

Is Belief in Political Obligation Ideological?

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Abstract

A prominent position in the scholarly literature is that there is no duty to obey the law or political obligation. This is in contrast with lay opinion, which suggests widespread acceptance of political obligation. When confronted with this tension, skeptics of political obligation sometimes raise the possibility that lay belief is the product of sinister interests. Against this, I argue that, even if such a belief is false, belief in political obligation may operate as a useful fiction that advances people's interests. Drawing on empirical work in the social sciences, I suggest a belief in political obligation may contribute to effective governance. Even if political obligation skeptics are correct that there is no such duty to obey the law, lay belief in political obligation may play a valuable ideological function in society.

Introduction

Political obligation, or the duty to obey the law because it is the law, is a perennial subject in the history of political thought.¹ More recent scholarship advances many arguments in defense of political obligation.² Despite these efforts, a prominent position in the literature is that

¹ For a thorough survey of political obligation in both the history of political thought and contemporary scholarship, see Dagger and Lefkowitz 2021.

² Such arguments invoke principles as diverse as consent (Locke 1980, 64 [§119]; cf. Hume 1777, 465-487; Simmons 1979, Chapters 3 & 4), fair-play (Hart 1955; Dagger 2018; Klosko 2004; Tosi 2017; cf. Simmons 1979, Chapter 5; Zhu 2015; Brown 2021), natural duties to further justice (Waldron 1993; Wellman 2005 cf. Simmons 2005; Christmas 2021), the obligations of political association (van der Vossen 2011a; van der Vossen 2011b; Scheffler 2018; cf. Simmons 1996), and the authority of democracy (Christiano 2008; Kolodny 2014; Viehoff 2014, cf. Frye and Klosko 2017).

there is no political obligation (Smith 1973; Simmons 1979; Green 1988, 220-247). This is not to say that people can do whatever they want nor that we ought to bring down the state. Many laws coincide with the demands of morality. Similarly, there may be good prudential reasons to do as the law says. The political obligation skeptic only denies that there is a specific duty to follow the laws in general of a nearly just state.³

This skeptic position runs up against common intuition supporting political obligation. As George Klosko puts it, “that we have political obligations... is supported by our most basic feelings about politics” (2004, 22; see also Simmons 1979, 195). There is limited empirical research on how widespread Klosko’s intuition is. That being said, what research does exist seems to support Klosko’s claim, at least within its narrow ambit. Tom Tyler’s influential work finds that 82% of respondents to a 1984 survey in Chicago affirmed the statement, “People should obey the law even if it goes against what they think is right” (Tyler 1990, 45).⁴ An earlier 1966 survey in Iowa describes something similar: 93% of respondents agreed with the statement, “Even though one might strongly disagree with a state law, after it has been passed by the state legislature one ought to obey it” (Boynton et al 1968, 166). Klosko’s own 1999 surveys of undergraduate students report that 95% of respondents agreed with the statement “I should obey the law” (Klosko 2005, 200). Beyond the U.S. context, a 2009 survey by Jonathan Jackson and colleagues in England and Wales found 80-90% of respondents support an obligation to obey the law as they measured this idea (Jackson et al 2012, 1067). Making the relevant caveats given the narrow temporal and geographic limits of this research, Klosko’s summary of the empirical record seems reasonable: “people generally believe they have political obligations” (Klosko

³ The generality of political obligation relates to what is often called “content-independence” in the literature (Adams 2017; Valentini 2018; cf. Klosko 2011).

⁴ Tyler finds roughly comparable rates of agreement to similar statements (1990, 46-47).

2005, 218).⁵ This tension between scholarly and lay opinion generates a puzzle: If political obligation is unjustified as the academics say it is, why does belief in it appear so widespread, at least in certain contexts?

