

MULTIPLE PRINCIPLES OF POLITICAL OBLIGATION

GEORGE KLOSKO
University of Virginia

Scholars who doubt the existence of general political obligations typically criticize and reject theories of obligation based on individual moral principles, for example, consent, fairness, or a natural duty of justice. A stronger position can result from combining different principles in a single theory. I develop a multiprinciple theory of political obligation, based on the principle of fairness, a natural duty of justice, and what I call the "common good" principle. The three principles interact in three main ways: "cumulation," combining the separate state services that different principles cover; "mutual support," combining the force of different principles in regard to the same state services; and simple overlap. The resulting theory is able to satisfy the main conditions for an adequate theory of obligation: demonstrating that all or nearly all inhabitants of society have moral requirements to obey the law, and that these extend to the full range of state services.

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At the present time, it is widely believed that there is no satisfactory theory of political obligation.¹ Typically, in the literature, scholars draw up lists of conditions an adequate theory should satisfy and then demonstrate that no theory is able to meet them.² It is important to note that in standard discussions, theorists examine the different possible bases of obligation *seriatim*, scrutinizing one principle at a time and showing that each is unsatisfactory. For instance, in *Moral Principles and Political Obligations*, A. John Simmons examines and rejects theories of obligation based on principles of consent, fairness, a natural duty of justice, and gratitude, before concluding that no theory will work.³ My starting point in this essay is belief that a stronger theory can result from employing multiple principles of obligation, allowing them to work in combination, rather than attempting to develop a theory on the basis of a single principle.⁴ I will refer to the theory developed in this essay as the multiple principle theory, MP theory, for short.

Although at first sight a multiple principle approach might seem odd, there are strong considerations in its favor. In order to appreciate these, it is necessary to consider what a “theory” of political obligation actually is. Scholars commonly appeal to “theories” of political obligation based on particular principles. Thus Harry Beran has worked out a “consent theory of political obligation.”⁵ Christopher Wellman claims that his samaritan construction can fill the need for “a liberal theory of political obligation.”⁶ If we pause to think about what scholars mean by these locutions, we will see that a “theory” of political obligation is a set of linked considerations intended to provide answers to questions concerning whether we have moral requirements to obey the law. Different positions are identified as “consent theory,” “gratitude theory,” or “fairness theory,” because the reasons in question center upon the eponymous moral notions.

The goal of such theories is of course to provide reasons why we should obey. A successful theory establishes a strong presumption in favor of obedience, placing a burden of justification on people who claim that they need not obey. This much is fairly clear. However, we should also recognize that appeal to one of the moral notions indicated should not ordinarily rule out appeal to others. In most cases, there will be no incompatibility between, say, reasons to obey the law based on consent and on gratitude or a natural duty of justice. If a theory based on a single principle is successful, one will generally not feel a need to move beyond that principle. For example, if a theory based on consent is thought to provide satisfactory reasons, one will not appeal to gratitude as well.

I believe, however, that discussion of these matters has developed in an overly rigid manner. The different theories of obligation are often treated in somewhat reified form as independent “theories.” Each is assessed as if it alone is to provide satisfactory answers to the full range of questions. When a given “theory” is found deficient in some respect, it can be labeled unsatisfactory and rejected. The critic can then move on to assess the next “theory” on his list. Such procedures of “divide and conquer” are followed by many important scholars.⁷ Their conclusions are largely responsible for the currently widespread view that there is no satisfactory theory of political obligation.

That divide and conquer is flawed becomes apparent if we recognize that many different moral considerations can be relevant to questions of political obligation. The fact that no single moral principle is able to generate all required answers does not rule out the possibility that, by bringing other considerations to bear, better answers can be developed. It is possible that, by combining two (or more) theories, we can construct a position that is stronger than either of the original theories on its own. Accordingly, in this essay, I

attempt to combine the principle of fairness with additional moral principles, to overcome weaknesses of a theory based on fairness alone.

I believe that many political obligations are overdetermined and that there is an element of truth in many different theories of obligation. Even if a theory based on a single principle—for example, gratitude or a natural duty of justice—is not able to overcome all difficulties and so to give rise to a theory that is fully satisfactory, this does not mean that it is not able to account for at least some requirements to obey the law. While the overlap of different principles complicates the task of laying out a satisfactory theory, the full range of laws could well be covered by the crosshatch of different principles.

In working out a multiple principle theory, I attempt to satisfy two main requirements of a theory of obligation: (1) ability to ground obligations of all or virtually all citizens, and (2) to support a full range of governmental functions. We can refer to the former as “generality,”⁸ and the latter as “comprehensiveness.” In *The Authority of the State*, Leslie Green explicates what he calls “the self-image of the state.”⁹ According to Green, the state’s self-understanding is that citizens are bound to obey any law that is properly passed, regardless of content. In this essay, generality does not receive much attention, because the considerations advanced in Section I are able to ground political obligations for virtually all citizens. Generality still plays an important role in the argument, as it is necessary to raise what I believe are insuperable problems for obligations based on consent.¹⁰ With generality satisfied, I devote most of my attention to comprehensiveness.¹¹

The principles I will examine interact in three ways. First is what we can call *cumulation*. Different principles can cover different services provided by the state, and so by combining principles, a larger range of state services can be accounted for. Second is what can be referred to as *mutual support*. In regard to certain state functions, if a given principle on its own cannot justify compliance, the problem might possibly be overcome by more than one principle working in tandem. The third way is simple *overlap*.¹² The intuition here is that, while requirements to obey given laws could be relatively weak, these can be strengthened by support of additional principles. Through the combination of these three kinds of interaction, a theory of obligation can be worked out that is able to satisfy the two requirements—and others as well, although considerations of space rule out discussion of the latter here.

Before proceeding, I should note that, because I consider three different moral principles, discussion must be somewhat cursory. It is not possible to examine many issues in the detail they require or to respond to all criticisms advanced in the literature. Moreover, because principles of obligation are generally not mutually exclusive, principles in addition to those discussed in this essay could well explain at least certain political obligations, further

complicating a full multiple principle theory, but providing further grounds for general moral requirements to obey the law.¹³ Thus to some extent what is presented here are the outlines of a full theory, with the details to be filled in in subsequent work.

Discussion is in four sections. In the first, I present the principle of fairness and discuss its ability to ground obligations to support central state functions. A natural duty principle is discussed in section II. Contributions of a “common good” principle (CG) are examined in section III. Because this is not a familiar principle, I discuss it in some detail. Section IV presents a brief conclusion.

