

## Political Naturalism and State Authority

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The problem of legitimate authority and political obligation—whether or not the state has the right to coercively enforce its laws against its citizens, and whether citizens have a correlative obligation to obey—is one of the oldest and most central problems in political philosophy.<sup>1</sup> There is a widely shared popular intuition that states possess this right and that citizens are correspondingly obligated to them. Polling data and other empirical surveys in the United States, for example, routinely find that large majorities of citizens think of themselves as obliged to their state.<sup>2</sup> A durable philosophical justification for this intuition, however, has been difficult to find. There are many proposed theories appealing to such diverse concepts as consent, fairness, natural duties of justice, gratitude, and associative ties, but none have garnered any kind of broad support, and it appears as if skepticism about political obligation and state authority is currently the majority view in the field.<sup>3</sup>

From a certain venerable but neglected perspective, the problem of political obligation only arises because of a basic confusion. This is the perspective of the *political naturalist*, a view that is usually associated with the political theory of Aristotle. For the political naturalist, there can almost be no question of the obligation of a citizen to her state because the state plays such an essential role for human development and flourishing. On this view, human beings are naturally political animals and cannot develop into fully functioning human beings outside of political relationships. The naturalist perspective offers a striking reply to the skeptic about political obligation. To even raise the question of political obligation, and to suggest that political relationships are somehow optional for human beings—as modern theories of state authority do—is to reveal a deep confusion about human nature and the necessity of political institutions. Political naturalism thus offers a novel and powerful alternative approach to the problem of political obligation and state authority.

This root idea that human beings are naturally political can be developed in a variety of distinct ways. For example, one might argue that human beings are naturally political in the sense that political participation is itself *constitutive* of the good life. Such an approach offers a specific *perfectionist* understanding of the human good, and sees political participation as essential for achieving this good. I shall call such an approach *thick* political naturalism. Timothy Hinton has recently articulated such an approach in his suggestion that human beings are distinguished from other animals by their capacity for *logos*—the ability to speak

and reason—and that this capacity is most fully expressed only within political relationships. Thus a person “cannot become fully human—and so cannot become fully itself—outside of political society.”<sup>4</sup> Alternatively, one might construe the good in a *thin* way, and think that what is essential about political institutions is that they provide the basic background conditions of stability and order that are required for human flourishing. Something like this approach can be gleaned from John Horton’s suggestion that “without a body that establishes a set of common rules, which adjudicates when there is disagreement . . . and which, when necessary, enforces them by protecting against their violation, there is no realistic, long term prospect of a minimally secure, let alone prosperous life together.”<sup>5</sup>

This paper will attempt to show that both varieties of political naturalism are problematic. While both thick and thin naturalisms are subject to unique challenges, there also appears to be certain structural features of a naturalist approach to political obligation that make it difficult to convert the claim that political institutions have a special kind of value for human well-being into a justification for political obligations.

### I. The Varieties of Political Naturalism

The *locus classicus* for this understanding of the relationship between a person and the political realm is, of course, Aristotle’s *Politics*, where he suggests that “the state belongs to the class of objects which exist by nature, and that man is by nature a political animal.”<sup>6</sup> As such, “among all men then, there is a natural impulse toward this kind of association; and the first man to construct a state deserves credit for conferring very great benefits. For as man is the best of all animals when he has reached his full development, so he is worst of all when divorced from law and justice.”<sup>7</sup>

There is a great deal of controversy with regard to what exactly Aristotle might mean when he calls political institutions “natural.” David Keyt, for example, has argued that Aristotle’s political theory flounders because he gives no coherent and consistent meaning to this central idea.<sup>8</sup> In contrast, Fred Miller argues that Aristotle relies upon an extended sense of natural where “a thing exists by nature if, and only if, it has as its function the promotion of an organism’s natural ends and it results, in whole or in part, from the organism’s capacities and impulses.”<sup>9</sup>

Because virtually no theory of political obligation would deny that political institutions arise from certain basic human “capacities and impulses,” such as the ability to cooperate and organize, it is the first element of Miller’s formulation—that a thing is natural just when it promotes an organism’s *natural ends*—that is especially important for distinguishing the approach of the political naturalist. One can construe these “natural ends” in two main ways, either as a *thick*, perfectionist account of a human flourishing or identity, or the *thin*, minimal background conditions of stability and order that are necessary for a human life to go well. For the thick naturalist, the political goods are *internal* to persons and

help to constitute their flourishing. On this approach, political life is not just instrumentally necessary to secure the basic background conditions in which people can pursue the good life. Political life just *is* the good life, or it is essential to the development of central human capacities that are intrinsic to our flourishing. In contrast, for the thin naturalist, the goods provided by political institutions are *external* to individuals and instrumentally necessary for human welfare. Such goods provide a backdrop against which people can pursue their own conception of the good, whatever that might be.

