

life long expressed by Eastern religions and acknowledged by pre-Christian 'pagan' creeds. On the other hand, it is reasonable to remember that the material and social progress that the human species has made has been achieved, in part, because of a willingness to treat other species, and indeed the natural world, as a resource available for human use. To alter this relationship by acknowledging the rights of other species has profound implications not only for moral conduct but also for the material and social organisation of human life.

Obligations

An obligation is a requirement or duty to act in a particular way. H.L.A. Hart (1961) distinguished between 'being obliged' to do something, which implies an element of coercion, and 'having an obligation' to do something, which suggests only a moral duty. Though a cashier in a bank

may feel obliged to hand over money to a gunman, he is under no obligation, in the second sense, to do so. This can be seen in the distinction between legal and moral obligations. Legal obligations, such as the requirement to pay taxes and observe other laws, are enforceable through the courts and backed up by a system of penalties. Such obligations may be upheld on grounds of simple prudence: whether laws are right or wrong they are obeyed out of a fear of punishment. Moral obligations, with which this chapter is concerned, are fulfilled not because it is sensible to do so but because such conduct is thought to be rightful or morally correct.

To give a promise, for example, is to be under a moral obligation to carry it out, regardless of the consequences which breaking the promise would entail.

In a sense, rights and obligations are the reverse sides of the same coin. To possess a right usually places someone else under an obligation to uphold or respect that right. In that sense, the individual rights discussed in the previous section place heavy obligations upon the state. If the right to life is meaningful, for instance, then government is subject to an obligation to maintain public order and ensure personal security. 'Negative' rights entail an obligation on the part of the state to limit or constrain its power; 'positive' rights oblige the state to manage economic life, provide a range of welfare services and so on. However, if citizens are bearers of rights alone and all obligations fall upon the state, orderly and civilized life would be impossible: individuals who possess rights but acknowledge no obligations would be lawless and unrestrained. Citizenship, therefore, entails a blend of rights and obligations, the most basic of which has traditionally been described as 'political obligation', the duty of the citizen to acknowledge the authority of the state and obey its laws.

The only political thinkers who are prepared to reject political obligation out of hand are philosophical anarchists such as Robert Paul Wolff (1970), who insist upon absolute respect for individual autonomy. Others, however, have been more interested in debating not whether political obligation exists, but the grounds upon which it can be advanced. The classic explanation of political obligation is found in the idea of a 'social contract', the belief that there are clear rational and moral grounds for respecting state authority. Other thinkers, however, have gone further and suggested that obligations, responsibilities and duties are not merely contractual but are instead an intrinsic feature of any stable society. Nevertheless, few theorists have been prepared to regard political obligation as absolute. What they disagree about, however, is where the limits of political obligation can be drawn. At what point can the dutiful citizen be released from his or her obligation to obey the state and exercise, by contrast, a right of rebellion?

Contractual obligations

Social contract theory is as ancient as political philosophy itself. Some form of social contract can be found in the writings of Plato (see p. 21); it was the cornerstone of seventeenth- and eighteenth-century thinkers like Hobbes (see p. 123), Locke and Rousseau (see p. 242); and it has resurfaced in modern times in the writings of theorists such as John Rawls (see p. 298).

✓ A 'contract' is a formal agreement between two or more parties. Contracts, however, are a specific kind of agreement, entered into voluntarily and on mutually agreed terms. To enter into a contract is, in effect, to make a promise to abide by its terms; it therefore entails a moral as well as sometimes a legal obligation. A 'social contract' is an agreement made either among citizens, or between citizens and the state, through which they accept the authority of the state in return for benefits which only a sovereign power can provide. However, the basis of this contract and the obligations it entails have been the source of profound disagreement.

