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More Than Obligation

Three Anarchical Fallacies: An Essay on Political Authority by William A. Edmundson

Review by: George Klosko

*The Review of Politics*, Vol. 61, No. 3 (Summer, 1999), pp. 536–538

Published by: [Cambridge University Press](#) for the [University of Notre Dame du lac on behalf of Review of Politics](#)

Stable URL: <http://www.jstor.org/stable/1408470>

Accessed: 27/07/2014 15:16

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because they reject the deferential pose of postmodernism and endorse the old code of romantic utopianism (p. 140).

The reader will have to wink at many of the reputed facts of Rorty's account of America's legacy of the Left to appreciate fully what he hopes to accomplish in *Achieving Our Country*. Walt Whitman, for example, is far less secular, if by secular we mean antireligious, in later poetry after the assassination of Lincoln; "Passage to India" and "Chanting the Square Deific" come to mind immediately as quite spiritual. And there are obviously other instances of some rather myopic readings of history, besides the glaring ones like the reformist Left's unwillingness to loosen its own cultural hegemony in the 1950s and 1960s. But Rorty is playing Cassandra here, and though he may not be right in every detail, he is not wrong to lament the lack of purpose that has engulfed the remnant of the "party of hope." If the Left is going to carry on in its mission to reform the Republic, it will have to rededicate itself to the unfinished business of building a nation rooted in democracy.

Rorty's anguishing over the Left is sincere, and however misbegotten in part, deserves an honest hearing for that reason alone. But this anguishing is also wholly patriotic and well intentioned, and for that reason it is to be read conscientiously regardless of all biases.

—Dennis Wm Moran

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## MORE THAN OBLIGATION

William A. Edmundson: *Three Anarchical Fallacies: An Essay on Political Authority*. (Cambridge, MA: Cambridge University Press, Pp. xi, 192. \$49.95.)

In recent years, theories of political obligation have come under heavy criticism. Within liberal theory, the traditional view has long been that people have obligations to obey the law because they have consented to do so. But since the time of Locke, it has been clear that adequate numbers of citizens have not expressly consented, while theories of tacit consent have also been severely criticized. In *Moral Principles and Political Obligations* (1979), A. John Simmons overthrows a series of bases in addition to consent and defends "philosophical anarchism," the consequences of which are less severe than traditional anarchism. Even if individuals do not have political obligations, they have strong moral reasons not to engage in harmful behavior, while the absence of political obligations does not imply that the state is not justified in enforcing moral norms. Not surprisingly, Simmons too has been strongly criticized. William Edmundson's *Three Anarchical Fallacies* is the latest contribution to the debate.

Edmundson's main aim is to defend the legitimacy of the state by demonstrating the fallacious nature of familiar arguments against it. The first fallacy is that the state's right to rule depends on subjects having obligations to obey it. The second is that state action is coercive, which implies that it must meet a heavy burden of justification. Third is that permissible

state action is limited by principled reasons against its enforcement of particular moral requirements. Throughout, Edmundson's discussion is skillful and inventive. Readers will benefit from working through his arguments, particularly the painstaking discussion of coercion, in Part II. He has interesting things to say about the relationship between morality and law and succeeds in calling into question several popular views. But as a contribution to our understanding of political authority, the work's value is limited by oddness of focus.

I will briefly discuss the first two fallacies. Part I presents a variant of Simmons's philosophical anarchism, in both strategy and conclusion. Edmundson runs through a series of possible bases for political obligations, including different forms of consent, gratitude, respect, expectations, utility, and fairness. Because all of these have problems, Edmundson concludes against the possibility of a general duty to obey the law. However, he argues that this does not necessarily entail that there can be no legitimate state. According to the "Modest Legitimacy Thesis," authoritative directives "create in one's subjects an enforceable duty not to interfere with their forceful administration" (p. 42). While there is no general duty to obey the law, individuals must comply with "administrative prerogatives," specific instructions of government officials. Grounds for this are utility and necessity (chapter 3). Edmundson claims that this view provides all the authority we need, thereby allowing an accurate account of the citizen's obligations, while preserving "a vigorous conception of the nature of political authority" (p. 70). The state Edmundson supports is as traditionally conceived, exercising a monopoly of legitimate force (pp. 120–23, 157).