I

Within the liberal tradition, political obligations have commonly been believed to rely on consent. Consent theories, however, have been severely criticized, on the grounds of generality. Adequate numbers of citizens have not expressly consented to government, while if formulated carefully, an argument from tacit consent has the same problem.¹⁴ For theories of obligation, these difficulties are doubly unfortunate. Not only is consent an especially clear and convincing ground for political obligations, but a great advantage of consent is comprehensiveness. If Smith consents to the government of territory X, a plausible case can be made that this applies to the entire range of government actions. For instance, according to John Locke, when Smith leaves the state of nature and consents to join the community, she agrees “to submit to the determination of the majority and to be concluded by it.”¹⁵ She thereby incurs an obligation to comply with all measures the community legitimately undertakes.¹⁶

The principle of fairness, in contrast, establishes political obligations that are general but not comprehensive. The principle was first clearly formulated by H. L. A. Hart in 1955:

When a number of persons conduct any joint enterprise according to rules and thus restrict their liberty, those who have submitted to these restrictions when required have a right to a similar submission from those who have benefited by their submission.¹⁷

The moral basis of the principle is mutuality of restrictions. Under specified conditions, the sacrifices made by members of a cooperative scheme in order to produce benefits also benefit noncooperators, who do not make similar sacrifices. According to the principle, this situation is unfair, and it is intended to justify the obligations of noncooperators. The underlying moral

principle at work in such cases is described by David Lyons as “the just distribution of benefits and burdens.” According to John Rawls, “We are not to gain from the cooperative labors of others without doing our fair share.”¹⁸

The principle of fairness operates clearly in certain cases, concerned with what we can call “excludable goods.” If we assume that three neighbors cooperate in order to dig a well, a fourth who refuses to share their labors but later goes to the well for fresh water is subject to condemnation by the cooperators. There are complexities here, which, for reasons of space I cannot explore, but it seems clear that when a person takes steps to procure benefits generated by the ongoing cooperative labor of others, he incurs an obligation to share the labor through which the benefits are provided.¹⁹ However, the principle is of greatest interest as it concerns the supply of benefits that, because of their nature, cannot be procured, or even accepted. These benefits are important public goods produced by the cooperative efforts of large numbers of people, coordinated by government. The clearest instances are public goods bearing on physical security, most notably national defense and law and order. Because public goods such as these are nonexcludable, and so must be made available to a wider population (or the entire population of some territory) if they are supplied to only certain members, there is an immediate problem in explaining how individuals who have not accepted them incur obligations. Certain scholars argue that, because public goods are not accepted, they cannot generate obligations under the principle of fairness.²⁰

I believe, however, that the principle of fairness is able to generate powerful obligations to contribute to nonexcludable schemes if three main conditions are met. Goods supplied must be (i) worth the recipients’ effort in providing them, (ii) indispensable for satisfactory lives, and (iii) have benefits and burdens that are fairly distributed.²¹

Roughly and briefly, if a given benefit is indispensable to Jones’s welfare, as, for example (and most notably) physical security, then we can assume that she benefits from it, even if she has not sought to attain it. This is especially important in the case of public goods such as security, the pursuit of which is not required for their receipt. Because of the importance of such goods, unusual circumstances would have to obtain for Jones not to benefit. Though the class of indispensable public goods is perhaps small, it undoubtedly encompasses crucial benefits concerning physical security, notably national defense and law and order, protection from a hostile environment, and central public health measures.²² That we all need these public goods, regardless of whatever else we need, is a fundamental assumption of liberal political theory. It is notable that liberal theorists generally view providing them as central purposes of the state.

A strong case can be made that Grey incurs obligations from receipt of indispensable goods, even if he does not accept them or otherwise seek them out. Consider receipt of national defense. Because this is a public good, Grey receives it whether or not he pursues it. In fact, because the benefits of national defense are unavoidable as well as nonexcludable, it is not clear how he could pursue them even if he wished to. Because the benefits of national defense are indispensable, we can presume that Grey *would* pursue them (and bear the associated costs) if this were necessary for their receipt. If we imagine an artificial choice situation analogous to a state of nature or Rawls's original position, it seems clear that under almost all circumstances Grey would choose to receive the benefits at the prescribed cost, if he had the choice. Because of the indispensability of national defense, it would not be rational for him to choose otherwise. But in the case under consideration, Grey's obligation to the providers of defense does not stem from hypothetical consent—that he would consent to receive the benefits under some circumstances—but from the fact that he receives them.²³

In spite of its strengths, as formulated to this point, the principle's power to ground obligations is limited. For instance, since their first inception, governments have been responsible for providing roads. But in themselves, roads are not indispensable to acceptable lives, and so would not appear to be supported by the principle of fairness. Innumerable other goods provided by government are also not indispensable and so also appear to fall beyond the fairness argument. But I believe this objection can be met to some extent by what we can call "the indirect argument." If the state is to provide the indispensable goods noted, the society in question must possess a basic infrastructure—for example, transportation and communication facilities. There cannot be adequate law enforcement or national defense, unless there are adequate roads, bridges, harbors, and so forth.

Filling out the indirect argument would involve many complexities that cannot be addressed here.²⁴ We can confine attention to two points. First, the specific package of services in country X, required contributions to which can be grounded on the principle of fairness, depends on the specific indispensable goods the government of X provides. For ease of reference, we can call a good that government might provide that is not indispensable a "discretionary" good. According to the indirect argument, Grey can be required to contribute to a given discretionary good if it can be shown to be part of a package of such goods that is required if government X is to be able to provide a given public good that is indispensable to his welfare. For instance, in the contemporary world, adequate national defense requires sophisticated industrial and scientific infrastructure. Obligations to support provisions for the relevant industries to function effectively can be justified, as can similar

requirements in regard to facilities for various kinds of research and resources for scientific education. Law enforcement requires adequate roads and communication facilities and what is necessary to support these. And so obligations in regard to these can be justified as well. There is great complexity in determining the specific discretionary goods that can be justified in a given country. Discussion of such questions is difficult on an abstract level, as the specific discretionary goods depend on the details of the indispensable goods the government provides.

The problems in determining the precise contents of a given package of discretionary goods are compounded by the pluralism and diversity of modern liberal societies—and so by epistemological difficulties to which Rawls refers as the “burdens of judgment.”²⁵ Under these circumstances, there are legitimate disagreements about the precise forms in which indispensable goods should be provided and paid for. Because production of many goods involves complex systems in which large numbers of people are involved, people should be treated equally in regard to their preferences, and so determinations should be made through acceptably fair democratic procedures, subject to the added check that the products of such procedures should be able to be defended by strong reasonable arguments.²⁶ If we grant these claims, the principle of fairness is able to establish obligations to support a range of indispensable goods and a package of discretionary goods that is indirectly necessary for the former’s provision, as determined in this manner.

If we allow these claims, we can see that the resulting position possesses a significant strength, but also a significant disadvantage. The services the principle justifies falls far short of comprehensiveness. Although the central idea of the principle of fairness is of course fairness, in order to overcome problems of “accepting” benefits, the principle is able to establish obligations only in regard to benefits subjects clearly accept or are necessary for acceptable lives (and those required for provision of such benefits, according to the indirect argument).²⁷ But fairness cannot establish obligations to support services that benefit *other* people. Most notable here are social welfare services that support the poor, handicapped, or otherwise disadvantaged.²⁸ Up to a point, such services can be viewed as public goods. To the extent that they keep the poor minimally satisfied and so not disruptive of public order, they contribute to the overall environment of law and order that is beneficial to everyone. But welfare functions ordinarily go far beyond this, and to the extent that they benefit only recipients, they require justification by other moral principles.

This criticism can be extended. Governments typically support recreational and cultural activities: public parks, wilderness areas, museums, operas, symphonies, play houses, and ballet companies. It is difficult to

maintain that any of these is indirectly necessary to the provision of essential public goods. Moreover, public parks, opera houses, symphonies, and museums are excludable services. Their benefits can be withheld from specific people relatively easily through admission charges and the like. Thus once again, it is not clear if the principle of fairness can justify requirements for people who do not choose to make use of them to support them.

II

Although the principle of fairness has difficulty establishing obligations in the areas we have noted, other principles can fill the gap. I will discuss two other principles: a duty of mutual aid, which requires people to help others who are in severe need or distress, and what I call the “common good” principle (CG). In accordance with the main theme of this essay, the two principles not only do not exclude one another but are mutually supporting. A theory employing both along with the principle of fairness is stronger than a theory that employs only one of these principles.

The duty of mutual aid is most commonly discussed in connection with the so-called “natural duties of justice,” presented by Rawls in *A Theory of Justice*.²⁹ According to Rawls, natural duties are unlike obligations in that they bind all people without regard to their voluntary actions.³⁰ If A makes a promise to B, the obligation binds only A and is owed only to B. Other people, not involved in the transaction through which the obligation is generated, neither owe nor are owed what has been promised. With a natural duty, in contrast, all individuals are bound by the requirement in question, which is also owed to all people. For example, all people have duties of mutual aid to assist anyone who is in need or distress. Several of Rawls’s natural duties are familiar, intuitively clear moral principles. These include the duty not to harm or injure others,³¹ the duty to show others the respect due to them as moral beings,³² and the duty of mutual aid, “the duty of helping another when he is in need or jeopardy, provided that one can do so without excessive risk or loss to oneself.”³³

In Rawls’s theory, the status of the natural duties rests on the fact that they would be adopted by the representative individuals in the original position. However, setting aside the details of Rawls’s arguments, I view the natural duties as intuitively clear moral principles, which can be assumed to hold.³⁴ This is true of the duty of mutual aid, or as it can be called, a principle of samaritanism.³⁵ I take it as obvious that we recognize this principle as a general moral requirement, binding on all people.³⁶ For example, we generally recognize a requirement to aid a person in distress, for example, a child who

is drowning in a swimming pool. Other things being equal, for Smith to walk by and not aid the child would subject her to severe moral condemnation. This principle requires one generally help other people who are in need or distress, and so to aid society's unfortunate members, for example, orphans, the mentally ill, the handicapped, and others who cannot care for themselves.

Because the natural duties hold generally, there are obvious advantages in using them to establish political obligations. Such was Rawls's intention in *A Theory of Justice*. In addition to the duties we have noted, he introduced two additional duties bearing on political institutions, duties "to comply with and to do our share in just institutions when they exist and apply to us," and to assist in establishing just arrangements when they do not exist, when this can be done at little cost to ourselves.³⁷ These two duties can be referred to as the "natural political duties." As with the other natural duties, their status in Rawls's theory rests on the fact that they would be chosen in the original position. Unlike the other natural duties, the natural political duties are not familiar, intuitively clear moral principles. But for the sake of argument, we can extract them from Rawls's theory and assume that they hold, in which case they would ground general requirements to obey the law.

In *A Theory of Justice*, Rawls attempted to establish a full theory of political obligation on the natural political duties. But there is a problem with this line of argument. The natural duties are generally conceived of as having limitations on their force. They require various actions, but only as long as these are of little cost. Because political obligations can require substantial sacrifices, the natural duties are unable to ground the core obligations that are central to the workings of an acceptable state.

As presented by Rawls, a number of natural duties are qualified by explicit limits on their force. The duty of mutual aid is to help others when they are in need, "provided that one can do so without excessive risk or loss to oneself."³⁸ The duty to bring about a great good holds "only if we can do so relatively easily."³⁹ The second of the natural political duties, the duty to help establish just institutions, is similarly qualified. It is interesting that in both passages in which it is presented, this duty is explicitly qualified in regard to cost, while the duty to comply with existing institutions is not.⁴⁰ But Rawls provides no explanation. At one point he appears to indicate that all natural duties are so qualified.⁴¹ But we cannot say for certain what his position is, and we need not pursue this matter here.⁴² For ease of reference, we can refer to a natural duty or other moral principle that is qualified in regard to cost as a "weak duty" or a "weak principle," and to one that is not so qualified as a "strong" duty or principle.

Our general intuitions concerning the natural duties support the claim that they are weak principles.⁴³ As we have noted, Smith would be subject to

severe condemnation if she allowed a child to drown. The same would be true if rescuing the child would require Smith to get her clothing wet, even to ruin her expensive shoes. But ordinarily, we would not say that her duty to assist the child would require her to assume significant risk, for example, if she had to rush into a burning building that might collapse any time. Actions of this kind pass beyond the required to the supererogatory and are the stuff of heroism. At the very least, a theorist who wishes to argue for a strong duty of mutual aid must meet a significant burden of justification in order to establish this in contradistinction to our basic moral notions.⁴⁴

If this contention is granted, then we can see the limitations of a theory of political obligation based solely on the natural duties. Requirements to comply with just institutions as long as this is not costly to oneself would not ground obligations to pay burdensome taxes or to obey other costly laws, let alone to undertake military service, to fight, possibly to die, for one's country. If Rawls intends for the first natural political duty to hold without regard to cost, then he must present a clearer, fuller account of it, including why it differs from the other natural duties in this respect.

