarchism - we have some (moral) reasons to disobey the law

- Godwin and Kropotkin argue for philosophical anarchism via political anarchism – the state is a bad thing, so we have no obligations to it

- Both see a state of anarchy as solving a problem that we perceive when we consider the effects of our current political state compared to the state of nature. We would be better off without the state and so are not obliged to obey its laws

- The problem with such theories is that there is very little evidence that when people coexist completely without states, in either recent or classical times, that their lives are better or their relationships more cooperative
Robert Wolff

• Each of us has a ‘Primary Obligation of Autonomy’ which is the “refusal to be Ruled” (IDA 18). Humans do not only have the capacity to chose, and hence to be free, we also have a responsibility to use this capacity, and hence to be autonomous agents.

• Political obligations imply that we have surrendered our right to choose to an authority (whether individual or collective) and hence are neglecting our obligation to be autonomous agents who decide for ourselves.

• In effect, we have a Natural Duty against political obligation.

• The only exception to this, Wolff argues, would be a truly consensual democracy in which every individual chooses and constantly affirms the laws that they obey. However, Wolff points out, obedience to such rules would not really constitute any kind of political obligation.
• We have a Primary Obligation of Autonomy because this is a necessary precondition for moral action, we cannot have political obligations because we cannot chose not to chose.

• Wolff isn't arguing that we should simply reject all arguments for our political obligations, but rather that such obligations cannot exist - they belong in “the category of the round square, the married bachelor, and the unsensed sense-datum” (IDA 71)

• Imagine the response your mother would give you if you told her that you did something bad because your friend told you to. It isn’t (only) that she thinks your friend told you to do the wrong thing, she also thinks that you were never in a position to give up your moral responsibility like that.
• Why is autonomy supposedly our primary obligation above all else?

• Why is autonomy so utterly incompatible with authority? Do we not chose who to give authority to? Is not accepting authority an important part of developing our personal autonomy (nobody is autonomous from birth)?

• How can we even make sense of individual autonomy when people’s choices depend, in so many ways, on identity, norms, values and culture?

• Autonomy can lead to paradoxes. For instance in order to chose an action I need to chose principles that guide my action. However my action is then not autonomous, but dependent upon the principles that I had chosen previously. What should I do in such situations?
John Simmons

• Simmons rejects Wolff's argument on different grounds. He argues that if we had the primary obligation of autonomy that Wolff claims then it would rule out not only political obligation, but also promise keeping and other unobjectionable institutions.

• However Simmons is still a philosophical anarchist on purely 'a-posteriori' grounds. He just does not accept that there is any justification for political obligation - not that it is inherently unjustified.

• The only way in which we could obtain political obligations would be to swear an oath to uphold the law (actual consent to be governed). Very few adults in most states do this; children sometimes do so, but should they be held to such oaths?
Against Philosophical Anarchism

- John Horton - it is a mistake to think “that political life is left more or less unchanged by dispensing with some conception of political obligation and adopting the perspective of philosophical anarchism. Unless it can be shown that we can continue to talk intelligibly and credibly of our government or our state, then a radical rethinking of our political relations is an unavoidable consequence” (PO 133)

- Do we really believe that states are ‘amoral’, or even ‘immoral’? If so then it probably doesn’t matter if we don’t have any political obligations. However why not adopt political anarchism in such cases?

- However, it seems like, whilst they all fail, the arguments for political obligation are getting at something. Also states do seek justification from their citizens at least in modern times, are all such efforts really in vain?
Ethical pluralism and political obligation

• All arguments for political obligation and philosophical anarchism are contingent upon the kind of moral theory that we support.

• A growing number of moral philosophers however are ‘pluralists’, they do not believe that any one moral theory is correct, but that many different theories provide us with reasons for moral decision making.

• Many of the objections that particular theories face stem from the fact that their accounts of political obligation cannot be universalised. Social Contract Theory only applies to those who have consented, the principle of Fair Play to those who have accepted goods or occupy public office, natural duty theories to democratic or just states.

• If we combined these views then this might extend their collective reach
It is also possible to accept that some people have political obligations, whilst others do not. For instance, if an act is illegal and yet morally permissible we may feel that ‘ordinary’ citizens aren’t obliged to obey it, but that public office holders would be wrong to do so.

However pluralism is less common amongst political philosophers. Most accounts of political philosophy are both ‘thin’, in the sense that they do not seek to commit one to wider ethical theories, and ‘ideal’, in the sense that they seek to provide universal principles for action under ideal circumstances.

Hence, even if a pluralist conception of political obligations might satisfy our intuitions about political obligation, it is unlikely to satisfy many political philosophers.
Closing thoughts

• Methodology - what do we do with all these arguments?
  1. Defend whichever theory we think is right or best
  2. Improve any theory, whether we agree with it or not, by strengthening it against relevant objections
  3. Narrow the field by excluding all theories that are obviously wrong whilst not deciding between others (maybe we are indifferent between them, maybe we accept pluralism or maybe we will leave this work for others)
  4. Reject all of the available theories and try to produce a new theory that does better than any of them
  5. Reject all of the available theories and question some key premise or assumption that is driving them all down

• Impact - despite being academic these arguments matter, and don’t you forget it!
References

