Advanced Political Philosophy I: Political Authority and Obligation

Course status: Mandatory for PhD students in the Political Theory specialization.
CEU credits: 4
Academic year: 2014/2015
Semester: Winter
Start and end dates: January 2015–April 2015
Host unit: Department of Philosophy
Co-hosting unit: Department of Political Science

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Tuesday: 10-11 am, 2-3 pm
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Course Description

States claim to have authority to govern within their jurisdiction. Authority is generally understood as entailing a right to be obeyed correlative with a moral obligation incumbent on the subjects of authority to obey (provided that certain conditions obtain). The obligation to obey is said to be general (although capable of being defeated if the relevant conditions do not obtain). It is said to hold with regard to (almost) all directives, (almost) all subjects, on (almost) all occasions. This is the claim of political obligation. It needs to be justified. Is there any strategy to justify it with a chance to succeed? Anarchists and classical Marxists answer the question in the negative. Liberals, traditionally, defend a positive answer for a subclass of states (constitutionally limited democracies). The traditional justifications are, typically, voluntaristic in the following sense: they assume that for a person to be politically obligated, s/he must perform an act that counts as undertaking an obligation (consent, acceptance of benefits from a cooperative scheme, etc.), and that act must be performed voluntarily (acts performed under coercion, manipulation, duress, or hypnosis, for example, are not obligation-generating). However, in the last couple of decades, an increasing number of liberal philosophers came to adopt a skeptical view on the possibility of justifying political obligation. In an attempt to meet the skeptical objection, other liberal philosophers try build the justification of political obligation on some moral duty that applies to the subjects independently of whether they have performed any voluntary act of undertaking an obligation (associative duties, natural duties of justice, etc.).

This course will ask the question why the issue of authority is a problem for political philosophy at all. It will also examine the direction in which the justification was traditionally sought and the reasons why this direction has been taken, the skeptical arguments against the traditional strategies, and the more recent attempts at meeting those arguments.
Course requirements and evaluation

This is a four-credit course for doctoral students in philosophy or Political Science. It has the format of two class-hours of seminar discussion based on some text on the week’s topic followed by a two class-hours lecture on another day.

The grade will reflect class participation (50%) and a term paper (50%). Class participation includes at least one seminar presentation based on a hand-out.

Students are supposed to write a 10-15 page long (Calibri 11, double-spaced) final essay.

Expected learning outcomes

Understanding the nature of arguments in political philosophy and of the way they differ from arguments made in institutional political theory.

Developing the ability to make such arguments.

Enabling critically to present a philosophical text.

Topics

Week 1:

State legitimacy and political obligation
What is the problem of state legitimacy? Is legitimation separable from the existence or non-existence of an obligation to obey state authority? Even if states may not be able to claim obedience as a matter of general obligation, they still may rightfully claim authority to apply coercive force. Even if conceptually possible, is this position a sound one?

Mandatory:

Optional:

Week 2:

Conceptual issues
Political obligation involves a network of concepts that establish the common ground for the alternative theories. We will address the relevant concepts.

Mandatory reading:
The first and the last chapters of A.J. Simmons’s Moral Principles and Political Obligation, Princeton: The University Press 1979, on the reserve stack.
Optional reading:

Week 3:
The anarchist argument
The baseline option is one without a state. All the available theories agree that it is the state with its claim to issue binding directives to its subjects that needs to be justified, not the absence of it. The anarchist argument holds that no acceptable justification can be given.

Mandatory reading:

Optional:

Week 4:
The skeptical view
Skeptics are not genuine anarchists. They agree that some laws can legitimately command obedience on some occasions. They also agree that an individual may have good reasons to obey different groups of laws on different grounds. What they do deny is that there would be something like a general political obligation for (almost) all individuals to obey (almost) all laws on (almost) all occasions.

Mandatory:

Optional:

Week 5:
The consent account
Free and equal individuals cannot be bound to obey unless they voluntarily agree to do so.

Mandatory:

Optional:

Week 6:
The normative consent account
Under certain conditions, consent is not a matter of voluntary choice: we are required to give it. Making it voluntary is endorsing free-riding.

Mandatory:

Week 7:
The fair play account
Voluntary acts that are not carried out with the intention undertake an obligation may still involve becoming obligated if they consist in accepting benefits from the co-operation of others.

Mandatory:

Optional:

Week 8:
The joint agency account
In cases when an individual becomes involved in joint action with others, the intentional character of the involvement (rather than its voluntariness) is sufficient to trigger obligations.

Mandatory:

Optional:

Week 9:
The non-voluntary fairness account
Receipt rather than voluntary acceptance of benefits is sufficient to trigger obligations provided that those benefits are non-avoidable and indispensable.

Mandatory:

Optional:

Week 10:
The associative political obligations account
Political obligation is based on mere belonging to a community that satisfies certain normative requirements (reciprocity, equal concern, etc.).

Mandatory:

Optional:

Week 11:
The natural duty of justice account
There is a general duty to comply with and support just institutions insofar as they exist and apply to us.

Mandatory:

Optional:

Week 12:
The democracy-based account
Membership in a non-voluntary association triggers political obligations provided that the collective decisions are taken in a democratic manner.

Mandatory:

Optional: