CHAPTER 44

POLITICAL OBLIGATION

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THE CONCEPT

By political obligation, theorists generally mean a moral requirement to obey the law of one’s state or one’s country. Traditionally, this has been viewed as a requirement to obey the law because it is the law—that is, because of the authority of the legislator, as opposed to the content of particular laws. Thomas Hobbes viewed this feature as central to commands: “Command is where a man saith, Doe this or Doe not this, without expecting other reason than the Will of him that sayes it” (Leviathan, ch. 25; 1991: 176). As a rule, political obligation becomes a topic of interest only when requirements to obey are seriously questioned. As we will see, this was not the case for much of Western history, when it was generally assumed that laws—divine or human—should simply be obeyed. Political authority was generally viewed as the natural state of affair (Lewis 1974: i. 160).

In the liberal tradition, on which I will focus, liberty is a central value, and so the fact that some individuals should obey others must be explained. In the absence of a convincing account, people retain their liberty and are not obliged to obey. The liberal—or “modern”—view of political obligation, as I will refer to it, is classically expressed in John Locke’s Second Treatise of Government and has become deeply rooted in popular consciousness. In accordance with such views, a satisfactory account should provide answers to a series of linked questions. Central to Locke and to liberal theorists more generally, political obligations hold only within definite bounds and so are capable of being dissolled by circumstances or overridden by conflicting requirements. Thus, in addition to providing moral reasons to obey the law, a developed view should explain their limits. In addition, according to Locke, political obligation must stem from an individual’s own consent, and so must be self-assumed, based on a specific action or performance by each individual himself.
In tracing the history of political obligation, this chapter is in two (unequal) parts: historical developments that culminated in the liberal conception, and then subsequent developments that have called elements of that conception into question.

EARLY HISTORY

Amongst the ancient Greeks, the subject of political obligation received little attention. As classically expressed in book I of Aristotle’s Politics, the Greeks had an undeveloped concept of the individual. The person was viewed as a part of society, which was conceptually prior to him, and on which he depended to achieve the moral and intellectual development central to the good life. Against this backdrop, at least on a theoretical level, the need to obey the law was accepted almost without question. The subject of political obligation receives little or no attention in major works of Greek political theory: Plato’s Republic and Laws, Aristotle’s Politics, and others.

The main exceptions center on Socrates’ trial and imprisonment, as recounted by Plato, especially Socrates’ purported dialogue with the Laws of Athens in the Crito. Having been condemned to death and facing imminent execution, Socrates inquires into the rights and wrongs of escaping from prison. He puts into the Laws’ mouth a series of arguments for obedience, based on claims that to disobey would harm the state and, strikingly, an argument for agreement. Because Socrates has stayed in Athens for so long when he had opportunities to go elsewhere, he has agreed (hômologêkenai) to obey the laws (51c–52e). This particular argument is well developed and more sophisticated than many subsequent accounts of political obligations resting on consent, especially on tacit consent. But Socrates’ arguments raise important difficulties. For one, they establish too much, a requirement to obey the law “whatever it commands” (ha en keleuê) (51b), the authoritarianism of which does not rest well with Socrates’ views in other dialogues. In the Apology, especially, Socrates clearly says that he will obey the command of the gods and continue his mission, more or less regardless of what the Athenian courts demand (Ap. 29d–30a). However, the strong conclusion of the Crito is required by immediate circumstances. Socrates has been wrongfully tried and convicted and faces execution. Nothing less than an extreme position would oblige him to remain in prison and accept punishment.

CHRISTIAN INFLUENCES

Like the ancient Greeks, the early Christians appear not to have worked out a developed conception of political obligation. The basic position of the early Church is expressed in chapter 13 of St Paul’s Epistle to the Romans: “Let every person be subject to the governing authorities. For there is no authority except from God, and
those that exist have been instituted by God” (Rom. 13:1). This categorical statement suited the Christians’ political situation, as a small and suspect minority, threatened by Roman power. However, although Romans 13 entails that disobedience is a sin as well as a crime, the early Christians argued for an important limitation. In accordance with Jesus’s commands to render unto Caesar what is Caesar’s and to God what is God’s (Matthew 22:21), and the injunction to obey God rather than man (Acts 5:29), they believed it was necessary not to obey commands that went directly against religious obligations. This condition was bound up with an important distinction, between non-obedience or passive resistance and active or forcible resistance. Although injunctions that went against God’s word were not to be obeyed, the subject could not resist forcibly and so must accept the consequences, which often meant martyrdom. In the Martyrdom of Polycarp, the earliest extant account of a Christian martyrdom, Polycarp resists commands to acknowledge Caesar’s divinity, claiming “we have been taught to render fit honor to rulers and authorities appointed by God in so far as it is not injurious to us” (Martyrdom, 10; in Sparks 1978: 143).