However, even if a natural duty view cannot serve as a self-standing theory of political obligation, it can contribute significantly to MP theory, as we have formulated it. Although the natural duties are unable to establish the state's costly core functions, they—especially the duty of mutual aid—are able to support social welfare and other similar programs, as long as these pose relatively light burdens. One reason requirements along these lines are permissible is that they generally entail only financial contributions. Requiring that Smith contribute money to a homeless shelter is obviously less burdensome than requiring that she spend time there, for example, making beds or counseling clients. As long as financial contributions are reasonably light, the principle of mutual aid should be able to generate requirements for many programs. In the abstract, it is difficult to draw the line between acceptably light and objectionably heavy burdens. Perhaps something along the lines of the 10 percent tithing that many religions impose (or suggest) is acceptable. Perhaps the level is lower, only 2 percent or 3 percent, while the amount that can be required will depend to some extent on the level of need and the kind of services that can be provided.⁴⁵ Whatever the difficulties in identifying precise lines here, especially in the abstract, the thrust of the principle is clear, while even if we cannot draw precise lines, we can identify instances falling clearly on either side of it. Thus a theory of political obligation that combines the principle of fairness and some variant of the duty of mutual aid can be stronger than a theory built on either of these principles taken separately. But before we can accept this position fully, we must address an important problem, the "particularity" of obligations under natural duty.⁴⁶

Central to common notions of political obligation is a strong connection between the individual and a specific political body, of which he is generally a citizen. However, this is difficult for a duty of mutual aid to account for. If Grey is required to help people in distress, why must these be his fellow citizens, as opposed to allowing him to fly off to Africa or Latin America where people are likely in far greater distress? If, following Rawls, we posit a natural political duty “to comply with and to do our share in just institutions when they exist and apply to us,” then it has to be explained why Grey must comply with the institutions of one country rather than another. Even though he lives in Great Britain, which we can assume possesses just institutions, Sweden, Canada, and Belgium can also be assumed to have just institutions. Why must he comply with and support the British government, rather than the governments of these countries? This problem seems to be addressed in Rawls’s formulation as the duty to support just institutions when they “apply” to us. But this of course raises the question of how institutions “apply” to one.⁴⁷

Various means have been proposed to overcome the particularity problem.⁴⁸ The most convincing, I believe, are rooted in reciprocity. One advantage of combining different moral principles is that this can provide means to identify the political community of which one is a member and so the institutions that apply to one.⁴⁹ Because individuals could not lead acceptable lives without indispensable benefits provided by the community, it is misleading to think of them as isolated individuals in the equivalent of a Lockean state of nature.⁵⁰ Grey is “naturally” a member of the community that supplies him with indispensable goods.⁵¹ The institutions that “apply” to him are those that provide these goods, and he has special responsibilities towards his fellow citizens, because their efforts are necessary for essential public goods he receives. In addition, only if the poor and unfortunate members of his society regularly obey the law can there be an overall atmosphere of law and order that is essential to his own well-being. The efforts of his fellow citizens, including unfortunate ones, are also necessary for the provision of national defense, successful working of public health, environmental measures, and the like. Therefore, Grey is justified in giving them special concern, in recognition of and to reciprocate for contributions they make to his own well-being. Moreover, as Richard Miller argues, this is consistent with Grey’s self-interest. Special concern for his fellow citizens could provide them with additional incentives to obey the law and increase their level of public trust.⁵² Accordingly, not only must Grey fulfill his duty of mutual aid by working through the highly coordinated mechanism of a government, but the particular government he should support is that of his own territory.

So fortified, the duty of mutual aid can justify extensive state programs. These include providing the unfortunate with obvious necessities, for exam-

ple, food, shelter, clothing, health care. By extension, programs that provide aid to dependent children can be justified, if it is necessary to support parents in order to make sure the needs of their children are met. In order to alleviate the distress of the poor, a significant range of benefits can be provided.

Let us return to the comprehensiveness requirement. Combining the argument of this section with that of the last, we are able to fill a significant gap in the comprehensiveness of a fairness theory. While fairness primarily justifies requirements that pertain to programs that are beneficial to individuals themselves, the duty of mutual aid can require citizens to support government programs that aid the distressed, as long as the programs are not overly burdensome. By supplementing the functions covered by fairness, mutual aid greatly extends the reach of citizens' moral requirements. Through its focus on joint production and consumption of essential state benefits, fairness in turn plays an essential role in the working of mutual aid in defusing the particularity problem. Through both mechanisms noted at the beginning of this essay, cumulation and mutual support, a theory of political obligation that combines fairness and a duty of mutual aid is more powerful than a theory of obligation based on either principle working by itself.

III

The theory of political obligation developed thus far still falls short of the comprehensiveness requirement. In addition to providing indispensable public goods and seeing to the needs of the unfortunate, the state claims to be able to perform a large range of other services. For example, states regulate their economies to keep inflation and unemployment in check, a function that is, arguably, neither indispensable for satisfactory lives nor covered by natural duty requirements to aid those in distress. States also commonly support public education, museums, symphonies, and national parks.

An additional consideration concerns the existence of a standing mechanism to take measures for the common good.⁵³ States claim such a general power. Arguably, such a mechanism is itself indispensable. But even if we do not go so far, we can recognize that a society with such a mechanism is clearly better off than one without. And so the question is whether MP theory can be extended to justify these activities.

I believe this problem can be addressed through an additional, principle, which I call the "common good" principle (CG). According to this principle, the mechanism in place in society X to provide indispensable and other necessary public goods and to aid the unfortunate can also take reasonable mea-

asures to promote the common good in other ways. The principle combines elements of fairness and consequentialist principles of political obligation.

CG: The government of society X, which provides indispensable (and necessary discretionary) public goods and basic social welfare services may take reasonable measures to promote the common good in additional ways, with citizens required to do their fair shares to support its efforts.

Since CG is not a familiar principle, it must be discussed in some detail.

The main thrust of CG follows from the fact that supply of indispensable public goods under the principle of fairness creates a community. As I have noted, the independent, Lockean individual in the state of nature is a fiction. Because Grey and other inhabitants of society could not lead acceptable lives without public goods supplied by joint cooperation, they should be viewed as members of the community that furnishes them. In addition, in order to provide necessary public goods (and an infrastructure of discretionary goods),⁵⁴ Grey and other members of community X must develop effective decision-making institutions. So associated, Grey and other X-ites can employ these institutions to advance their interests. The existence of a standing mechanism to deliberate about and promote the common good is of enormous value. As Hume says, once government has been established, it is able to take on additional tasks. Although certain projects are clearly in the public interest, they are often too large for one or a few persons, while, without government, it is difficult to marshal the efforts of the necessary numbers. Government is able to get things done, and so to provide great benefits for the community: "Thus bridges are built, harbours open'd, ramparts rais'd, canals form'd, fleets equip'd," and other ends accomplished, which would not have been possible without government intervention.⁵⁵ Each of these projects might not be either indispensable or necessary for the provision of indispensable goods. But because each one contributes to society, CG justifies them, and others. A policy of providing these services should on the whole benefit all members of the community. It follows from the principle of fairness that if Grey benefits from the joint efforts of his fellows in regard to these measures, then he can have moral requirements to do his fair share in providing them. For ease of reference, we can refer to the entire range of programs CG supports as "common provisions."

Justification for government to take such measures is clearly along consequentialist lines. There is little doubt that governments are justified in providing for the health and welfare of their populations, regulating their economies, and taking other measures that are clearly in the public interest. We would likely raise questions about a government that did not take obvious

measures to improve the lives of its citizens. In a democratic country, the government is no more than a mechanism that represents the collective citizenry, and so parallel considerations require that individual citizens support such measures. In general, their main responsibilities here are paying taxes. The programs in question cost money, and citizens have moral requirements to contribute their fair shares. In order to be clear about their requirements, imagine that tax payments were clearly divided so that the amount each citizen pays for each program could be clearly identified. Under such circumstances, Smith would be required to contribute the requisite amount to each reasonable program, again, because of consequentialist and fairness considerations. She can be morally required to do her fair share to advance the good of the community of which she is a member.