This distinction between thick and thin political naturalism is not meant to be exhaustive. There are perhaps alternative ways of developing the basic idea that human beings are naturally political animals.<sup>10</sup> Despite the natural advantages of this approach, however, there is a surprising dearth of theories that explicitly embrace the political naturalist's label.<sup>11</sup>

## II. Thick Political Naturalism

The challenge for political naturalism is that of bridging the gap between what Timothy Hinton calls *social* and *political* naturalism.<sup>12</sup> Social naturalism is the view that "human beings are essentially social animals. For the social naturalist, we cannot become fully human outside of social relations."<sup>13</sup> It makes the uncontroversial observation that many central aspects of human development and well-being cannot take place outside of social relationships. No human being will acquire normal human linguistic and mental capacities living in isolation, for example, even if she is able to survive. In contrast, political naturalism is the view "that one can only become fully human by participating in a *polis*, a society in which political authority of some kind is exercised."<sup>14</sup> It makes the stronger claim that there are at least some central human goods that cannot develop outside of specifically political relationships where coercive political authority is exercised. John Simmons has argued that the problem with naturalist approaches to political obligation is that they tend to leap from uncontroversial social naturalist claims to quite controversial political naturalist ones. As he says, "the fundamental defect of political naturalism is its reliance on what we might call 'the communitarian fallacy.' This is the fallacy of inferring the truth of political naturalism from certain kinds of simple, true premises about people and societies—for instance, that we all grow up and are socialized in political communities. . . ."<sup>15</sup> The problem here is that political naturalism must not only make the claim that we are inherently and necessarily social creatures, but "must make the far stronger claim that persons are *necessarily* political, hence essentially related to political societies or subject to political authority."<sup>16</sup>

The thick political naturalist attempts to bridge this gap by suggesting that political participation is itself constitutive of human flourishing. For thick political naturalism, political institutions are necessary not only in order to secure the basic background conditions of social stability that are necessary for us to live minimally decent lives, but rather because the human good is directly achieved by

engaging in political life. It expresses a perfectionist understanding of the human good. From this perspective, we are obliged to our political societies because political life just *is* the good life for human beings, or is necessary for the development of certain very basic human capacities that are themselves central to human flourishing.

A novel defense of the thick political naturalist thesis has been recently articulated by Timothy Hinton, who argues that what is particularly distinctive about human beings is our capacity for *logos*, the uniquely human power to speak and reason, and that this capacity plays an important role in explaining the importance of political participation in a good life. On Hinton's account, to possess *logos* is to possess the capacity to offer reasons, to evaluate when something counts as having a reason, and to control one's actions accordingly. This capacity is social in two important ways. One of these ways is in the construction of a person's identity. Identities are essentially dialogical in character and so a person's self-understanding is heavily dependent on her capacity to think and reason with others. A second way that *logos* illuminates our social nature is the fact that reasons have an ineliminably public nature, and thus to act from and to evaluate reasons for action is to commit oneself to the public meaning of words and concepts. Hinton appeals to John McDowell's, Charles Taylor's, and Christine Korsgaard's understanding of identity and reasons for action in his own discussion of what is distinctive about our reason-giving capacities, but the particular details need not be discussed. The central point is that humans are distinguished from all other animals by their capacity for rational deliberation and reflection, and that this capacity is ineliminably social in nature. While Hinton derives his account of political naturalism from aspects of this account, a skeptic about thick perfectionist political naturalism need not dispute any of the details of this particular account of *logos*.

Of course, no one denies that we are essentially *social* creatures, but the task of the political naturalist is to demonstrate that we are essentially *political*. Hinton attempts to do this not by arguing for the "manifestly false" thesis that "nothing recognizable as a human being could develop outside of all political relations,"<sup>17</sup> but rather the more moderate claim that people "cannot become fully human without belonging to some political community or other."<sup>18</sup> The underlying idea here is not the thin naturalist's idea that the basic security provided by political institutions is necessary in order for us to flourish, but rather the thick naturalist claim that political participation plays an essential developmental role for our central capacity for *logos*. To say that people "cannot become fully human" is to say that a person who lived outside of a community where political authority is exercised "falls short of the potential good that human beings are capable of realizing."<sup>19</sup> The potential human good that Hinton has in mind is democratic self-governance. The value of such self-governance does not depend upon the independent value of democratic rule; this is not an account of democratic authority. Rather, its value lies in the fact that it provides the setting for the fullest exercise of our capacity for *logos*. It is by engaging in the deliberation, planning,

debate, and discussions enabled by democratic political institutions that the uniquely human capacity to reason finds its fullest expression. Hinton argues that a defense of his claim is best accomplished by asserting two propositions; “first, that democratic self-government is an irreducibly political good; and, second, that any human being who is deprived of a share in that good is missing something essential to living the best kind of human life.”<sup>20</sup>