The distinctive philosophical territory Edmundson occupies is made necessary by the impossibility of establishing general political obligations. But his support of this crucial claim is not adequate; he does not deal satisfactorily with what he views as the best of the existing theories, one based on the principle of fairness. Having dispensed with other grounds for political obligation, Edmundson discusses fairness only briefly, although he says that a fully worked out fairness view "offers the strongest nonconsensual foundation for obedience that we are ever likely to have" (p. 31). He later notes the absence of a "knockdown argument showing that the Principle of Fairness is false" (p. 112). But he rejects fairness, mainly because "it cannot in itself answer all of the arguments against the existence of a general duty to obey" (p. 31). However, this raises obvious questions about exactly how vulnerable fairness is. Which objections can it not answer, and why, and is a formulation of fairness theory that circumvents the main problems *less* plausible than the modest legitimacy thesis? Edmundson does not demonstrate that the values of utility and necessity that undergird the duty of noninterference cannot, in conjunction with concerns of fairness, support an acceptable theory of political obligation—even if, albeit, one that is unable to deal with *all* difficulties.

The discussion of coercion in Part II is, once again, illuminating. Through examination of a series of examples, Edmundson shows that definitions of coercion proposed in the literature cannot support the widely held view that law is *coercive*. The implication for questions of legitimacy is that, if law is

not coercive, the burden of justification state action must meet is significantly lessened and the force of anarchist objections accordingly diminished. But in spite of the high quality of Edmundson's analysis, there is a serious problem with the structure of his argument. The fact that if state action is coercive it requires justification does not entail that, if it is not coercive (in some or other technical sense), it does not. State action regularly limits liberty and contravenes other values and so requires justification for these reasons. In his conclusion, Edmundson notes that coerciveness is only one reason for justification and so the possibility of other reasons as well (p. 179). But he does not examine these, and one must wonder why not. In the absence of foreclosing these other grounds, showing that state action is not coercive has relatively little bearing on questions of political authority.

—George Klosko

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### THE RADICAL CANON

J. Peter Euben: *Corrupting Youth: Political Education, Democratic Culture, and Political Theory*. (Princeton: Princeton University Press, 1997. Pp. xvi, 270. \$18.95.)

In summary, Euben's book sets out to negotiate a divide between those, on the one hand, who defend the teaching of "canonical" texts as a foundation in Western moral and civic values and those, on the other hand, who take these same texts and the teaching of them to represent the silencing of the oppressed and the expression of unjustifiable privilege. Euben calls the former group "conservative canonists" and the latter he calls "multiculturalists." While the labels might be thought unrealistically broad, the conflict is real enough. The "great books" have come under attack and the attackers have received their share of abuse in return. The dispute has a certain urgency: educating the young for democratic citizenship is at stake.

To develop his claims, Euben offers a series of studies united by a set of thematic views: Athenian history and ancient Greek texts offer important resources for defenders of radical democracy; there is an important difference between a "political" education and a "politicized" education; Socrates has something to teach us about living in accordance with democratic principles. The texts Euben examines are Aristophanes' *Clouds*, Sophocles' *Antigone* and *Oedipus Tyrannus*, Plato's *Gorgias* and *Protagoras*. The aspects of Athenian history that concern him are the Battle of Salamis and the relation between Socrates and Athenian democratic institutions (which leads him to examine Plato's *Apology* in some detail). The readings of individual texts are engaging and, indeed, are the strongest point of the book. Euben, however, is less successful at developing his thematic views with anything like analytic rigor. Nevertheless, this criticism may miss the mark. Euben is not practicing analytic political philosophy; he is telling a kind of story and, thereby, creating a particular vision or, perhaps, a prism through which to view the dispute he attempts to negotiate. He retells the action and arguments of the texts he