2.2.1 { The earliest form of social contract theory was outlined starkly in Plato's *Crito*. After his trial for corrupting the youth of Athens, and facing certain death, Socrates explains his refusal to escape from prison to his old friend Crito. Socrates points out that by choosing to live in Athens and by enjoying the privileges of being an Athenian citizen, he had, in effect, promised to obey Athenian law, and he intended to keep his promise even at the cost of his own life. From this point of view, political obligation arises out of the benefits derived from living within an organized community. The obligation to obey the state is based upon an implicit promise made by the simple fact that citizens choose to remain within its borders. This argument, however, runs into difficulties. In the first place, it is not easy to demonstrate that natural-born citizens have made a promise or entered into an agreement, even an implicit one. The only citizens who have made a clear promise and entered into a 'contract of citizenship' are naturalised citizens, who may even have signed a formal oath to that effect. Moreover, citizens living within a state may claim either that they receive no benefit from it and are therefore under no obligation, or that the state's influence upon their lives is entirely brutal and repressive. Socrates' notion of political obligation is unconditional in that it does not take into account how the state is formed or how it behaves. Finally, Socrates appears to have assumed that citizens dissatisfied with one state would easily be able to take up residence in another. In practice, this may be difficult or impossible: emigration can be restricted by the exercise of force, as was the case with the Soviet Jews, by economic circumstances, and, of course, by immigration regulations imposed by other states.

The social contract theories of the seventeenth and eighteenth centuries, discussed in greater depth in Chapter 3, advance, by contrast, a more

conditional basis for political obligation. Thinkers such as Hobbes and Locke were concerned to explain how political authority arose amongst human beings who are morally free and equal. In their view, the right to rule had to be based upon the consent of the governed. This they explained by analysing the nature of a hypothetical society without government, a so-called 'state of nature'. Their portrait of the state of nature was distinctly unattractive: a barbaric civil war of all against all, brought about by the unrestrained pursuit of power and wealth. They therefore suggested that rational individuals would be prepared to enter into an agreement, a social contract, through which a common authority could be established and order guaranteed. This contract was clearly the basis of political obligation, implying as it did a duty to respect law and the state. In very few cases, however, did contractarian theorists believe that the social contract was a historical fact, whose terms could subsequently be scrutinized and examined. Rather, it was employed as a philosophical device through which theorists could discuss the grounds upon which citizens should obey their state. The conclusions they arrived at, however, vary significantly. ✓

In *Leviathan* ([1651] 1968), Thomas Hobbes argued that citizens have an absolute obligation to obey political authority, regardless of how government may behave. In effect, Hobbes believed that though citizens were obliged to obey their state, the state itself was not subject to any reciprocal obligations. This was because Hobbes believed that the existence of any state, however oppressive, is preferable to the existence of no state at all, which would lead to a descent into chaos and barbarism. Clearly, Hobbes's views reflect a heightened concern about the dangers of instability and disorder, perhaps resulting from the fear and insecurity he himself experienced during the English Civil War. However, it is difficult to accept his belief that any form of protest, any limit upon political obligation, would occasion the collapse of all authority and the re-establishment of the state of nature. For Hobbes, citizens are confronted by a stark choice between absolutism and anarchy.

An alternative and more balanced view of political obligation is found in the writings of John Locke. Locke's ([1690] 1965) account of the origins of political obligation involve the establishment of two contracts. The first, the social contract proper, was undertaken by all the individuals who form a society. In effect, they volunteered to sacrifice a portion of their liberty in order to secure the order and stability which only a political community can offer. The second contract, or 'trust', was undertaken between a society and its government, through which the latter was authorised to protect the natural rights of its citizens. This implied that obedience to government was conditional upon the state fulfilling its side of the contract. If the state became a tyranny against the individual, the

individual could exercise the right of rebellion, which is precisely what Locke believed had occurred in the 'Glorious Revolution' of 1688, which overthrew the Stuart dynasty. However, in Locke's account, rebellion consists of the removal by a society of its government rather than the dissolution of the social contract and a return to the state of nature.

A very different form of social contract theory was developed by Jean-Jacques Rousseau in *The Social Contract* ([1762] 1969). Whereas Hobbes and Locke had assumed human beings to be power-seeking and narrowly self-interested, Rousseau held a far more optimistic view of human nature. He was attracted by the notion of the 'noble savage' and believed that the roots of injustice lay not in the human individual but rather in society itself. In Rousseau's view, government should be based upon what he called the 'general will', reflecting the common interests of society as opposed to the 'private will', or selfish wishes of each member. In a sense, Rousseau espoused an orthodox social contract theory in that he said that an individual is bound by the rules of a society, including its general will, only if he himself has consented to be a member of that society. At the same time, however, the general will alone can also be seen as a ground for political obligation. By articulating the general will the state is, in effect, acting in the 'real' interests of each of its members. In this way, political obligation can be interpreted as a means of obeying one's own higher or 'true' self. Such a theory of obligation, however, moves away from the idea of government by consent. Being blinded by ignorance and selfishness, citizens may not recognize that the general will embodies their 'real' interests. In such circumstances, Rousseau acknowledged that citizens should be 'forced to be free'; in other words they should be forced to obey their own 'true' selves.

