

Session 7 Wolff, “The Conflict Between Authority and Autonomy”

When we talk about *authority*, what do we have in mind? Some ways we use the concept:

- That’s the authoritative edition of Frost’s poems.
- She’s an authority on radiation therapy.
- He has the authority to read mail addressed to his boss.
- His boss has the authority to issue such permissions.
- The U.S. Congress has the authority to make laws.

Three senses of *authority*: expertise, permission, and the right to rule.¹ There are interesting connections between them.

Legitimate (de jure) v. De facto Authorities: The former have a right to rule, the latter merely claim that right. *De facto* power is not sufficient for authority, but may be required for it.

Wolff’s question: Does the concept of *de jure* authority have any application in the world? Is there/can there be such a thing as a legitimate authority (in the ‘right to rule’ sense)?

The Anarchist’s Challenge

A legitimate (*de jure*) authority is one that has the right to rule, and whose dictates therefore generate a corresponding *obligation to obey*. For Wolff, the real problem with legitimate authority is generated directly *not* by the right to rule, but rather by the obligation to obey. Such an obligation, according to Wolff, would conflict with another, inescapable obligation: the obligation to take responsibility for our own lives, or, in other words, the obligation of *autonomy*.

In a nutshell: If I have an obligation to obey an authority, that means obeying regardless of the content of it’s dictates – whether I agree with it or not. But that conflicts with my duty to take responsibility for my own actions and decisions – to act in the light of reason.

Breaking down Wolff’s argument²:

- (1) If there were a (morally) legitimate political authority, there would be an obligation on its citizens to obey its laws.
 - A right to rule always corresponds with a (moral) obligation to obey.
 - *Questions: Is a right to rule always paired with an obligation to obey? Or might the authority to rule really just be, e.g., a permission to use force, not something that generates an obligation?*

¹ See Raz’s discussion in the “Introduction” to *Authority* (ed. by Joseph Raz).

² Here I loosely follow Susanna Siegel.

- (2) If *A* has a moral obligation to obey the laws of the state, then the fact that the state requires (or forbids) *A*'s performing some action ϕ is a sufficient reason for *A* to perform (or refrain from performing) ϕ .
- ... Wolff thinks this follows from the proper understanding of what it is *obey* a law, as opposed to merely allowing it to *persuade* one. (Consider: "Buckle Up! It's not just a good idea – it's the law!")
 - ... "authority resides in persons; they possess it – if indeed they do at all – by virtue of who they are and not by virtue of what they command." (p. 22)
 - ... *Questions: Does this distinguish political from theoretical authorities, like doctors? What about more complicated cases, like laws that solve coordination problems? (Consider: "When I say, 'Go!', go. 1-2-3-Go!" Also, the life-boat example.) Is Wolff right to say that an authority possesses the right to rule, and so its commands generate reasons for me to act, by virtue of who it is and not by virtue of the content of its commands?*
- (3) All rational (and free – that is able to choose how they act) agents have a moral obligation to be *autonomous*, that is, a moral obligation to make decisions for themselves, on their own assessment of the reasons. *A* (assuming she's a rational adult) has a moral obligation to make decisions for herself, on her own assessment of the reasons.
- ... *Questions: Wolff says that autonomy, or taking responsibility for one's own actions, is compatible with taking advice but not with obeying the laws made by another: "The autonomous man ... may do what another tells him, but not because he has been told to do it." (pp. 26-7) Can the distinction between taking advice and obeying an authority be maintained? Also, what might Wolff say about authority over children? At times, Wolff seems to suggest that even deference to a theoretical authority may be morally problematic (nuclear policy). Do you agree? Is there something particularly problematic about moral deference? What?*
- (4) If *A*'s reason for ϕ -ing or not- ϕ -ing is that the state requires her to ϕ or not- ϕ , then *A* is not making the decision to ϕ or not- ϕ for herself, on her own assessment of the reasons – that is, she's not acting autonomously.
- ... *Questions: is that true? Why think it's true in the case where we follow a law, but not in the case where we accept advice? Wolff suggests that when we take advice, we're merely made aware of reasons, we're not taking the advice to be a reason (consider his mathematician/explorer example). Is that true? Advisors can't always show us the reasons that guide them. Doesn't the mere fact that a generally reliable person advised me to ϕ sometimes give me a reason to ϕ ? Think also about other cases where we take rules to give us reasons (e.g., baseball) – do they seem to involve sacrifices of autonomy? Does an umpire have authority over me in a game of baseball? Why or why not?*
- (5) Therefore, morally legitimate political authority (having an obligation to ϕ just in virtue of the state's command) conflicts with autonomy (having an obligation not to ϕ except in response to your own assessment of the reasons).

- ... Wolff suggests that if there is a legitimate authority, it would be the source of obligations that necessarily conflict with the obligations of autonomy.

(6) Therefore, there is no morally legitimate political authority.

- ... Wolff: "The concept of a *de jure* legitimate state would appear to be vacuous, and philosophical anarchism would seem to be the only reasonable political belief for an enlightened man." (p. 30)
- ... *Question: is the obligation to be autonomous overriding, or might we just have conflicting obligations or reasons in this case? Why think (as Wolff seems to) that the obligation to be autonomous is overriding?*

Wolff in short:

The defining mark of the state is authority, the right to rule. The primary obligation of man is autonomy, the refusal to be ruled. It would seem, then, that there can be no resolution of the conflict between the autonomy of the individual and the putative authority of the state. Insofar as a man fulfills his obligation to make himself the author of his decisions, he will resist the state's claim to have authority over him. That is to say, he will deny that he has a duty to obey the laws of the state *simply because they are laws*. In that sense, it would seem that anarchism is the only political doctrine consistent with the virtue of autonomy. (p. 29)

Question: How strong is Wolff's conclusion?

Would Wolff's argument also undermine the legitimacy of promises and contracts? Don't promises and contracts, if they're legitimate, obligate me not to act directly on the balance of independent reasons in the future? What about games? And many other rule-based practices?

Wolff thinks (see p. 23) that there may be many ways in which we have an obligation to do even what a de facto authority commands (though they won't simply be the reason that the authority commands it): he considers laws commanding actions we have independent reasons to perform, reasons to follow laws provided by threats of punishment, and reasons to follow commands "promising beneficent effects" (what does this mean?). He also says that even if there are no legitimate political authorities in his sense, there's still lots of work for political philosophy to do. Maybe his understanding of legitimate political authority is just too demanding, and leaves open the possibility of many states that, though not legitimate in his sense, are still good to have??

If so, is he really the pessimist about political obligation/legitimate authority that he makes himself out to be? How revolutionary is his view really? How would he have us change?

Might political authorities, far from undermining our autonomy – our doing our best to respond to our reasons – actually help us respond to our reasons (compare theoretical authorities)? Would we be more autonomous in a stateless society?

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