The first of these propositions—that democratic self-governance is an irreducibly political good—is less controversial than the second. In saying that democratic self-government is “irreducibly political,” Hinton only means to suggest that it is the kind of “activity that is impossible for me to take part in unless I am part of a ‘we’ who is doing it.”<sup>21</sup> In saying that it is a “good,” he claims that it provides an important opportunity for the exercise of our capacity for rational deliberation, for “if each of us severally has the power of self-determination, then a community of us jointly has the power of self-government.”<sup>22</sup> The idea here apparently is that the public deliberation characteristic of democratic self-government involves an important exercise of our capacity for *logos*.

Why should we agree with the second of Hinton’s propositions, that a person who is outside of a democratic political community is “missing something essential to living the best kind of human life?”<sup>23</sup> Hinton’s argument is one that appeals to the centrality of *logos*:

[The political naturalist] might point to the idea that we are social animals with the power of *logos*. She takes this to be a deep truth about us and she thinks it helps to explain what makes self-determination possible for human beings. But if she is right about that, then it does not seem so implausible to say that any community that falls short of democratic self-government is a community more or less unfit for human habitation because it involves a lesser form of self-determination for its members.<sup>24</sup>

The claim then is that any kind of self-determination requires the capacity for *logos*, and that *logos* finds its fullest expression in democratically self-governing political societies. It is in specifically democratic political societies where citizens engage, deliberate, and control their collective destinies that the human capacity for *logos* finds its highest expression and use. Any other kind of political society fails to make full use of the deepest and most essential aspect of human nature. Any other kind of society is therefore comparatively deficient.

Two worries might be raised for this argument. First, while it might be true that any *political* community that is not democratically self-governing is worse from the point of view of *logos* than a political community that is, a purely *social* community could provide the context necessary for the exercise and development of *logos* without being *political*. We might imagine a small, far-flung community that does not exercise political authority over its members, but otherwise conducts its common life collectively and deliberatively. The community is small and unified enough that it can function without a central body that enforces its decisions, and so it is not a specifically political community. Nevertheless, it

would appear to provide the context necessary for the cultivation and exercise of *logos*. Participants take responsibility for their common life together. Decisions are made only after prolonged periods of deliberation, and everyone’s concerns are given equal weight. It does not seem like the lives of the members of such a community are deficient in any way with regard to the development and exercise of their capacities for rational deliberation. Indeed, it seems plausible to suggest that *logos* in fact finds its highest expression in such small communities since it is more likely that all could genuinely participate. But the very thing that encourages the optimal exercise of *logos* (i.e., the small size of the community) is the very thing that makes coercive political authority unnecessary.

The problem here with Hinton’s argument is logical. *Logos*, as Hinton claims, “helps to explain what makes self-determination possible for human beings,” but he has not done anything to show that political self-determination is *necessary* for *logos*. It would seem to find a full expression in small, merely social communities. Hinton seems to jump from his long discussion of *logos* and social naturalism to political naturalism without giving any explanation for what political communities provide for the exercise of *logos* that merely social communities do not. Indeed, the suggestion comes across as something of a *non sequitur*. If the argument specifically turns on our capacity for *logos*, what does the exercise of coercive political power contribute? How does coercive political authority deepen our capacity to engage in rational deliberation?<sup>25</sup>

Second, even if these claims were true, and a specifically *political* community exercising coercive political authority is in fact a deep and essential good for human life, it is not clear how this would by itself provide a justification for state authority and political obligations. A person could concede that, as Hinton writes, there is “some kind of good that political society makes possible for human beings and that this good is of fundamental significance from the point of view of human flourishing,”<sup>26</sup> just as one might concede there is “some kind of good” of “fundamental significance” that philosophical inquiry, physical fitness, or marriage make possible, but this secures no conclusion about what a person is obliged and may be coerced to do. A group of philosophers, athletic trainers or potential spouses cannot simply sweep in and subject a person to their coercively imposed will on the grounds that the good that they offer is important to human flourishing and necessary for the best kind of life. Political participation might be a central human good, but this by itself is no justification for political authority. These kinds of claims might provide a person with good reasons to study philosophy, exercise, find a spouse, or join a political society, but they do not by themselves explain why she can be forced to do these things.