Natural duty

Social contract theories of whatever kind share the common belief that there are rational or moral grounds for obeying state authority. They therefore hold that political obligation is based upon individual choice and decision, upon a specific act of voluntary commitment. Such voluntaristic theories are, however, by no means universally accepted. Some point out, for instance, that many of the obligations to which the individual is subject do not, and often cannot, arise out of contractual agreements. Not only does this apply in most cases to political obligation, but it is even more clear in relation to social duties, like those of children towards parents, which arise long before the children have any meaningful ability to enter into a contract. In addition, social contract theories are based upon individualistic assumptions, implying that society is a human creation or

artefact, fashioned by the rational undertakings of independent individuals. This may fundamentally misconceive the nature of society and fail to recognize the degree to which society helps to shape its members and invest them with duties and responsibilities.

There are two principal alternatives to contract theory as a ground of political obligation. The first of these encompasses theories that are usually described as teleological, from the Greek *telos*, meaning a purpose or goal. Such theories suggest that the duty of citizens to respect the state and obey its commands is based upon the benefits or goods which the state provides. This can be seen in any suggestion that political obligation arises from the fact that the state acts in the common good or public interest, perhaps presented in terms of Rousseau's general will. The most influential teleological theory has been utilitarianism (see p. 366), which implies, in simple terms, that citizens should obey government because it strives to achieve 'the greatest happiness for the greatest number'.

The second set of theories, however, relate to the idea that membership of a particular society is somehow 'natural', in which case political obligation can be thought of as a natural duty. To conceive of political obligation in this way is to move away from the idea of voluntary behaviour. A duty is a task or action that a person is *bound* to perform for moral reasons; it is not just a morally preferable action. Thus the debt of gratitude which Socrates claimed he owed Athens did not allow him to challenge or resist its laws, even at the cost of his own life. The idea of natural duty has been particularly attractive to conservative thinkers (see p. 138), who have stressed the degree to which all social groups, including political communities, are held together by the recognition of mutual obligations and responsibilities.

Conservatives have traditionally shied away from doctrines like 'the Rights of Man', not only because they are thought to be abstract and worthless but also because they treat the individual as pre-social, implying that human beings can be conceived of outside or beyond society. By contrast, conservatives have preferred to understand society as organic, and to recognize that it is shaped by internal forces beyond the capacity of any individual to control. Human institutions such as the family, the church and government have not therefore been constructed in accordance with individual wishes or needs but by the forces of natural necessity which help to sustain society itself. Individuals are therefore supported, educated, nurtured and moulded by society, and as a result inherit a broad range of responsibilities, obligations and duties. These include not merely the obligation to obey the law and respect the liberties of others, but also wider social duties such as to uphold established authority and, if appropriate, to shoulder the burden of public office. In this way, conservatives argue that the obligation of citizens towards their

government has the same character as the duty and respect that children owe their parents.

The cause of social duty has also been taken up by socialist and social-democratic (see p. 308) theorists. Socialists have traditionally underlined the need for community and cooperation, emphasizing that human beings are essentially sociable and gregarious creatures. Social duty can therefore be understood as the practical expression of community; it reflects the responsibility of every human being towards every other member of society. This may, for instance, incline socialists to place heavier responsibilities upon the citizen than liberals would be prepared to do. These could include the obligation to work for the community, perhaps through some kind of public service, and the duty to provide welfare support for those who are not able to look after themselves. A society in which individuals possess only rights but recognize no duties or obligations would be one in which the strong may prosper but the weak would go to the wall. Such a line of argument can even be discerned among communitarian anarchists. Although classical anarchists such as Proudhon (see p. 367), Bakunin (1814–76) and Kropotkin (see p. 26) rejected the claims of political authority, they nevertheless recognized that a healthy society demanded sociable, cooperative and respectful behaviour from its members. This amounts to a theory of 'social' obligation that in some ways parallels the more traditional notion of political obligation.