Emergence of the Modern Conception

The development of a recognizable modern conception of political obligation took place during a protracted period, from roughly the twelfth century until the mid-seventeenth, culminating with the works of Hobbes, the Levellers, and Locke.1 This process involved a large number of thinkers and doctrines—too many to be reviewed in detail here. Passages from numerous earlier works might appear to express modern views of political obligation, or at least important components of such views.2 But, as a rule, even particular ideas that were sharply expressed were not clearly woven into the kind of worked-out network of ideas necessary to represent clear accounts of political obligation.

As with other components of liberal political theory, the modern view of political obligation emerged in the Church, and did so according to a distinctive dynamic. As important as the early Christians’ strong requirement of obedience were limitations they recognized. As indicated above, the subject of political obligation receives serious attention only when requirements to obey are widely questioned. The need to articulate principles justifying non-obedience to particular commands forced theorists to work out reasons why subjects should obey and their limits, in order to demonstrate that those limits had been crossed. In subsequent centuries, as questions of non-obedience

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1 The account in this section is indebted to Tierney (1955, 1964, 1982, 1997), Figgis (1960), Skinner (1978), and, especially, Oakley (1962; 1999: ch. 4).

became more pressing and non-obedience evolved into resistance, the liberal view of political obligation developed.

With the revival of European society in the eleventh and twelfth centuries, a series of developments converged on the fundamental idea that political power is limited. A recognizable social-contract view was expressed by Manegold of Lautenbach, a Saxon monk, in the late eleventh century, during the investiture controversy (Tierney 1964: 78–80). During this period, monarchs in different jurisdictions were either compelled to or found it advantageous to consult with the grandees of their realms. Limitations on royal authority were classically expressed in the Magna Carta (1215), while the initial meeting of the English model parliament was in 1295, and of the Estates-General in France in 1302. On a more theoretical level, as the Church began to infuse Roman law ideas into its administrative procedures, ground was laid for an interpretation of church structure according to which the community of believers was the source of papal authority, that this power was delegated to church officials, and on a conditional basis. Several centuries of commentaries on the canon law, initiated by Gratian’s *Decretum* (c.1140), developed a corporate or “conciliarist” conception of the Church, providing theoretical resources for later use. Implications were developed by radical thinkers, notably Marsilius of Padua, who presented a sophisticated argument for the community as the source of authority in both the temporal and sacred realms, in his *Defensor pacis* (1324). According to Marsilius, the community was not only the only legitimate legislator and source of coercive authority but was able to depose rulers who transgressed their authority (esp. I. 12; I. 19).

Conciliar and related ideas assumed practical relevance when employed in political conflicts. Most important was the Great Schism of the Church, in the late fourteenth century, as two and later three competing popes denounced each other. The Council of Constance (1414–18), summoned to address the crisis, declared the authority of the Council over that of the pope, deposed the sitting popes, and elected a new one. Even though the conciliar position was decisively defeated in subsequent years by resurgent papal supremacy, the Council provided an important precedent for later thinkers, especially as interpreted by sophisticated theorists, including Jean Gerson and Pierre d’Ailly (Tierney 1955, 1982). Moreover, in accordance with basic medieval assumptions, its claims concerning the locus of authority were believed to be applicable to secular bodies as well. To use John Figgis’s words, the Church was viewed as “one of a class of political societies,” with similar principles applying to all (Figgis 1960: 56).

Along with their contention that the community is the source of authority, the conciliarists argued that this was placed in the ruler’s hands to enable him to pursue the community’s interests. This set of ideas was reinforced by rising popularity of the idea of consent. Practical as well as theoretical concerns, including increasingly prevalent consultative practices in political bodies, promoted the idea that legitimate authority must be accepted by the community—which generally meant by the leading figures in the community. But, as Francis Oakley notes, this does not amount to consent in the modern or Lockean sense (as discussed below), but rather acceptance of authoritative
directives by the community (Oakley 1999: 111–12). Subsequent years would deepen the implications of this form of consent.