This illuminates a double bind for thick perfectionist political naturalism. Such an approach will involve two claims. First, it will identify some good that can only be had when coercive political authority is exercised. Second, this good will be used to justify the coercive nature of these state authorities. The problem is that an attempt to address either one of these issues makes the answer to the other seem more implausible. For example, political obligations might be justified

if the good that was identified was so deeply essential that any human life that lacked it would be grotesquely subhuman. But while such an answer might justify state authority and political obligations, it will seem implausible that such a good can only be had within political, rather than merely social communities. Likewise, if one tried to identify some good that seemed to be genuinely exclusive to political communities, then it seems unlikely that it would have the import necessary to justify the imposition of state authority. As it is, it is very difficult to identify any thick good that seems genuinely exclusive to political communities, but if one could be found, it is unlikely to be the kind of good that is so central to any recognizably human life that it would justify the imposition of the coercive power of the state. Hinton himself realizes that it would be implausible to claim that a life outside of political society would fail to be recognizably human, but then it is hard to see what is so special about putative political goods that would justify the imposition of coercive state power against a person's will. This appears to be a general problem for any kind of thick perfectionist political naturalism.

### III. Thin Political Naturalism

One might worry that these arguments have been too quick, and that they fail to appreciate the distinctive goods that political institutions make possible. One might worry that while the counterexample of the small purely social community above is theoretically possible, it is a realistic option only in extremely marginal circumstances. What is ignored is the fact that political institutions provide the basic peace and stability that makes modern life possible. One way in which we are naturally political is that we need coercive political institutions in order to provide the basic stability that is necessary for a minimally decent life. One might describe such a position as *thin* political naturalism, and this particular idea is expressed in an account of political obligation from John Horton. Horton writes that:

Without a body that establishes a set of common rules which adjudicates when there is disagreement about how they are to be interpreted and applied and which, when necessary, enforces them by protecting people against their violation, there is no realistic, long-term prospect of a minimally secure, let alone prosperous, life together. If human beings are to flourish, on any remotely plausible account of what it is for them to flourish, certain minimal conditions must be established and maintained.<sup>27</sup>

Horton calls this the "Hobbesian argument," and it points to an intriguing alternative way of marshaling the naturalist considerations into an account of political obligation. On this interpretation, political institutions have a unique importance because they alone can provide the basic background conditions of security and order without which no human life can go well. The relevant political goods are not thick and perfectionist, but rather thin and generic. Political institutions provide the basic background conditions that we need to live minimally decent

lives. On this approach, political obligations arise because social stability is necessary in order for any human life to go well, and such stability can only be provided by political institutions wielding coercive political power. In contrast to thick naturalism and its double bind, it seems at least plausible to suggest that the good in question is genuinely exclusive to political communities, and is central enough to human life that it can explain our obligations to them.

Horton's Hobbesian argument provides a particularly straightforward expression of this kind thin political naturalist idea. It is, however, but one element within a complex *associative* theory of political obligation. For Horton, political obligations are best explained in terms of the associative bonds that exist within particular communities, especially the way that our identities are shaped by them. Membership within a group can entail certain obligations, if the group is of a certain sort, namely one that has an independent kind of value. The Hobbesian argument then merely establishes the necessary premise that political associations in fact have the kind of value that can activate associative obligations. While the Hobbesian argument is but one component within a complex associative theory of political obligation and is not intended to serve as a self-standing, thin naturalist account, it nevertheless suggests one plausible way in which that idea might be developed that is worth exploring.<sup>28</sup> How might such an argument work?

Horton's Hobbesian argument has two particularly distinctive features. First, the argument itself is extremely straightforward, and operates by doing little more than simply asserting the conclusion. Horton thinks that this claim about the necessity of social order is so widely accepted that it requires little more in the way of argument. As Horton writes, "some anarchists apart, it is almost universally accepted that if human beings are to live together, certainly in groups that extend beyond those that could be held together by bonds of natural affection; there needs to be some reasonably effective regulatory body."<sup>29</sup> Second, Horton emphasizes that the peculiar value of a state comes exclusively from the stability that it provides, and is not easily undermined by its other flaws. As Horton says, "a polity does not need to be very admirable, and certainly does not need to be democratic, or just, or even very nearly just. A polity may have this minimal value while being, for instance, thoroughly illiberal and undemocratic."<sup>30</sup> Horton's main concern here is to make clear that a state's value lies solely in the stability that it provides, rather than other morally valuable features it might have, such as its justice or respect for human rights.