Limits of political obligation

Political obligation denotes not a duty to obey a particular law but rather the citizen's duty to respect and obey the state itself. When the limits of political obligation are reached, the citizen is not merely released from a duty to obey the state but, in effect, gains an entitlement: the right to rebel. A rebellion is an attempt to overthrow state power, usually involving a substantial body of citizens as well as, in most cases, the use of violence. Although any major uprising against government can be described as a rebellion, the term is often used in contrast to revolution to describe the attempt to overthrow a government rather than replace an entire political regime. Rebellion can be justified in different ways. In some cases, the act of rebellion reflects a belief that government does not, and never has, exercised legitimate authority. This can be seen, for example, in the case of colonial rule, where government amounts to little more than domination: it is imposed by force and maintained by systematic coercion. The rebellion in India against British rule, and indeed the national liberation struggles that have taken place throughout Asia and Africa, did not seek justification in terms of political obligation. Quite simply, no duty to obey the colonial ruler had ever been acknowledged, so no limit to obligation

had been reached. In the case of the American Revolution of 1776, however, the rebellion of the 13 former British colonies was justified explicitly in terms of a right of rebellion rooted in a theory of political obligation.

The American revolutionaries drew heavily upon the ideas John Locke had developed in *Two Treatises on Civil Government* ([1690] 1965). Locke had emphasized that political obligation was conditional upon respect for natural rights. On these grounds he gave support to the English 'Glorious Revolution' which overthrew Stuart rule and established a constitutional monarchy under William and Mary. The American Declaration of Independence was imbued with classic social contract principles. In the first place, it portrays government as a human artefact, created by men to serve their purposes; the powers of government are therefore derived from the 'consent of the governed'. However, the contract upon which government is based is very specific: human beings are endowed with certain 'inalienable rights' including the right to 'life, liberty, and the pursuit of happiness', and it is the purpose of government to secure and protect these rights. Clearly, therefore, political obligation is not absolute; citizens have an obligation to obey government only so long as it respects these fundamental rights. When government becomes an 'absolute despotism', the Declaration of Independence states that 'it is the right of the people to alter or abolish it, and to institute a new government'. In other words, the limits of political obligation have been reached and citizens have a right, indeed a duty, to rebel against such a government and to 'provide new guards for their future security'. } ✓✓

Such Lockian principles are rooted very deeply in liberal ideas and assumptions. Social contract theories imply that since the state is created by an agreement among rational individuals it must serve the interests of all citizens and so be neutral or impartial. By the same token, if the state fails in its fundamental task of protecting individual rights it fails all its citizens and not just certain groups or sections. Conservatives, by contrast, have been far less willing to acknowledge that political obligation is conditional. Authoritarian conservatives, following Hobbes, warn that any challenge to established authority risks the complete collapse of orderly existence. This is what led Joseph de Maistre (see p. 165), a fierce critic of the French Revolution, to suggest that politics is based upon a willing and complete subordination to 'the master'. According to this view, the very notion of a limit to political obligation is dangerous and insidious. Although modern conservatives embrace constitutionalism and democracy, they often fear protest, rebellion and revolt, and are not unmindful of the benefits which strong government brings.

Marxists and anarchists, however, have a very different attitude towards political obligation. Classical Marxists discount any idea of a social

contract and believe instead that the state is an instrument of class oppression; it is a 'bourgeois state'. The function of the state is therefore not to protect individual rights so much as to defend or advance the interests of the 'ruling class'. Indeed, Marxists have traditionally regarded social contract theories as 'ideological' in the sense that they serve class interests by concealing the contradictions upon which capitalism and all class societies are based. In this light, the notion of political obligation is a myth or delusion whose only purpose is to reconcile the proletariat to its continued exploitation. Although anarchists may be prepared to accept the notion of 'social' obligation, the idea of 'political' obligation is, in their view, entirely unfounded. If the state is an oppressive, exploitative and coercive body, the idea that individuals may have a moral obligation to accept its authority is quite absurd. Political obligation, in other words, amounts to nothing more than servitude.

Citizenship