A similar role was played by resurgent ideas of natural law, which also placed limits on the legitimacy of law. According to standard natural-law doctrine, positive laws result from an application of natural law and are legitimate only as long as their content coincides with this source. Thus, according to St Thomas Aquinas, “every human law has just so much of the nature of law as it is derived from the law of nature. But if, in any point, it deflects from the law of nature, it is no longer a law but a perversion of law” (ST I–II. 95. 2; 1988: 130). Although his ideas on this subject were not clearly developed, St Thomas authorized resistance to rulers who rule unjustly, though only by “public persons” (On Kingship, ch. 6; 1988: 267–71).

Ideas concerning limits on political power were sharpened by the Protestant Reformation and conflicts leading up to it. Under these conditions, doctrines of forcible resistance—as opposed to mere non-obedience—were widely expressed. Specific circumstances included conflict between the pope and the king of France at the beginning of the sixteenth century, between Catholic rulers and Protestant subjects in England and Scotland, and religious wars in France in the late sixteenth century. These events called forth major statements of the nature and limits of political legitimacy by Jacques Almain and John Major, John Ponet, George Buchanan, and other important theorists. But, in spite of their forcefulness, these and other sixteenth-century views fall short of a modern conception of political obligation in being oriented to the community rather than the individual. Central to the modern notion is consent of the autonomous individual, who has a real choice as to whether to accept the demands of political authority. Although thinkers—including Ponet and Buchanan—traced the origin of the community back to the individuals who founded it and spoke of consent, they did not envision individuals making such a choice. The consent they spoke of was generally acceptance of specific edicts or laws by the community (Oakley 1999: ch. 4). Focus on the community rather than the individual is clearly expressed in the late sixteenth-century resistance tract, the Vindiciae contra tyrannos, which advanced the standard, late medieval view that resistance was permissible only by public persons, who represent towns or regions, rather than by individuals: “We speak not here of private and particular persons considered one by one, and who in that manner are not held as parts of the entire body, as the planks, the nails, the pegs, are no part of the ship, neither the stones, the rafters, nor the rubbish, are any part of the house” (Q. 2; Mornay 1963: 100).

Reasons for the fundamental shift in orientation from the community to the individual are complex. One possibility is the first stirrings of the market society that would be central to the development of capitalism (Macpherson 1962). A more plausible factor is the individualistic orientation of various Protestant religious sects, especially those that formed congregations through individual consent (Oakley 1999: 132–7). In regard to the development of subsequent political theory, an enormously important factor was the emergence of a recognizable conception of natural rights—“subjective natural rights.” Thirteenth- and fourteenth-century canonists first developed the concept in regard to individual rights to property and self-preservation. By the sixteenth century,
sophisticated accounts were presented by a series of Spanish theorists, including Francisco Vitoria, Bartolomeo de Las Casas, and Francisco Suarez (Tierney 1997). Arguing according to a strong conception of natural law, these theorists viewed society as arising through the combination of individuals, originally in a natural state—referred to as the “state of nature” by Luis de Molina (Skinner 1978: ii. 156). Political power was ceded by the community to rulers, for the sake of pursuing the common good, with implications in regard to resisting unjust authority drawn especially by Suarez and Juan de Mariana. Whilst these theorists approximated a modern conception of political obligation in central respects, once again they fell short in not focusing on individuals choosing whether or not to accept authority. Implications of their sophisticated doctrines of natural rights were drawn by subsequent theorists.

In order to see how the ideas we have surveyed both approximate and fall short of the modern conception of political obligation, we will look briefly at Buchanan’s *The Powers of the Crown in Scotland* (1579), one of the most radical and, in various ways, most modern sixteenth-century tracts. *Powers of the Crown* was written to justify the forced abdication of Mary Queen of Scots in 1567. Buchanan’s account is largely secular, based on appeal to Roman and Greek texts and historical precedents, including conciliar claims concerning the locus of church authority. He argues from a rough state of nature. Men originally “lived in hovels or even caves, and wandered about as lawless vagabonds” (Buchanan 1949: 45). Driven into society by the law of nature implanted within them, they were led by disagreements to recognize the need for rulers. The latter, like physicians, are established in order to advance the interests of their charges, rather than their own. To make sure kings behave appropriately, they should be bound by law. At his coronation, the king takes an oath to “maintain the law in justice and goodness.” The oath represents “a mutual compact between King and citizens” (1949: 142). If the king breaks this compact, the people have the right to withdraw their obedience. Should kings rule tyrannically, it is just to wage war against them. Buchanan’s view on this point is radical: “it is not only right for the whole people to destroy an enemy, but for the individual to do so.” (1949: 143). However, in the course of developing these ideas, Buchanan pays virtually no attention to subjects’ obligations to obey, which are taken for granted. Concerned with the locus of political authority and its limits, Buchanan assumes without question that subjects should obey the law, as long as rulers behave appropriately. At time Buchanan appeals to the consent of the community. But this is in regard to whether the community regards the ruler as legitimate (see 1949: 54), and so is far removed from the consent of each individual to accept political authority.