If we take the argument as a self-standing thin naturalist argument, it is clear that more will have to be said about how the stability a state provides can give rise to political obligations. While it might be the case that—"some anarchists apart"—few people would doubt the claim that states are necessary to secure a minimally decent existence, this claim is quite distinct from the claim that such stability justifies political obligations. Even some anarchists could affirm the former claim. John Simmons, for example, accepts the idea that some states are "justified," but denies that any are "legitimate."<sup>31</sup> In other words, he admits that states can be valuable entities, and we are better off having them around, but this

does not mean that their citizens are bound to them by political obligations. Similarly, a number of theorists are happy to affirm the legitimacy of at least some kinds of states, but deny that this entails political obligations. Instead, they argue that it is sufficient to think of state legitimacy as a *liberty right* of the state to exercise its coercive power that does not correlate to any political obligations owed by citizens.<sup>32</sup> As David Copp says, “the idea of an *obligation* is more specialized than is necessary to capture the idea that the subjects of a legitimate state would have a moral duty to obey the law.”<sup>33</sup> Citizens might have moral *duties* that demand support of the state and obedience to its laws, but they do not “owe their obedience *to* the state.”<sup>34</sup> So, some argument needs to be provided here. The necessity of states does not by itself justify political obligations to them.

What might such an argument look like? It does not seem like it is generally true that people are morally obligated to support or participate in things that have value. For example, as Simmons argues, a charitable organization might have a great deal of value, but I do not have an obligation to support it solely on this basis.<sup>35</sup> More plausibly, the argument might turn on the unique and peculiar value of security for human welfare. The order and security provided by well-functioning states is not just one good among many, but plays a role of special importance since it seems like virtually no other human good matters without it.

One might worry, however, about this claim that the value of states comes *exclusively* from the stability that they provide. Such a claim plays an important role in a self-standing thin naturalist account since it is important to isolate the source of obligation in the stability that a state provides rather than the kinds of considerations that are offered by other accounts of political obligation, such as fairness or justice. Horton himself, while not offering the Hobbesian argument as an independent account of political obligation, is insistent on this point, suggesting that the value of states is not derived from other considerations like its justice, and is not undermined even by its being “thoroughly illiberal and undemocratic.” As he says, “a polity does not need to be very admirable, and certainly does not need to be democratic, or just, or even very nearly just” in order to have this value.<sup>36</sup> But it does not necessarily seem so obvious that citizens of a despotic regime, which nevertheless provided stability for them, owe those regime political obligations.

Consider the example of Equatorial Guinea and its dictator Teodoro Obiang. Obiang came to power in a military coup in 1979, and has tyrannically ruled his country while enriching himself through Equatorial Guinea’s vast oil reserves. As Leif Wenar writes,

Obiang is the kind of ruler who has not shied from having himself proclaimed “the country’s God” on state-controlled radio, or from having his guards slice the ears of political prisoners and smear their bodies with grease to attract stinging ants. In the 1990s large deposits of oil were discovered in the Bay of Guinea; Equatorial Guinea quickly became the third-largest oil exporter in Africa. Because of the huge influx of oil money, Equatorial Guinea now has the fourth-highest average income in the world: 15 percent higher than the per capita income of the United States . . . yet Obiang . . . has recently spent

55 million of these petro-dollars adding a sixth private jet to his fleet [while] raw sewage runs through the streets of the country’s capital, three-quarters of the country’s people are malnourished, and the majority of its citizens survive on less than what one could buy in the United States with \$1 a day.<sup>37</sup>

Let us assume that Obiang’s regime provides basic stability for its citizens, and that its citizens are better off than they would be under conditions of complete lawlessness.<sup>38</sup> It is still troubling, however, to suggest that the citizens of Equatorial Guinea have a political obligation to obey all of its laws and support its regime on the basis of this value. The worry here is not that an unjust polity, which nevertheless provided stability for its citizens, has *no* value; we can admit that even such a state has *some* value. The worry arises out of the thin naturalist claim that citizens might have *political obligations* to such states on the basis of this value. To deny that such citizens have political obligations is not to deny that they have no reasons to obey at least some laws. They will have obligations to obey many laws on the basis of broader moral considerations—the obligation not to kill or steal, for example. Also to deny that they have political obligations is not even to say that citizens ought to overthrow the regime. It is just to say that Obiang does not have the special power to morally obligate his citizens. They might tolerate him or prefer him to worse rulers or anarchy, but it would be a strong claim to suggest that they are morally obligated to support a tyranny.