Although CG might appear to be an extension of the principle of fairness rather than a separate moral principle, this is not the case. Of course, for our purposes in this essay, the separateness of CG is relevant to the need for MP theory rather than simply a theory based on the principle of fairness alone. We saw in the last section that the latter is not a defensible possibility. Along similar lines, although CG draws on the principle of fairness, it must also draw on consequentialism. As we have noted, the principle of fairness is able to justify obligations only in regard to cooperative efforts that benefit the obligee himself (see above, p. 9). CG grounds wider obligations to support efforts *that are beneficial to society*. This is in accordance with consequentialist requirements to promote the public good.⁵⁶ Only if the individual is required to support specific programs that are not necessarily beneficial to him can CG extend the reach of people's political obligations.

A related objection is that, if CG can be established along these lines, it might appear to be too successful. Provision of indispensable public goods and necessary discretionary goods may be viewed as clearly in the public interest, as may programs to aid the unfortunate. If the community votes to supply them, then they will appear to fall under CG. If this is true, then CG itself may satisfy the comprehensiveness requirement, thereby making MP theory unnecessary.⁵⁷ However, CG by itself is not able to fulfill this role. CG requires prior identification of the community of which one is a member. As I have noted, this is provided by joint production and consumption of indispensable public goods under the principle of fairness. Without this, it is not clear exactly what makes Grey a member of a specific community and why he must support efforts to advance its interests.

Once the relevant community is identified, its members can jointly work to promote its interests. Their efforts could include measures to supply necessary discretionary goods and social welfare programs. However, because there is no incompatibility between CG and other principles that support

these programs, the fact that CG also supports them is a strength rather than a weakness. Moral requirements supported by a set of different principles are likely to be stronger than requirements supported by fewer principles. Because of its connections to community membership, the CG principle is closely related to currently fashionable theories of political obligation grounded on principles of association.⁵⁸ But while these theories are often unclear about exactly how association gives rise to moral requirements and their precise nature,⁵⁹ through mutual support of different principles of obligation, the argument here makes clear both the nature of a person's community and the moral requirement to support it. Once again, community is constituted by joint production and consumption of indispensable public goods. Because people require these for acceptable lives, they are "naturally" members of the community and have requirements to do their fair share in reasonable efforts to promote the common good, as the community sees this.

Although CG appears to be a sweeping principle, and so potentially dangerous, it is circumscribed by the fact that measures taken must be reasonable. Cashing this notion out gives us three conditions that must be satisfied:

- (i) the government services or provisions in question must actually be in the public interest; that is, benefits must outweigh costs;
- (ii) the provisions must be distributed fairly; and
- (iii) decisions in regard to these benefits must be made democratically, with all individuals having a fair say.

According to (i), society will be able to generate obligations through CG only if policies actually are in the public interest. Not any decision will create binding moral requirements. In addition to being fairly decided on, there must be a strong case that the resulting package of provisions benefits society. The same holds for individual programs or provisions. Each of these must be able to be shown to be in the public interest, and it must be shown that benefits outweigh costs.

An obvious objection is that this standard fails to be satisfied in the real world. The requirement that each specific program or policy be beneficial is obviously inconsistent with omnipresent special interest legislation. Requiring individuals to be concluded by determinations of the majority invites abuse. Democratic safeguards do not prevent the majority from compelling the minority to support its own favored programs. In the words of Joseph Kalt, "Given standard realistic assumptions, the individuals who effectively are the state at any time would act to promote their own welfare at the expense of non-controlling individuals."⁶⁰ Any working majority can be tempted to pursue its own interests while adhering to the letter of the law. The use of pub-

lic power to benefit special interests is too familiar an aspect of democratic politics to require comment.

This is a formidable difficulty, but we should recognize that CG does not justify all government enactments that purport to be in the public interest. The principle legitimizes only those that actually do promote the common good. Beyond a certain point, a government that is used by the majority to exploit the minority becomes illegitimate. It would be wrong, however, to expect governments to be perfect, or even to meet demanding standards of justice. The appropriate standard is tolerable or reasonable justice. A government's actions must be on the whole defensible, though exceptions should be accepted. In regard to common provisions, it must be borne in mind that they are components of overall packages of benefits that government provides. Unfair distribution of common provisions, or of specific components of the package of common provisions, is of course deplorable but not sufficient to dissolve Grey's political obligations, as long as the overall package of benefits he receives is worth its costs—and the other necessary conditions both for common provisions and overall legitimacy of government are met.⁶¹

In addition to being beneficial for society, (ii) common provisions must be distributed fairly. If city A receives extensive benefits, then city B should be treated similarly. Criteria for allocating resources should be reasonable and neutral between geographical and cultural areas. Because obligations under CG draw on prior obligations under the principle of fairness, it is essential that common provisions not upset these balances.⁶²

Grey can of course disagree with other members of society about the specific goods necessary to advance the public interest, and could well believe that none are necessary at all. In diverse societies disagreements are expected; there will be an enormous range of opinions about what society requires. Thus the third requirement: (iii) such decisions must be made through democratic procedures, which provide all members equal say. As in regard to other issues, with people disagreeing about steps that should be taken to advance the general interest, their differences should be discussed and voted on, according to recognized procedures. Grey will not be alone in being dissatisfied with aspects of the resulting programs. The compromises required in a diverse society should be to some degree unsatisfying to everyone alike. However, regardless of departures from their preferences, all individuals have obligations to support the result, as long as it is determined fairly and can be defended as beneficial to society with strong reasonable arguments.⁶³ CG in effect leaves all members of society subject to common determination of what is in the public interest. But the obverse side of this is that all inhabitants are able to attempt to persuade the majority to realize their own views of what is beneficial.

Condition (iii) also bears on questions of fair distribution. Widespread differences as to what constitute appropriate principles of distributive fairness also must be addressed through fair procedures.⁶⁴ Fair democratic procedures must be used to select appropriate principles from the class of acceptable principles of distribution and so to determine standards of fair distribution. If procedures work properly in these regards, the resulting distribution of common provisions should be acceptably fair and so consistent with political obligations under the principle of fairness. Moreover, it bears mention that democracy also helps preserve fairness, in allowing decisions to be revisited. With democracy in place, if specific decisions are objectionable, means are in place to reverse them.