**CONSENT THEORY**

Although the genius of Hobbes and Locke cannot be reduced to the political circumstances to which they responded, these undoubtedly played a significant part. Faced with the crisis of the English Civil War, Hobbes presented a fully modern theory of
political obligation. With Hobbes, the burden of argument shifts. Whereas, in the late medieval period, the default position favored obedience, Hobbes’s starting point is individual freedom: “there being no Obligation on any man, which ariseth not from some Act of his own; for all men equally, are by Nature Free” (Leviathan, ch. 21; 1991: 150). Hobbes of course paints the state of nature in the bleakest of terms. To escape this situation, people are willing to transfer their rights to a sovereign with virtually unlimited power. To avoid the limitations on royal authority discussed in the previous section, Hobbes devises a compact mechanism that is not a contract. Each individual authorizes the sovereign to act for him, but the sovereign is not party to this agreement, and so not limited by its terms. In response to the contention that, after transferring authority to a ruler, the community retains rights against him, Hobbes argues that there is no community (except in the person of the sovereign). Power is ceded separately by each individual (ch. 18; 1991: 122–3).

Although Hobbes’s view of political obligation is based on consent, as with other features of his theory, his view of this notion is idiosyncratic. Alongside his elaborate compact of government, Hobbes argues for sovereignty “by acquisition”—that is, through conquest. According to Hobbes, the relationships between ruler and subjects are the same, regardless of how the ruler gains his power (ch. 20; 1991: 142). Whilst the view that conquest conveys political authority is common in the history of political thought, Hobbes is unusual in claiming that this rests on a form of consent, agreement by the subjugated to recognize the conqueror’s authority, in return for being allowed to live: “It is not therefore the Victory that giveth the right of Dominion over the Vanquished, but his own Covenant” (ch. 20; 1991: 141). This is in keeping with Hobbes’s expansive conception of consent, according to which coerced agreements are binding, even a forced agreement to surrender money to a thief (ch. 14; 1991: 141).

Additional features of Hobbes’s theory are intended to remove limits on the power of the sovereign. This power cannot be divided between different branches of government. Hobbes goes to great lengths to argue that it cannot be limited by religious obligations, as the sovereign in effect interprets these, as it is also part of his role to govern his subjects’ consciences. Nor can the sovereign be limited by natural law, since he determines the content of natural law, which he does by instituting positive laws. As a result, the “Law of Nature and the Civil Law contain each other and are of equal extent” (ch. 26; 1991: 185).

The one real limitation on the subject’s obligation that Hobbes recognizes concerns subjects’ need for protection. When the sovereign can no longer supply this, obligation ceases (ch. 21; 1991: 153–4). Similarly, subjects retain rights to self-defense. Because it is for the sake of preserving oneself that subjects authorize the sovereign, they are not required to obey orders that directly threaten this end (ch. 14; 1991: 93–4, 98–9). There is some gray area here, in that subjects cannot renounce “the means of so preserving life, as not to be weary of it” (1991: 93). But Hobbes clearly wishes to limit this exception.

It is important to realize that Hobbes was not alone in positing the free individual as his starting point, and so in presenting a modern view of political obligation. For instance, at roughly the time he was writing The Elements of Law (1640), the first
version of the theory eventually presented in *Leviathan*, the Levellers, early English democrats, argued from similar premises concerning originally free individuals binding themselves to government through their own consent.⁴