So there appears to be a gap between the claim that political institutions have a special kind of value in virtue of the stability that they provide, and the claim that this value can by itself serve as the grounds of political obligations. There are, of course, a number of ways in which this gap might be bridged. Horton himself appeals to associative considerations. Other candidates to bridge this gap would include arguments that turn on the ideas of fairness or natural duties of justice. One could say, as George Klosko does, that it is unfair to receive certain goods, especially vital ones like security, while not also participating in the burdens of maintaining the scheme that provides those goods.<sup>39</sup> Or one could appeal to the idea that we have natural duties of justice to support just institutions.<sup>40</sup> This latter suggestion seems to be particularly in tune with some of the intuitions driving a thin naturalist account. At least part of what makes an institution just is that it provides basic conditions of order and stability for its people, and, given the worries above, it seems like we care about not just stability, but stability provided by minimally decent regimes. But, while either of these strategies might be successful, such arguments would no longer be naturalistic.

The thin naturalist perspective is rooted in the relatively uncontroversial claim that states wielding coercive political power are necessary to secure the social stability that is a prerequisite for a minimally decent life. But while stability matters, there are strong intuitions that suggest that it is not the only thing that matters, and the most obvious ways of negotiating these intuitions will appeal to normative concepts that go beyond a simple appeal to political stability. Thin

political naturalism might express a deep truth about political institutions and human welfare, but it seems difficult to convert this truth into a self-standing, independent account of political obligation without drawing on normative ideals associated with alternative approaches to the problem.

#### IV. Conclusion

I have attempted to show that both thin and thick political naturalism face serious problems that should cause us to doubt how successful such an approach might be as a novel, independent account of political obligation and state authority. In both cases, problems arose in trying to bridge the gap between the assertion that political institutions have a special value, and a justification for the political obligations that citizens might owe to their polities. Indeed, while the thin and thick approaches are importantly different, the problems that they face arise out of the distinctive structure of any kind of political naturalism.

Naturalist accounts of political obligation are characterized by the fact that they attempt to identify in political institutions some good that is necessary for human well-being, and then attempt to use this fact to explain how this good can justify political obligations. But there is obviously a gap between contending that something is a good, and demonstrating how it is that such a good can give rise to the specific normative demands of a political obligation. The problem here lies in what exactly is entailed by a political obligation. In order for a person to be bound by a political obligation, a state must have the right to coerce her, and to morally obligate her to obey the state's laws, just because the law is issued by the state. But naturalist approaches, given their fundamental structure must explain how it is that we can bridge the gap between a claim about the human good, to a claim about how we are obliged to external political institutions. Even if the perfectionist element in the claim is correct, it does not explain how we are obliged to political institutions. We might have reason to support them, and it might be irrational to reject them, but this by itself does not explain how we become obligated to them.

Political naturalism is a capacious and theoretically fertile starting point, and there are a number of theoretical approaches that are related to, but distinct from the naturalist approach, such as associative, fairness, or natural duty of justice theories. Obviously, these other approaches have been much discussed in their own right. But what is interesting about a specifically perfectionist political naturalism is that, while it is an old view, it promises a novel and powerful perspective on contemporary discussions about political obligation and state authority. This promise, however, appears to be illusory. This paper has examined two recent defenses of the approach, but their problems seem to be endemic to the structure of any kind of political naturalism. I am grateful to the extensive comments from the three anonymous reviewers. I would also like to thank Ian Cruise and Annette Denton for their comments and research assistance.