Even with these safeguards, one can still object. For instance, Locke requires that people *agree* to subject themselves to the judgment of the majority, whether or not they have rights to participate in its deliberations. As Simmons notes, one advantage of requiring express consent is the protection from tyranny it affords.⁶⁵ CG, in contrast, is not accepted. But as I have noted, requirements to support the common good stem from membership in communities. The three conditions ensure that people's rights and interests are respected. Still, Smith can contend that, because the goods in question are not indispensable to her welfare or required to aid other people in distress, she should not be required to support their provision. We can hypothesize that she benefits relatively little from them and so they are not worth their costs *to her*. The response is that CG is not intended primarily to benefit her. The requirement is that Smith support efforts to promote the general good. The three conditions serve as safeguards to ensure that she is not exploited by self-interested majorities. In addition, as we have noted, even though given common provisions need not benefit her, they cannot render the overall package of benefits she receives from society not worth its costs to her.

Because Smith is a member of society and has moral requirements to promote its interests, defenders of common provisions can reply to Smith that a common way of conceptualizing her situation is doubly incorrect—wrong in two different respects. In objecting to having to support common provisions, Smith is likely to construe the situation as whether she as a distinct individual is morally required to contribute to a distinct set of government benefits. But for reasons we have seen, Smith is not a distinct individual; she is a member of society, while the common provisions she receives are not a distinct set of benefits but part of an overall package of benefits that society provides through a process of deliberating about appropriate means to promote the general good.

Consider Robert Nozick's famous example of the public address system.⁶⁶ A group of neighbors bands together to provide music and information to the

neighborhood. Each neighbor runs the system for one day. When it is Smith's turn to contribute, she refuses, saying that she prefers not to give up a day. But once again, the public address system does not stand by itself. It is part of a package of benefits that is viewed as in the general interest by the community itself, of which Smith is a member and in the deliberations of which she has rights to participate. Because of X's democratic institutions, Smith is like other X-ites in having the ability to attempt to influence her fellow citizens to utilize public resources to promote what she believes to be the common good.

It could be objected that since the public address system is a detachable part of society X's overall package of benefits, then X is not justified in extending the obligations she has in reference to other goods to the public address system as well. As Simmons argues, if a provider of a given set of goods extends his provision to include additional goods, "this should be at his own risk. He should either provide them free or try to make them excludable; what he may *not* do is impose them on others at a price set by him."⁶⁷

But although individual components of the package can be detached and provided separately, what links them is that all are specific applications of society's general effort to advance the common good. Viewed in this light, the public address system is part of an overall process that is generally beneficial and so Smith has moral requirements to support it. Even if she does not benefit from the process in some particular case, in all likelihood she will benefit from other aspects of the package, while she is also protected by the safeguards we have noted. If obligations to support particular elements could be ruled out simply because given individuals did not benefit from them, the mechanism could accomplish almost nothing (beyond providing goods discussed in the previous sections), and all would be far worse off. Even if her compliance or noncompliance with the mechanism would go undetected, she has moral requirements to do her fair share in supporting the decision-making process of society of which she is a part.

If we assume that CG is able to deflect the criticisms we have explored, an important objection still remains, that the principle does too much. Since it justifies requirements to comply with all laws that support the common good, by itself, it could generate requirements to obey all laws, thereby once again making MP theory otiose. We have seen that a strong form of this objection fails, because CG requires the support of the principle of fairness in order to establish the relevant community.⁶⁸ But once this is done, CG is arguably capable of grounding all other obligations—making both further work by the principle of fairness and the natural duty principle unnecessary.

Although I believe that CG does establish moral requirements to support the full range of governmental actions, I also believe that MP is a more convincing theory with the additional principles than without them. Appeal to

other principles allows CG to do less moral work. If all political obligations beyond those to support essential public goods were grounded only in the majority's belief that the relevant services were in the public interest, defenders of the principle would have a relatively hard time responding to complaints of abuse. As our discussion indicates, this is an inherent problem with CG. Support for supply of indispensable public goods is required by the principle of fairness as is support of social welfare functions by the natural duties of justice. In regard to these areas of government function, CG does not stand alone. Because requirements to help supply these goods are based on other moral principles, political obligations grounded on CG alone begin only after these other principles leave off, and so encompass only provisions that are not necessary for indispensable goods and do not aid the needy. Although this is not an inconsiderable range of programs, it most likely involves a relatively small percentage of what an individual is required to contribute to the state.

An additional way other principles strengthen MP theory is through their overlap. Requirements to contribute to certain public goods are grounded in the principle of fairness and requirements to support social welfare functions in the natural duties of justice. These moral requirements add moral force to the requirements that CG generates in regard to these programs. Once again, central to MP theory is the belief that different principles of obligation will generally complement rather than exclude one another. The overlap of different principles that bear on particular state functions obviously strengthens requirements to support them.⁶⁹

IV

If we grant the arguments in the previous sections, then the result is a theory that satisfies the requirements presented at the beginning of this essay. MP theory is both general, grounding obligations for most or all citizens, and comprehensive, corresponding to the self-image of the state. As we have seen, the three principles we have discussed work in tandem in two ways, covering state services not addressed by other principles and supporting the working of the other principles in regard to the same services. With its three moral principles interacting in these ways, MP theory takes on a certain complexity. It becomes difficult to determine exactly where the contributions of one principle leave off and those of another begin. The fact that MP theory depicts many political obligations as grounded by more than one principle is perhaps disconcerting at first. But this is consistent with the initial intuitive

plausibility of many different theories of political obligation and corresponds to the highly complex nature of contemporary societies.

Throughout this essay, for purposes of argument, we have discussed indispensable and discretionary goods in isolation from one another, and from social welfare services supported by natural duties and other services justified as promoting the common good. But in practice, these different functions overlap, with the workings of one affecting others, which in turn impact on others, and so on. The high degree of interpenetration is seen clearly in government's function of advancing the common good—much of which will overlap with functions justified by the other principles. This complex interweaving of moral principles corresponds to the complex, interconnected character of modern life. To have a safe and secure environment, an economy that functions healthily, efficient transportation and communication, and other “essential services,” in addition to amenities that make for more pleasant and interesting lives, requires a high degree of efficient coordination. The interdependence of different systems is readily seen when an element is not working smoothly—be it a power failure, a transportation workers' strike, a natural disaster, or a threat to public safety. There is room for disagreement as to whether the resulting disruptions are compatible with what we would view as “acceptable” lives. The complexities cannot be addressed here. But however we respond, it is clear that overlap and interactions between requirements to support the entire range of state functions match up with the overlapping nature of the functions themselves that are necessary for acceptable lives in modern societies.⁷⁰

NOTES

1. Most notable are A. J. Simmons, *Moral Principles and Political Obligations* (Princeton, NJ: Princeton University Press, 1979); L. Green, *The Authority of the State* (Oxford, UK: Oxford University Press, 1988); J. Raz, *The Authority of Law* (Oxford, UK: Oxford University Press, 1979), chap. 12; M. B. E. Smith, “Is There a Prima Facie Obligation to Obey the Law?” *Yale Law Journal* 82 (1973). For purposes of discussion here, “political obligations” can be taken to be more or less equivalent to moral requirements to support the state or to obey the law. For basic features of political obligations, see Simmons, *Moral Principles*, chaps. 1 and 2; G. Klosko, *The Principle of Fairness and Political Obligations*, new ed. (Savage, MD: Rowman & Littlefield, 2004), chap. 1. I should also note that throughout, discussion is confined to laws that are reasonably just and to liberal, democratic societies that can also be assumed to be reasonably just. In the literature, it is widely believed that liberal political theory is unable to establish political obligations even in such societies. It is this contention that I attempt to refute. Although I believe that the principles I discuss can be extended to other kinds of societies (to different extents), this important subject cannot be discussed in this essay.