As noted above, the *locus classicus* for political obligations based on consent and for the modern view more generally is Locke’s *Second Treatise of Government* (1690). Like Hobbes, Locke envisions people as naturally free, although subject to the law of nature in the state of nature. Because there is no authority to enforce the natural law, Locke subscribes to the “strange Doctrine” (*Second Treatise*, sect. 13) that in the state of nature all men have the right to enforce it for themselves. Locke views the state of nature as relatively peaceful, but conflict arises from people’s tendency to interpret both the circumstances of disagreements and the law of nature itself in self-interested ways. To avoid these conflicts, people are willing to surrender their rights of self-enforcement, which they do in two stages. First, they join with one another to establish a community, which then establishes a legislative power. In joining the community, individuals agree “to submit to the determination of the majority, and to be concluded by it” (*Second Treatise*, sect. 97), although the legislative authority is empowered to act only in regard to the areas in which it was granted power, and to make only laws that correspond to the law of nature (*Second Treatise*, sect. 135). These limitations on political authority are supported by strong rights of resistance, including a right for “any single man” to resist, whenever he believes “the Cause of sufficient moment” (*Second Treatise*, sect. 168). Locke hedges in regard to this provision, arguing that it is not likely to cause people frequently to revolt, as this right “will not easily engage them in a contest, wherein they are sure to perish” (*Second Treatise*, sects 208, 225).

Locke’s doctrine of consent is at first sight strong. Authority may be created only by the individual’s own consent. One may not be bound by the consent of one’s father, or by the terms of an original contract made at the foundation of society (*Second Treatise*, sect. 116–18). However, although Locke recognizes that “express consent” establishes clear political bonds, he also realizes that few people consent in this way. And so he turns to what he calls “tacit consent,” actions performed by most people that are capable of binding them:

And to this I say that every Man, that hath any Possession, or Enjoyment of any part of the Dominions of any Government, doth thereby give his tacit Consent, and is as far forth obliged to Obedience to the Laws of that Government, during such Enjoyment, as any one under it; whether this his Possession be of Land, to him and his Heirs for ever, or a Lodging only for a Week; or whether it be barely traveling freely on the Highway; and in Effect, it reaches as far as the very being of any one within the Territories of that Government. (*Second Treatise*, sect. 119)

Although the actions Locke lists would account for the political obligations of virtually all inhabitants of the relevant territory, this raises a different problem. In providing means through which virtually all individuals more or less automatically

⁴ See, e.g., R. Overton, “An Arrow Against all Tyrants” (1646); repr. in Aylmer (1975: 68–70).
consent to government, Locke deprives consent of its moral significance. As one commentator says, “we are likely to feel cheated by Locke’s argument...why go through the whole social contract argument if it turns out in the end that everyone is automatically obligated?” (Pitkin 1965: 995). In spite of this and other problems, Locke’s view was enormously influential—for example, it was drawn upon in the preamble to the Declaration of Independence.

Locke’s view of tacit consent was classically criticized by David Hume, in the latter’s essay “Of the Original Contract” (1748). Hume agrees with what he views as Locke’s fundamental claim concerning the limited nature of political power. But he rejects the existence of an actual historical contract into which people entered, as there is no record of one. Like Locke, he believes that most people have not consented expressly to government, since they have no recollection of doing so. But, in regard to tacit consent, Hume argues that, given the realities of his society, it cannot be viewed as performed voluntarily:

Can we seriously say that a poor peasant or artizan has a free choice to leave his country, when he knows no foreign language or manners, and lives from day to day, by the small wages which he acquires? We may as well assert, that a man, by remaining in a vessel, freely consents to the dominion of the master, though he was carried on board while asleep, and must leap into the ocean, and perish, the moment he leaves her. (Hume 1985: 475)

Hume believes he is able to establish conclusions similar to Locke’s on more reasonable principles. The basis of his argument is social utility. Government is necessary for the good of society and so should be obeyed as long as it promotes this end. If it ceases to be useful, it loses its raison d’être and so also its authority: “The cause ceases; the effect must cease also” (Treatise, III. ii. 9). However, given the enormous costs of changing governments, this is justifiable only if governments become egregiously tyrannical (Treatise, III. ii. 9). In substance, this conclusion resembles Locke’s, but Hume believes that his account has the considerable advantage of doing without the fictions of an original state of nature, individual consent, and social contracts. Hume’s view also breaks with traditional notions of political obligation. According to his reasoning, one should obey the law because of the beneficial effects of doing so. The fact that an authority has commanded obedience plays little or no role in his account.

Subsequent Developments

The seventeenth and eighteenth centuries were the high point for social-contract theory. Classical versions of the contract were employed by Rousseau and, later, Kant. Kant is responsible for a considerable theoretical advance in viewing the contract as purely hypothetical, rather than an actual historical occurrence. In his view, the fact that it is rational to consent suffices for obligations, rather than one’s having actually to
consent. Kant forbids resistance against government (1970: 81), but contends that the power of government is limited by required hypothetical consent. This obliges "every legislator to frame his laws in such a way that they could have been produced by the united will of a whole nation" (1970: 79; see Waldron 1987).

As confidence that political obligations derive from individual consent waned, the traditional view was undermined from a variety of directions. The utilitarian tradition, epitomized by Jeremy Bentham, bases requirements to obey on the benefits of obedience (Bentham 1988: ch. 1). This approach departs from the voluntarism of consent theory, as the subject is bound to obey the law in most cases, even though he has not consented to do so. In addition, as with Hume, requirements to obey particular laws depend on the moral circumstances; the fact that they are commanded is of little relevance. The main problem with a consequentialist account is that it is frequently undone by circumstances. In many cases, because the consequences of some individual’s disobeying the law are undetectable while the individual receives tangible benefits from disobedience, consequentialism cannot ground general political obligations.

Contemporary debates about political obligation have been heavily influenced by the popularity of so-called philosophical anarchism. In In Defense of Anarchism (1970), Robert Paul Wolff argues for a fundamental incompatibility between political obligation and individual autonomy. Because we are obligated to preserve our autonomy, we cannot surrender this to requirements to obey the law. Unlike traditional anarchists such as Mikhail Bakunin, who declared himself an enemy of the state (Bakunin 1990: 178), philosophical anarchists support much that the state does, in spite of the absence of requirements to obey the law because it is the law. They believe there are moral reasons to obey many laws, to be decided on a case-by-case basis. In his influential Moral Principles and Political Obligations (1979), A. John Simmons presents sophisticated criticisms of different possible bases of political obligations—mainly consent, fairness, gratitude, and a natural duty of justice—and concludes that none of these bears scrutiny. But, like Wolff, he contends that, nevertheless, we have moral reasons to obey many laws, mainly so as not to harm or inconvenience other people. On this view, the consequences of an absence of traditional political obligations are less dire, and so less improbable, than with traditional anarchism.

In order to counter philosophical anarchism, scholars have pursued a number of different strategies. First and most obviously, they have attempted to counter the criticism of Simmons and other skeptics and defend traditional views of political obligation. Recent years have witnessed reworkings of theories of political obligations based on all the principles that Simmons criticizes. Other scholars have attempted to develop theories of political obligation on new grounds. Two notable approaches are theories based on principles of association or membership and a variant of the natural duty of justice, which was made prominent by John Rawls in A Theory of Justice (1971: sects 19, 51; see Wellman 2001). Arguments from association are notable because, in

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4 For consent, see Beran (1987); for fairness, see Arneson (1982); Klosko (1992); Dagger (1993); for gratitude, see Walker (1988); for natural duty, Waldron (1993).
basing requirements to obey the law on our belonging to or being members of society, to some extent they reverse the modern assumption that individuals are by nature free, and so that political obligations must be explained (Horton 1992).

Influential scholars have pursued a course that resembles those of consequentialists and philosophical anarchists, in discarding political obligations in the traditional sense. These scholars distinguish between a state’s having “legitimacy” and “authority.” The former refers to the state’s ability to take morally appropriate action, for instance, to aid people in need or to punish moral malefactors. Although in pursuing these tasks the state cannot claim rights to anyone’s obedience merely because it is the state, people are morally required to comply with specific laws because of other reasons, such as those noted above. Authority adds to legitimacy the state’s right to claim obedience because it commands this, without appeal to other moral principles. These scholars argue that authority is not necessary, that important state functions can be accomplished without political obligations in the traditional sense.

Scholars who pursue this approach not only reject the traditional view of political obligations, but they also break with philosophical anarchism. In contending that different considerations are able to ground general requirements to obey the law, these scholars deprive philosophical anarchism of much of its polemical force. In addition, skeptical scholars have generally approached the traditional theories from a particular perspective, criticizing them *seriatim*, one after another. The best-known practitioner of this approach is Simmons, but other scholars have taken similar tacks. What this strategy overlooks is the possibility that general reasons to obey the law can be established by combining different principles, and so overcoming the weaknesses of a theory based on a single principle. (Klosko 2005: ch. 5). All these issues are debated in the contemporary literature. As scholars have moved away from traditional conceptions of political obligation, the future of the subject has opened to new possibilities.

REFERENCES

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6 Smith (1973); Raz (1979: ch. 12); Simmons (1979); Green (1988).
7 I am grateful to Julian Franklin and John Simmons for comments on previous versions of this chapter.


**History: Secondary Sources**


**Contemporary Debates**