#### Notes

- <sup>1</sup>The structure of the problem of state legitimacy has been upset in recent years by a number of attempts to reconfigure what this problem is about. On the traditional way of understanding the problem, as described above, a state's legitimacy is a claim right the state has toward obedience that correlates to a political obligation of citizens to obey. Political obligations and state legitimacy are flip sides of the same moral coin. More recently, the issue has been made more complex as some claim that legitimacy is only a liberty right of the state to enforce its laws, but that this right correlates to no obligation of obedience on the part of citizens. States in other words have the right to coerce, but citizens are not obligated to obey their laws simply because their states issue them. Others claim that legitimacy is some complex mix of Hohfeldian rights and powers. For the purposes of this paper, however, the traditional understanding of state legitimacy or authority is assumed.
- <sup>2</sup>See, for example, Tom Tyler, *Why People Obey the Law* (New Haven: Yale University Press, 1990), 45.
- <sup>3</sup>See, for example, Christopher Morris, *An Essay on the Modern State* (Cambridge, MA: Cambridge University Press, 1998), 214; and Leslie Green, "Who Believes in Political Obligation?" in *For and Against the State: New Philosophical Readings*, ed. Sanders and Narveson (Lanham, MD: Rowman and Littlefield, 1996), 1. The classic expression of such skepticism is A. John Simmons, *Moral Principles and Political Obligation* (Princeton: Princeton University Press, 1979). See also Joseph Raz, *The Morality of Freedom* (Oxford: Oxford University Press, 1986).
- <sup>4</sup>Timothy Hinton, "Naturalism and Authority," *Journal of Social Philosophy* XLI (Summer 2010): 152–168, p. 153.
- <sup>5</sup>John Horton, "In Defense of Associative Political Obligation: Part Two," *Political Studies* 55 (2007): 1–19, 8. See also his "In Defense of Associative Political Obligations: Part One," *Political Studies* 54 (2006): 427–43. While appealing to this naturalist idea, Horton's fully considered theory is not naturalist, but associative, arguing that political obligations arise out of the social bonds between citizens and their political communities.
- <sup>6</sup>Aristotle, *The Politics* (New York: Penguin Group, 1992), 59.
- <sup>7</sup>*Ibid.*, 61.
- <sup>8</sup>See David Keyt, "Three Fundamental Theorems in Aristotle's Politics," *Phronesis* 32 (1987): 54–79, and his "Fred Miller on Aristotle's Political Naturalism," *Ancient Philosophy* 16 (1996): 425–30.
- <sup>9</sup>Fred Miller, *Nature, Justice and Rights in Aristotle's Politics* (Oxford: Oxford University Press, 1995), 40–1. What is most striking about Miller's own interpretation is the extent to which it is in fact only very weakly naturalistic. Indeed, Miller offers an interpretation that sounds remarkably similar to the kinds of considerations that motivate contemporary contractarians, arguing that, because humans are not naturally self-sufficient and so cannot achieve their ends outside of particular kinds of cooperative relations, "a practically rational agent pursuing the good life ought to choose to enter into a just system of cooperation" (376). Such a reading is naturalistic in that it proceeds "from the social and political conditions which are indispensable for reasonable persons to exist in a natural condition" (376), but the real work is being done by the contractualist elements in the theory. Something similar could be said of Andrés Rosler's detailed study of political authority in Aristotle's *Political Authority and Obligation in Aristotle* (Oxford: Oxford University Press, 2005). Rosler's account relies heavily on Miller's understanding of nature, though his own interpretation suggests that Aristotle's account has elements of consent, fairness, and natural duty of justice theories of political obligation. For both Miller and Rosler, the justification of political authority depends upon the benefits provided by political institutions given the natural assets and liabilities of human nature. But because the real work is being done by theoretical elements that are quite familiar in other modern approaches to the problem of political authority, these theories provide a less interesting kind of political naturalism. Such approaches might well be successful, but they will be negotiated in terms of arguments and debates that are already familiar within recent work on state authority.
- <sup>10</sup>One might think of so-called communitarian accounts of political obligation as an example, but in fact, I think it represents an importantly distinct perspective on political obligations. A great

variety of very different kinds of theories often fall together under the label "communitarian," but crudely speaking, such theories share a worry that typical liberal individualist accounts of political obligation fail to recognize the way in which social relationships can give rise to obligations, even if they are nonvoluntary. The most familiar way of articulating this idea is to suggest that our identities are often constituted by membership in social groups so that we cannot deny the obligations entailed by such membership without also threatening our own identities. Such an approach has affinities with the political naturalism discussed here. One might think of it as representing a kind of thick naturalism since having a coherent identity is partly constitutive of our flourishing. These affinities, however, are misleading since they are more aligned with associative theories of political obligations, which themselves offer a distinct approach. The normative logic of associative theories is grounded in membership and the obligations that are entailed by it, rather than the ideas of natural human flourishing or well-being, and so it is useful to disambiguate the two approaches.

<sup>11</sup> Both John Simmons and Michael Lessnoff briefly discuss political naturalism as an alternative to state of nature theory, but neither mention any specific account. See A. John Simmons, *On the Edge of Anarchy* (Princeton, NJ: Princeton University Press, 1993), 36–38, and Michael Lessnoff, *Social Contract* (Atlantic Highlands, NJ: Humanities Press, 1986), 7–9. Timothy Hinton's account appears to be the only contemporary account of political obligation that embraces the label.

<sup>12</sup> Timothy Hinton, "Naturalism and Authority," 154.

<sup>13</sup> *Ibid.*

<sup>14</sup> *Ibid.*

<sup>15</sup> A. John Simmons, *On the Edge of Anarchy* (Princeton, NJ: Princeton University Press, 1993), 37.

<sup>16</sup> *Ibid.*

<sup>17</sup> Hinton, "Naturalism and Authority," 162.

<sup>18</sup> *Ibid.*, 161.

<sup>19</sup> *Ibid.*, 162.

<sup>20</sup> *Ibid.*

<sup>21</sup> *Ibid.*, 163.

<sup>22</sup> *Ibid.*, 162.

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*, 163–64.

<sup>25</sup> Hinton also offers a second argument for his claim regarding the necessity of political institutions that appeals more directly to the value of democratic institutions rather than seeing their value as deriving from the role they play in enabling the full exercise of *logos*. Democratic self-government is necessary because it is the only way to fully acknowledge our status as equals (164). Hinton says very little to develop this idea. Such an idea is more fully developed in Thomas Christiano's *The Constitution of Equality* (Oxford: Oxford University Press, 2008). This kind of argument, however, is quite distinct from the naturalist considerations that drive the argument, and appeals to a very different kind of theory of political obligation and authority.

<sup>26</sup> Timothy Hinton, "Naturalism and Authority," 162.

<sup>27</sup> Horton, "In Defense of Associative Political Obligations: Part Two," 8.

<sup>28</sup> Indeed, Horton at times suggests that the Hobbesian argument by itself can explain how an obligation can arise without associative considerations. Horton, for example, writes that the "[the Hobbesian argument] is well adapted to showing why we can plausibly think of ourselves as having obligations to a polity, but less so to showing that we stand in a special relationship to our polity" ("In Defense of Associative Political Obligations: Part Two," 7). This latter task is fulfilled by what Horton calls the "associative argument," which appeals to the communitarian idea that "our self-understanding, and the way that others understand us, is shaped and constrained in fundamental respects by the various social contexts and practices, including our membership in particular social groups, which constitute the fabric of our lives" ("In Defense of Associative Political Obligations: Part Two," 10). Thus on this interpretation, the Hobbesian argument operates as a self-standing explanation of how political obligations arise, and the associative arguments shows

how these obligations come to attach us to the particular political institutions that we are under. The associative argument plays the smaller role of solving the "particularity problem," and showing that our obligations are not directed toward states in general but to the particular states of which we are members.

<sup>29</sup> John Horton, "In Defense of Associative Political Obligations: Part Two," 8.

<sup>30</sup> *Ibid.*

<sup>31</sup> See, A. John Simmons, "Justification and Legitimacy," *Ethics* 109 (July 1999): 739–71.

<sup>32</sup> See, for example, Allen Buchanan, "Political Legitimacy and Democracy," *Ethics* 112 (July 2002): 689–719; David Copp, "The Idea of a Legitimate State," *Philosophy and Public Affairs* 28: 3–45; and William Edmundson, "Legitimate Authority without Political Obligation," *Law and Philosophy* 17 (1998): 43–60.

<sup>33</sup> David Copp, "The Idea of a Legitimate State," 10.

<sup>34</sup> *Ibid.*, 11.

<sup>35</sup> Christopher Heath Wellman and A. John Simmons, *Is There a Duty to Obey the Law?* (New York: Cambridge University Press, 2005), 194. Continuing, Simmons argues that while the goods provided by states are significantly more important, "it simply does not follow that only *this* state, with *these* officials, and *this* organization, making its morally arbitrary (and no doubt historically unjust) claims to *this* territory can do the good in question." In short, states might be valuable, but that doesn't mean that I am obliged to *this* state.

<sup>36</sup> At one point, Horton agrees with Yael Tamir's suggestion that a criminal organization like the Mafia that nevertheless also provided genuine security might be the kind of association to which people owe genuine associative obligations. See John Horton, "In Defense of Associative Political Obligations: Part Two," 9–10. See also Yael Tamir, *Liberal Nationalism* (Princeton, NJ: Princeton University Press, 1993), 101–02.

<sup>37</sup> Leif Wenar, "Property Rights and the Resource Curse," *Philosophy & Public Affairs* 36 (2008): 2–32, 6–7.

<sup>38</sup> The United States Bureau of Consular Affairs in its travel information for U.S. citizens notes that "Violent crime is rare and the overall level of criminal activity is low in comparison to other countries in the region." See <[http://travel.state.gov/travel/cis\\_pa\\_tw/cis/cis\\_1110.html](http://travel.state.gov/travel/cis_pa_tw/cis/cis_1110.html)>.

<sup>39</sup> See George Klosko, "Presumptive Benefit, Fairness and Political Obligation," *Philosophy and Public Affairs* 16 (1987): 241–59.

<sup>40</sup> See, for example, John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), 114–17; and Jeremy Waldron, "Special Ties and Natural Duties," *Philosophy and Public Affairs* 22: 3–30.