2. For different accounts of the requirements theories of political obligation should satisfy, see Simmons, *Moral Principles*, chap. 2; Klosko, *Principle of Fairness*, 2-6; J. Wolff, "Political Obligation: A Pluralistic Approach," in *Pluralism: The Philosophy and Politics of Diversity*, ed. M. Baghramian and A. Ingram (London: Routledge, 2000), 182-87.

3. Simmons, *Moral Principles*. Simmons also examines consequentialist and "conceptual" arguments, though he devotes less attention to them. Similar approaches are employed by Smith, "Prima Facie Obligation"; Raz, *Authority of Law*; and R. Dworkin, *Law's Empire* (Cambridge, MA: Harvard University Press, 1986), chap. 6.

4. Simmons explicitly rejects the "universality" requirement that a single principle must account for all political obligations (*Moral Principles*, 35). The main previous work with a "multiprinciple" approach is Wolff, "Political Obligation," to which I am indebted. The approach is suggested in Klosko, *Principle of Fairness*, 98-99; see also C. Gans, *Philosophical Anarchism and Political Disobedience* (Cambridge, UK: Cambridge University Press, 1992), which does not work out the details of the position.

5. H. Beran, *The Consent Theory of Political Obligation* (London: Croom Helm, 1987).

6. C. Wellman, "Toward a Liberal Theory of Political Obligation," *Ethics* 111 (2001).

7. See note 3. I should note that, after refuting the principles separately, Simmons claims that a combination of them will not satisfy the generality requirement (*Moral Principles*, 191). I am indebted to an anonymous reader for this point.

8. The term is taken from Simmons, *Moral Principles*, 55-56. For reasons of space, I cannot discuss additional requirements, although I believe the position developed here could address them.

9. Green, *Authority of the State*, chap. 3.

10. The best defense of consent theory in the literature is Beran, *Consent Theory*; his position is criticized in G. Klosko, "Reformist Consent and Political Obligation," *Political Studies* 39 (1991).

11. My focus on the comprehensiveness requirement might seem unusual, because we might simply assume that a theory of obligation will explain obligations to obey the law across the board, rather than only some laws, with additional principles required for other laws. The problem, however, is that at the current time no theory is generally viewed as able to do this. Multiple principle (MP) theory, even with its unconventional approach to comprehensiveness, appears to be the only alternative to no satisfactory theory at all.

12. Mutual support and overlap are closely related. But in cases that involve the former, a single principle is not able to generate a given moral requirement without the help of another. With overlap, both principles A and B are able to generate independent moral requirements, which are strengthened by having the same (or closely similar) application.

13. Especially notable is a general duty to obey the law based on the contention that law is a seamless web, and so violation of any given law undermines the legal system as a whole. Although this is potentially an important argument, it raises many questions that cannot be addressed in this essay.

14. An excellent account is Simmons, *Moral Principles*, chap. 4. For the distinction between express and tacit consent, see J. Locke, *Second Treatise of Civil Government*, secs. 119-22.

15. Locke, *Second Treatise*, sec. 97.

16. Because of difficulties identifying individuals who have clearly consented to government—aside from naturalized citizens—consent contributes little to MP theory as developed below, though of course, it is an important source of obligations for individuals who have consented.

17. H. L. A. Hart, "Are There Any Natural Rights?" *Philosophical Review* 64 (1955): 185. For full discussion of political obligations based on the principle of fairness, see Klosko, *Principle of Fairness*.

18. D. Lyons, *Forms and Limits of Utilitarianism* (Oxford, UK: Oxford University Press, 1965), 164; J. Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), 112. The underlying moral principle is analyzed by R. Arneson, "The Principle of Fairness and Free-Rider Problems," *Ethics* 92 (1982); see also C. Strang, "What If Everyone Did That?" *Durham University Journal* 53 (1960).

19. In such cases, we can assume that, if the benefit can be withheld from A, it should be his decision whether he should receive it at the specified price. Within the liberal tradition, liberty is a central value. The decision whether A will have his liberty curtailed by having to contribute to a cooperative scheme should be made by him rather than by the scheme members.

20. The need to accept benefits is noted by Rawls, *Theory of Justice*, 113-16; similarly, R. Nozick, *Anarchy, State, and Utopia* (New York: Basic Books, 1974), 95; Dworkin, *Law's Empire*, 192-93.

21. For reasons of space, I discuss only (i) and (ii) in this essay. Throughout, I assume that (iii) is met. For discussion of these and other aspects of the principle, see Klosko, *Principle of Fairness*.

22. Though I will not discuss other possible members of this class, I do not rule them out.

23. Discussion here draws on Klosko, *Principle of Fairness*, chap. 2, which also considers and counters other possible arguments against obligations in these cases. Important, recent criticisms of the position presented here are presented by A. J. Simmons, *On the Edge of Anarchy* (Princeton, NJ: Princeton University Press, 1993), chap. 8; and *Justification and Legitimacy* (Cambridge, UK: Cambridge University Press, 2001), chap. 2. A response to the former is presented in G. Klosko, "The Natural Basis of Political Obligation," *Social Philosophy and Policy* 18 (2001). In regard to the latter, note the example of the well Simmons uses on page 34. This is a poor example, because, as Simmons presents it, the benefit in question is easily supplied through the labor of one person, in contrast to the indispensable public goods discussed throughout this essay.

24. See Klosko, *Principle of Fairness*, chap. 4.

25. J. Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 54-58.

26. For discussion, see Klosko, *Principle of Fairness*, chap. 3. Similar procedures should be used to determine the form in which indispensable public goods are supplied.

27. See Arneson's discussion of the "self-benefit principle" ("Principle of Fairness").

28. The claim in this essay is not that such services must necessarily be provided by the state but only that, if the state does provide them, this must be justified.

29. Rawls, *Theory of Justice*, secs. 19 and 51; Simmons, *Moral Principles*, chap. 6; J. Waldron, "Special Ties and Natural Duties," *Philosophy and Public Affairs* 22 (1993); G. Klosko, "Political Obligation and the Natural Duties of Justice," *Philosophy and Public Affairs* 23 (1994).

30. Rawls, *Theory of Justice*, 114-15.

31. *Ibid.*

32. *Ibid.*, 337; additional natural duties are discussed in sec. 51.

33. *Ibid.*, 114.

34. Simmons also divorces the natural duties from the context of the original position (*Moral Principles*, 143-44).

35. Wellman, "Toward a Liberal Theory."

36. For an excellent defense of a duty of mutual aid, see J. Feinberg, *Harm to Others* (Oxford, UK: Oxford University Press, 1984), 126-86. For survey research on attitudes toward the natural

duties, see D. Klein and G. Klosko, "Political Obligation: The Empirical Approach" (paper presented at the 2001 meeting of the American Political Science Association, San Francisco). Subjects were University of Virginia undergraduates; although *Ns* are small and the sample not representative of the American population, the percentages are striking.

37. Rawls, *Theory of Justice*, 334; similarly, 115.

38. *Ibid.*, 114.

39. *Ibid.*, 117; also 115.

40. *Ibid.*, 334, 115. Simmons, for one, appears to attach the cost qualifier to both political duties (*Moral Principles*, 193; see also 154); Waldron does not discuss the question of costs in "Special Ties."

41. Rawls, *Theory of Justice*, 117.

42. For the first of the political duties not to be qualified in regard to cost while all other natural duties are would require explanation. This difference would suggest the likelihood of further, deeper differences and that the duty to comply's derivation would differ from those of the other duties; for discussion, see Klosko, "Natural Duties."

43. Wellman's principle of samaritanism is similarly cost-qualified, "Toward a Liberal Theory," 744, 748, 752 n. 21.

44. For criticisms of Wellman's position in regard to cost, see G. Klosko, "Samaritanism and Political Obligation: A Response to Christopher Wellman's 'Liberal Theory of Political Obligation,'" *Ethics* 113 (2003).

45. For levels of social spending in different countries, see W. Adema, "What Do Countries Really Spend on Social Policies? A Comparative Note," *OECD Economic Studies* 28 (1997).

46. Simmons, *Moral Principles*, 31-35. I assume the legitimacy of requiring that natural duties of justice be fulfilled by supporting state agencies. For discussion, see Daniel McDermott, "Natural Duties and State Legitimacy" (paper presented at the 2001 meeting of the American Political Science Association, San Francisco).

47. For problems with Rawls's view in this regard, see Simmons, *Moral Principles*, chap. 6.

48. See, for example, R. Goodin, "What Is So Special about Our Fellow Countrymen?" *Ethics* 98 (1988); C. Wellman, "Relational Facts in Liberal Political Theory: Is There Magic in the Pronoun 'My'?" *Ethics* 110 (2000). The latter is criticized by C. Coons, "Wellman's 'Reductive' Justifications for Redistributive Policies That Favor Compatriots," *Ethics* 111 (2001).

49. In *Philosophical Anarchism*, Gans attempts to solve the particularity problem by combining natural duty and "communal" (association) principles (pp. 81-82).

50. Notably, Simmons, *Moral Principles*; this is also true of public choice theorists, for example, M. Taylor, *The Possibility of Cooperation* (Cambridge, UK: Cambridge University Press, 1987). For discussion, see Klosko, "Natural Basis."

51. See Klosko, "Natural Basis."

52. See R. Miller, "Cosmopolitan Respect and Patriotic Concern," *Philosophy and Public Affairs* 27 (1998). I should note that this does not justify blackmail by Grey's fellow citizens, that it is legitimate for them not to obey the law unless they are bribed with social welfare programs. As indicated, the primary reason to address their needs is recognition and reciprocation, but these pragmatic considerations are also relevant and should be mentioned. I am grateful to anonymous readers of this journal for discussion on this point.

53. For discussion of this point, I am indebted to David Klein.

54. For convenience, in various contexts below, I will not mention supply of necessary discretionary goods covered by the indirect argument along with goods that are themselves indispensable. Their inclusion can be assumed.

55. D. Hume, *A Treatise of Human Nature*, ed. E. Mossner (Harmondsworth, UK: Penguin, 1969), III, ii, 8, p. 590. Although the examples that Hume provides are public goods, "common

provisions" under CG will also include excludable goods, if these satisfy the conditions discussed below.

56. I am grateful to an anonymous reader for discussion of this point.

57. Cf. note above.

58. Dworkin, *Law's Empire*, 196-216; J. Horton, *Political Obligation* (London: Macmillan, 1992), chap. 6; also, M. Gilbert, "Group Membership and Political Obligation," *Monist* 76 (1993).

59. See A. J. Simmons, "Associative Political Obligations," *Ethics* 106 (1996); but see the response of J. Horton, "Political Obligation, Identity, and Political Community" (paper presented at the 2001 meeting of the American Political Science Association, San Francisco).

60. J. Kalt, "Public Goods and the Theory of Government," *Cato Journal* 1 (1981): 580.

61. A possible problem with the common good principle (CG) is that common provisions are frequently not public goods but excludable. This implies that, ordinarily, they should be funded through user fees, although considerations of social justice could require that economically disadvantaged members of society have access. Exploration of these issues is beyond the scope of this essay.

62. On determinations of fair benefits and burdens, see Klosko, *Principle of Fairness*, chap. 3.

63. On these requirements, see *ibid.*

64. Empirical evidence suggests that there is greater agreement on fair procedures than on fair distribution; for discussion, see G. Klosko, *Democratic Procedures and Liberal Consensus* (Oxford, UK: Oxford University Press, 2000), chap. 8.

65. Simmons, *Moral Principles*, 65-68. As is clear in the philosophy of Rousseau, rights to participate by themselves do not provide adequate safeguards.

66. Nozick, *Anarchy, State, and Utopia*, 93-95. For discussion of the example, see Klosko, *Principle of Fairness*, chap. 2.

67. A. J. Simmons, "The Anarchist Position: A Reply to Klosko and Senor," *Philosophy and Public Affairs* 16 (1987): 274 (his emphasis).

68. CG also works reciprocally to establish obligations in regard to indispensable public goods, though I of course view this as a strength rather than a weakness of MP theory.

69. It is worth noting that an additional advantage of increasing the number of principles involved in MP theory is that, if one principle is refuted, the theory could still ground comprehensive general political obligations through operation of the remaining principles.

70. Previous versions of this essay were presented at the College of William and Mary and to the University of Virginia Political Theory Colloquium. I am grateful to both audiences and to many colleagues and friends for helpful comments. These include Lawrie Balfour, Colin Bird, Richard Dagger, Joshua Dienstag, David Klein, Don Moon, Peter Rinderle, Stephen White, Jonathan Wolff, and my anonymous readers.

George Klosko is the Henry L. and Grace Doherty Professor of Politics at the University of Virginia. He works on issues in normative theory, especially political obligation and political liberalism, and the history of political thought. Recent books include Democratic Procedures and Liberal Consensus (Oxford, 2000), Jacobins and Utopians: The Political Theory of Fundamental Moral Reform (Notre Dame, 2003), and Perfectionism and Neutrality: Essays in Liberal Theory, co-edited by Steven Wall (Rowman & Littlefield, 2003).