Political obligation skeptics may reasonably find themselves untroubled by this apparent gap. Cosmologists do not find it disturbing that their complex models of the beginnings of the universe differ from the beliefs of ordinary people; why should political philosophers feel any differently? Nonetheless, political obligation skeptics occasionally comment on this gap beyond saying that ordinary people are just mistaken or philosophically clumsy. Most intriguing is that skeptics sometimes suggest that lay belief in political obligation is the product of nefarious forces (e.g., Simmons 1979, 95; Simmons 2001, 120; Green 1996, 306-307). As Simmons puts it, “Compared to our more basic moral beliefs, beliefs in political obligation have less compelling justifications and more insidious implications, and they more obviously and constantly advance the interests of some over others” (Simmons 2001, 120). While these types of comments tend to be brief and unelaborated, it appears that, for at least some skeptics, the answer to the question in this paper’s title is affirmative in a particular sense: belief in political obligation is ideological in the pejorative sense, to use Raymond Geuss’s phrase (Geuss 1981, 12). To say that belief in political obligation is ideological in this sense is to say that this is a false belief that advances the interests of state actors at the expense of the interests of ordinary citizens. On this view, such a belief acts as a piece of ideology that sustains the unfreedom of the many by empowering those who claim an entitlement to the allegiance of those under them.

In this paper, I argue that the claim that political obligation is ideological is right. However, political obligation is not necessarily ideological in the peculiar sense just sketched

⁵ Though, Klosko suggests the case of “useless” laws presents a more complicated case and it is worth looking at his discussion of these sorts of laws (2005, 249-250).

out. This is because there is another possibility on the table: political obligation may be ideological *in the positive sense*, to use another term of Geuss's (1981, 22). Even if a belief in political obligation is false, such a belief may operate as a useful fiction that advances people's interests. Part of my argument involves pointing out this is a logical possibility, which has not been sufficiently acknowledged in the literature. But I wish to go further. I also provide a speculative explanation of how this might be the case. Roughly, I describe how a belief in political obligation may contribute to effective governance. To the extent that effective governance advances citizens' interests, we have a speculative account of how political obligation is not some sinister force in public life, but rather something good for us, at least under particular circumstances. Part of this argument draws on empirical research that links legal obedience with positive outcomes, such as lower corruption, to suggest that this speculative story is not just a possible story, but a plausible story. Thus, I hope to show that, even if political obligation skeptics are correct that there is no such duty to obey the law, lay belief in political obligation may play a valuable ideological function in society.

The upshot of this argument is that the question of whether belief in political obligation is ideological is not a simple yes/no question. I do not think the argument presented here establishes that belief in political obligation is a useful fiction. Nor do I deny that such beliefs can play a pernicious role in sustaining oppression. My point in this paper is that theorists of political obligation ought to think about how citizens' beliefs regarding law's claim to obedience function independent of whether such beliefs are true or false. The hope is to promote careful investigation into the conditions under which such a belief manifests as ideological in either its pejorative or its positive sense. Undoubtedly, this will require critical engagement with the empirical social sciences.

Prior to developing this argument, it is worth acknowledging that my position rests on two assumptions. The first assumption is that the political obligation skeptic is correct, and that there are no political obligations. If political obligations do in fact exist, the puzzle of whether political obligation is ideological in any worrisome sense dissipates. Because of this, none of what follows should be read as an argument for political obligation. If my story about how belief in political obligation has good consequences is correct, I do not intend anything to follow in terms of whether or not people actually have political obligations.⁶ The second assumption is that a significant portion of citizens in at least some states, such as the U.S. or the U.K., believe in political obligation or at least something roughly close to political obligation, and this belief has an impact on their behavior. If no one, or an insignificant number of people in any state, believes in political obligation, the question becomes moot in a different way. I acknowledge these are not uncontroversial assumptions. For example, the survey data noted above do not obviously support the claim that people believe in political obligation. Leslie Green advances strong arguments these surveys are open to interpretations that suggest citizens do not in fact believe in political obligation as theorists understand that idea (Green 1996, 308-315). Nonetheless, I believe these assumptions are held by many in the debate over political obligation (e.g., Simmons 1979, 195; Klosko 2004, 22). Further, even if these assumptions fail, I believe the arguments here are of interest to the extent they draw attention to more empirical matters in the debate over political obligation, and why they might be important.

⁶ Most political obligation skeptics are not consequentialists, so whether or not belief in political obligation has good consequences should not matter to their skeptical arguments. Nonetheless, once they move beyond the question of whether or not there are political obligations into the realm of ideology and critical theory, the consequences do matter to how we understand these claims.

Political Obligation as Ideology in the Pejorative Sense

When confronted with the claim that most ordinary people believe in political obligation, most do not contest the claim itself.⁷ However, some political obligation skeptics suggest that the belief has a suspect source. Specifically, belief in political obligation arises not because it tracks the truth, but because it arises from within the context of the rise of the modern nation state (e.g. Green 1996, 307). Further, these beliefs do not serve the goals and desires of subjects, but instead the goals and desires of those in power. As A. John Simmons rhetorically asks, “For what belief can better serve the interests of one’s political leaders than the belief that all are specially bound to support their government and obey the law” (1979, 195)?

Borrowing from the critical theory tradition, we could say that Simmons is claiming that belief in political obligation is *ideological*. Describing some set of beliefs as ideological could mean a wide range of things (e.g., Shelby 2003, 162-164; Sankaran 2020, 1442-1446; Adams 2021, 679-680). It could just mean something as simple as the framework or set of ideas that a group of people uses to orient themselves in the world. This is not how I understand the skeptic’s claim. Instead, the skeptic is suggesting that belief in political obligation is *ideological in the pejorative sense*, to use Geuss’s terminology, though not exactly his understanding of that terminology (Geuss 1981, 12). Roughly, let me say that a set of beliefs are ideological in the pejorative sense if the following are true:

⁷ There are two important exceptions: Green (1996), as previously noted, and Frederick Schauer (2015, 57-74). Both deny that work such as Tyler’s establishes that citizens believe in political obligation. As noted, I am simply assuming for the sake of argument that citizens do believe in political obligation. It is also worth noting Schauer appears to accept the validity of the parking violations study I use below in making my case for political obligation as ideology in the positive sense (2015, 73-74). Schauer uses that study to suggest that belief in political obligation is culturally variable, which is not only compatible with my argument, but also a key ingredient of it.

Falsity: The set of beliefs in question is false, or, at the very least, not true.

Exploitation: The set of beliefs aids in advancing the interests of some group at the expense of another group.

Falsity denotes an epistemic condition (the beliefs must be false), while *Exploitation* denotes a functional condition (the beliefs serve a particular role in legitimating domination of some sort).⁸

In the case of political obligation, at least some skeptics suggest that both conditions hold. The main philosophical contribution of the work of those such as Simmons is to show the best arguments for the truth of political obligation fail. So, while the skeptic has not shown definitively that political obligation is false, they nonetheless hold we have good reasons to believe it is false. If we follow the skeptic so far, *Falsity* appears to hold. As the Simmons quotation from the introduction suggests, belief in political obligation advances the interests of those in charge at the expense of their subjects. If I am an agent of the state, I am better able to advance my interests if citizens believe they have a duty to obey my commands as such. To illustrate, consider a king who commands taxation to fund the construction of his lavish palace that benefits only himself and his family. His subjects may believe they have a duty to follow the king's commands, even though paying the tax sets their financial interests back. This is the strong version of the claim that belief in political obligation is ideological in the pejorative sense. A milder version holds that the belief of political obligation helps sustain the power structure of the state more generally without positing any gain to the material self-interest of those in charge

⁸ Another aspect of ideological explanation is genetic in nature: the genesis of some set of beliefs throws those beliefs into question. This is clearly part of the story, but I will set it aside here to focus on the functional elements of ideology. This is because there is always concern that, absent some additional vitiating feature, genetic criticism runs into the genetic fallacy.

(Green 1996, 307).⁹ Notice on either story there is no need to posit a conspiracy to promote such a belief on behalf of those in charge—everyone, even the powerful, may believe falsely that political obligations exist. The point is that the belief functions in a particular way to grant power to some over others, and that this power is not in the interest of those subject to it. Therefore, the skeptic concludes, *Exploitation* holds.

With this type of argument, the skeptic attempts to debunk ordinary belief in political obligation with extreme prejudice. Not only is belief in political obligation false, but it is also sinister. The belief serves to advance the interests of the powerful at the expense of the powerless. Or so the skeptic concludes.

As previously noted, I do not contest *Falsity* in this paper. I take it for granted. However, I think the skeptic moves too quickly in attributing *Exploitation* to beliefs in political obligation. It is this claim I challenge in what follows.

Political Obligation as Ideology in the Positive Sense

Ideology comes in various guises, not all of which take on the cast of ideology in the pejorative sense. An interesting form of ideology for my purposes here might be described as *ideology in the positive sense*, to borrow Geuss's terminology again (though, as before, not exactly his understanding) (1981, 22). Roughly, ideology in the positive sense is characterized in the following way:

Falsity: The set of beliefs in question is false, or, at the very least, not true.

⁹ This is also a plausible interpretation of the Simmons's quotation from the first paragraph of this section: belief in political obligation advances the interests of rulers qua rulers rather than their own personal interests at the expense of the citizenry. I thank an anonymous reviewer for drawing my attention to this.

Benefit: The set of beliefs aids in advancing the interests of the group that holds the beliefs.

Ideology in the positive sense shares an epistemic condition with ideology in the pejorative sense, *Falsity*. Where the positive sense and pejorative sense of ideology come apart is in the functional role of the set of beliefs. Ideology in the pejorative sense plays the role of advancing one group's interests at the expense of another, while ideology in the positive sense plays the role of helping a group satisfy its interests.¹⁰

The idea that false beliefs may advance one's interests may strike some readers as peculiar. They may side with the claim that J. S. Mill attributes to the "best men" that "no belief which is contrary to truth can be really useful" (2015, 24). But, upon reflection, the idea that false beliefs may be useful is not as strange as it might seem. Consider cases where false beliefs accidentally advance your interests. I believe it is Tuesday, but it is in fact Wednesday. As a result, I miss my flight. However, that flight crashes. My false belief about what day of the week it is helped advance my interests. But ideology in the positive sense is not a case of a lucky coincidence, such as the missed flight. Instead, such ideology posits a more robust causal relationship between the belief and the advancement of interests (just as in the case of ideology in the pejorative sense). Think here of how false beliefs may aid in motivating a person to try some action they otherwise wouldn't. I believe this rope will hold me with 100% certainty. In reality, this is a false belief. The rope has a 50% chance of breaking. But, if I believed that, I would never try to use the rope to get out of this hole I have found myself trapped in. I will die in this hole if I do not try and leave. I use the rope and it does not break. Without the false certainty,

¹⁰ This is analogous to moral fictionalism, which holds that all moral statements are false, but nonetheless it is useful to treat some moral statements as true (Joyce 2005).

I would have been unable to advance my interests by trying and successfully leaving the hole by using the rope (see also Alonso 2016, 324-330). Similarly, if I believe falsely that more people like me than actually do, I may be less crippled by anxiety and worry. Such anxiety and worry would hinder me living my life well.¹¹ Much like the case of the rope, it appears that a false belief in my relative likeability would help me advance my interests. To summarize, there are cases that suggest that false beliefs can play a role in advancing a person's interests. Further, many of these cases are not mere flukes and suggest a causal connection between a false belief and a purported benefit. Cases like this suggest that Nietzsche may be right when he says, "That falseness of a judgment is to us not necessarily an objection to a judgment" (1990, 35).

Could political obligation be ideological in the positive sense? There is no logical reason to deny this possibility. If I were to stop here, this admittedly modest conclusion is by itself noteworthy as the literature so far has not acknowledged this possibility, let alone investigated it.¹² My purpose is to carve out a neglected position and show its promise, not necessarily deliver on this promise. But I do not think we should be satisfied here by such a meager claim. I aim for something more than a mere possibility—I want a realistic one.

Political Obligation and Effective Governance

Belief in political obligation may be useful to people, but why think this is the case? In this section, I provide a speculative story that links belief in political obligation to effective

¹¹ Depressive realism holds that individuals suffering from depression make more accurate inferences about the world compared to non-depressed individuals (Alloy and Abramson 1988). In support of this: positive cognitive bias (e.g., believing one has more control than one actually has) leads to higher life satisfaction and emotional well-being despite being a cognitive distortion (Cummins and Nestico 2002).

¹² Perhaps an exception is Noam Gur (2013), who argues that a "law-abiding disposition" may be useful even if there is no general duty to obey the law. His view is distinct from mine as his argument rests on how such a disposition combats cognitive biases in the service of supporting a just legal system (Gur 2013, 337-344). In contrast, I am focused on how a set of beliefs could advance the interests of citizens taken as a whole by contributing to effective governance.

governance. To tell this story, however, I need to backtrack a bit and fill in some of the details of the skeptic's position.

When the skeptic argues that there is no political obligation, a common worry is that this position implies *political anarchism*: not only is there no duty to obey the law, but also all states are radically illegitimate and ought to be brought down (Senor 1987; Wellman 2005, 25-29). Some might worry that rejecting political obligation involves rejecting the state's provision of public goods such as police protection (Senor 1987, 268). Many would find this unacceptable, as many think it is a good thing when the state provides protection of basic rights, prosecutes murders, builds roads, etc. Because of this, some might think that, if rejecting political obligation involves rejecting the state, so much the worse for rejecting political obligation.

In response to worries such as this, many attracted to the skeptical position point out that rejecting a general duty to obey the law does not imply political anarchism (e.g., Simmons 2001, 102-121, cf. Wendt 2020). This may be because the state may be enforcing pre-existing moral duties that everyone has the right to enforce or for some other reason. Thus, many political obligation skeptics seek to resist the unpalatable conclusion that all the good things that come from the state enforcing laws should be rejected by pointing out the state has a right to enforce laws, or at least those laws that correspond to pre-existing moral duties or are licensed for some other moral reason. However, that right is not grounded in anything like a claim right to rule, but instead a general right of enforcing morality or some other moral feature of the state in question. This is in contrast with the political anarchist, who actively seeks to eliminate the state in public life (e.g., Huemer 2013).

If the political obligation skeptic believes that states enforcing the law is a good thing under particular circumstances, we should ask what it takes for the state to be *effective* in

enforcing the law. One approach may simply involve mobilizing police to monitor and sanction lawbreakers, and making such mobilization known among subjects. The legal theorist Robert Ellickson calls this form of thinking about legal compliance *legal centralism* (Ellickson 1991, 4-6; Mackie 2018, 314; Barrett and Gaus 2020, 204-208). Briefly, legal centralism is the doctrine that the law is the primary way to control bad behavior, and it does this through coercive threats. This approach to governance requires nothing like belief in political obligation—it only requires a functioning punitive system and awareness of the consequences of breaking law. I do not deny that coercion will play a part in effective governance (see Schauer 2015). However, much recent social science suggests that the coercive apparatus of the state is not enough to generate compliance. Gerald Mackie puts it quite directly in the title of one of his papers: “Effective Rule of Law Requires Construction of a Social Norm of Legal Obedience” (Mackie 2018; see also Barrett and Gaus 2020, 211-218). Not only is there the evidence from Tyler and Klosko noted above that suggests most people do not think of the legal obedience simply in terms of avoiding coercion, but also there is the track record of how criminalization fails absent some sense of buy-in from citizens. To use just one of Mackie’s examples, consider the campaign to end Female Genital Mutilation (FGM) (Mackie 2018, 313-314). FGM is a human rights violation. Of note is that FGM is illegal in almost all countries where it is practiced. Nonetheless, there is no correlation between the stringency of the laws and the prevalence of FGM within a given country (Boyle and Corl 2010, 199-201). Contra legal centralism, if we are concerned about rights-violating behavior, simply creating a law that empowers the state to punish that behavior does not seem to generate the desired result. A culture of law abidance seems important.

As an illustration, consider the case of Bogotá, Colombia. When the city elected Antanas Mockus as mayor in 1995, traffic fatalities had been as high as 1,300 a year (Mockus 2012, 143).

Mockus did not see the problem as a lack of legal regulation, but instead as a lack of appropriate cultural standards, or social norms. In Mockus's words, he wished to "reduc[e] moral and cultural justifications for illegal behavior and increase[e] moral and cultural support for the law" (Mockus 2012, 145). To do this, Mockus incorporated two policies (Mockus 2012, 145). First, Mockus distributed cards to drivers so that they could signal their disapproval or approval of other drivers' actions. Second, Mockus replaced traffic cops with mimes who would mock drivers who violated traffic regulations. Notice that both policies involve an attempt to make public certain normative beliefs about legal obedience—expressing disapproval is different than simply slapping people with a fine. Following these reforms, annual traffic fatalities dropped to around 600 (Mockus 2012, 143). This is a remarkable result.

Much like the Klosko and Tyler surveys, we can interpret this case in several ways. Was the program really about inculcating a culture of law abidance, which presumably includes a belief in something like political obligation? Or did drivers change their behavior due to a fear of mockery and shame? One thing to note is that these are not exclusive interpretations. Both could be true. But another thing is that I cannot determine the proper interpretation of the Bogotá case here. The available evidence does not sufficiently support the claim that Mockus's intervention generated a belief in political obligation that, in turn, generated desirable compliance with traffic laws (importantly, nor does it rule this possibility out). Fortunately, I need not establish that a belief in political obligation played such a role in the Bogotá case. Recall my purpose in this section is largely to create a speculative theory about how a belief in political obligation could advance the interests of citizens. Roughly, the story is that relying on a belief in political obligation can help the state effectively govern in such a way that advances the interests of its

citizens. My interpretation of Mockus's campaign is to provide an illustration of how this might work. An illustration is not itself meant as evidence.

I should note that nothing in this speculative story suggests that belief in political obligation is *necessary* for effective governance. There is nothing to rule out the possibility that prudence alone may generate effective governance—if we only had the right penalties and public knowledge of such penalties, a legal system could, in principle, rely solely on coercive threats. My point in this section is not that a belief in political obligation is necessary for effective governance. Trying to establish this would be a hopeless task in my view.¹³ Instead, my purpose is to explain how belief in political obligation *could* contribute to effective governance for the purposes of showing how political obligation may function as ideology in the positive sense. This is, as noted, an exercise in empirical speculation. But it is not a totally baseless exercise. There is the social scientific evidence alluded to earlier that suggests coercion alone often fails to secure compliance. Evidence in the next section will only further support the claim that coercion alone fails to account for the whole story.

Further, it is worth noting that the suspicious story about political obligation, too, is in part a form of empirical speculation. There is a claim that a certain set of beliefs is false and serves the sinister interests of agents of the state. You can read a hypothesis into this story: We should expect to see, empirically, a link between belief in political obligation and something like corruption, at least if we understand the charge of pernicious ideology in its strong as opposed to its mild form. Do we? It appears not.

¹³ Social life deals with contingent, not necessary, truths (Schmidtz 2023, 13-15).

The Case of Corruption

Corruption is traditionally understood as when a person abuses the power of their public position to capture private gains. Paradigmatic cases of corruption involve the police officer asking for a bribe to look the other way, a judge giving lenience to a family friend, or an elected official giving a contract based on expected kickbacks. This sort of corruption appears implicit in Simmons's off-hand remark that "Compared to our more basic moral beliefs, beliefs in political obligation have less compelling justifications and more insidious implications, and they more obviously and constantly advance the interests of some over others" (Simmons 2001, 120). As I read this quotation, the claim appears to be that agents of the state take advantage of their prestigious position to inculcate the masses with a set of beliefs that helps them get what they want¹⁴. This is a story of corruption much like the case of the officer seeking a bribe. But we should ask if this story is true: Does belief in political obligation aid agents of the state in advancing their own interests at the expense of their subjects? Contra the suspicious position, there is some reason to see political obligation as linked to a reduction in corruption.

In a 2007 paper, the economists Raymond Fisman and Edward Miguel present a clever study on the causes of corruption. They were interested in whether corruption results from weak norms of legal compliance or weak enforcement of law. To get at this question, Fisman and Miguel took advantage of a natural experiment. Prior to 2002, diplomatic immunity privileges empowered UN diplomats and their family members to avoid parking ticket fines. Diplomats could receive tickets for parking illegally, but the city could not enforce payment. Certain

¹⁴ Even if we take a milder reading of Simmons, where the story is just about how a belief in political obligation is beneficial to rulers qua rulers, we would want some evidence that the belief sets back citizens' interests, or at the very least doesn't advance citizens' interests, if we want to conclude that belief in political obligation is ideological in the pejorative sense. Thus, even if you don't see Simmons as advocating the strong version of pejorative claim, you could read this section as suggesting one way in which such a belief may advance citizens' interests.

diplomats took advantage of this. From 1997 to 2002, New York City issued over 150,000 unpaid parking tickets to diplomats. The natural experiment arose due to a change in policy regarding diplomatic immunity. Starting October 2002, the State Department empowered the city to take away the diplomatic plates of diplomats that accrued three or more unpaid parking tickets. The law regarding parking remains the same before and after October 2002, but the state's ability to enforce that law changes. This allowed Fisman and Miguel to study what difference enforcement made to compliance. Fisman and Miguel found that introducing enforcement reduced non-compliance among diplomatic missions by about 98% on average (2007, 1036). The obvious lesson is that enforcement matters to legal compliance. More interesting for my purposes is the variation by country in compliance in the pre-enforcement period, which is where norms of legal compliance were likely to play a role in explaining behavior. When diplomatic immunity held, there was wide variance in whether diplomats complied with parking laws. For example, Japanese diplomatic missions had zero parking violations in the pre-enforcement period (2007, 1032). In contrast, Nigeria had 59.4 violations per diplomat in the pre-enforcement period (2007, 1027). Fisman and Miguel suggest this variation is best explained by cultural norms of legal compliance (2007, 1045; see also Schauer 2015, 73-74; Henrich 2020, 40-44).

By itself, this finding is not too exciting for my claim here, but of note is that Fisman and Miguel describe a correlation between parking violations and independent measures of corruption in a given country (2007, 1035-1036). To continue with the example of Nigeria, Nigeria both had a high incidence of parking violations and scores highly on many independent measures of corruption. A possible takeaway is that where we find a norm of legal compliance, we also find less corruption. This appears contrary to the skeptical claim about the ideological

function of belief in political obligation. Where this claim in its stronger guise suggests a belief in political obligation leads to more corruption, it appears that the opposite may be in fact the case.¹⁵ At the very least, this is a puzzling result if one believes that political obligation is ideological in the pejorative sense.

It is also worth noting an advantage of this study versus others. Other studies often make it difficult to disambiguate a belief in following the law from a belief in doing what is right independent of what the law says. But it is worth emphasizing that the diplomats violated *parking* rules. Parking rules tend to outlaw behavior that does not involve a risk to life and limb, and, as such, do not track clear pre-existing moral intuitions. This is unlike laws against murder or assault, which track independent moral judgments about right and wrong. There is a reason why the go-to examples for those arguing against a prima facie duty to obey the law tend to involve traffic violations where no one is hurt or no one is at risk for harm (e.g., Smith 1973, 971). Depending on the nature of the parking violation, you could imagine these diplomats making decisions that look a lot like the decision whether to stop at a sign at two in the morning on a clear, moonlit night. Because of this, there is a clearer disambiguation between the force of law and the force of morality, and we have good reason to see law abidance in these cases as tracking closely something like political obligation as normally understood by philosophers.

¹⁵ A reviewer points out that, because the study focuses on the behavior of officials, it may be more accurate to say where a belief in political obligation *among officials* exists, we find less corruption. I have no qualms with this amendment. However, officials in many contexts are citizens too, and we may wonder what the etiology of their belief is. My suspicion is that for a culture of law abidance to successfully have positive effects, it must be more general, and not limited to those who occupy positions of power.

Objections

Objection 1: Limits of the Empirical Work

One might raise a few worries about the treatment of empirical work in previous sections. First, one might worry about its accuracy. Second, one might worry that the studies I draw on largely describe correlations between various attitudes towards the law and the outcomes of interest. This matters for my purposes here as, for belief in political obligation to be ideological in the positive sense, it is not enough for the belief to correlate with effective governance. The belief must also contribute to effective governance. Otherwise, the belief fails to be functional if these correlations end up being mere correlations.

I acknowledge that these are serious concerns. However, they do not vitiate my argument. I am not here trying to argue that political obligation is definitively ideological in the positive sense in all places and all times (more on this soon). My purpose is, in part, to shift the burden of proof. Some skeptics tell a brief story about how a belief in political obligation sets back the interest of the powerless but provide no empirical evidence for that claim. Such speculations may act as a fine starting point, but we should push further. This is my intention here. I have shown there is a logical space for the claim that political obligation may be ideological in the positive sense. Further, I have provided some evidence to believe this logical space is, at best, the space we occupy and, at worst, a space we may plausibly occupy. At the very least, I have shown that more work needs to be done to foreclose this possibility.

Even if I concede the most to these objections, and grant the empirical work fails to support the claim that political obligation is ideological in the positive sense, a negative version of my thesis remains. It would be odd given the empirical record canvassed to hold that a belief in political obligation sets back citizens' interests. If it did, you would expect a negative correlation

between positive attitudes towards legal obedience and things like corruption. After all, the argument is that a belief in political obligation allows officials to advance their own interests at the expense of others. But we do not see this relationship. Thus, even if the empirical claims undergirding my positive argument fail, we nonetheless have reason to resist the particular charge of ideology mobilized by some skeptics of political obligation.

Objection 2: The Value of the Truth

Some may grant that a belief in political obligation is both false and advances the interests of those who believe in it, but nonetheless think this misses the value of true beliefs. Some might even be truth dogmatists and suggest that no matter what the instrumental benefits of false beliefs, the value of the truth always outweighs other values.

This concern is fine as far as it goes, but it does not create problems for my position. For one, I do not need to deny that the truth has value. Recall the context of the argument: Some skeptics suggest that belief in political obligation is not just a false belief, but also a sinister one. I am challenging the latter claim, at least when taken in an unconditional form. This does not require challenging the idea that, *pace Nietzsche*, truth might be an important value above and beyond instrumental considerations.

A different spin on this objection involves a concern with “noble lies” or “government-house” style politics. Many are rightfully aghast at the idea of promoting false beliefs for the purported benefit of the duped, and so may resist the arguments of this paper on these grounds. I, too, am skeptical of esoteric politics, and would not be thrilled if an implication of my paper was that an enlightened few should keep the masses shrouded from the truth for their own good. Fortunately, my argument here does not support intentionally promoting a lie. My questions are diagnostic in nature. If the belief in political obligation is a false one, what should we think of

this belief beyond the fact that it is false? What are the sorts of consequences that generally attach to this belief? Under what conditions does this hold? And so on. None of these questions require nor even imply the intentional promulgation of falsehoods – just as those who endorse depressive realism (see footnote 10 above) are not suggesting we should lie to people to avoid depression. I have no interest in hiding the truth should it be the case that political obligation is ideological in the positive sense. If I were really trying to hide the truth, I would not be trying to promote these ideas in print.

Objection 3: The Dark Side of Political Obligation

Another concern may be that I appear too sanguine about belief in political obligation. I have ignored the obvious ways in which such a belief can be abused and manipulated for nefarious ends. Michael Huemer argues that human psychology regarding authority is beset by cognitive distortion, and that this leads people to do awful things in the name of obeying authority (2013, Chapter 6).¹⁶ Huemer mobilizes a wide range of psychological evidence, from the Milgram Experiments to Stockholm Syndrome to the Stanford Prison Experiment to defend the claim that humans possess psychological biases that privilege obeying authorities. Drawing on these findings, Huemer points to the horrors of Nazi Germany under Hitler as well as the My Lai massacre during the Vietnam War, where American soldiers killed hundreds of unarmed innocents. Many soldiers claimed they were following orders, to show that “Because most individuals are willing to go frighteningly far in satisfaction of the demands of authority figures,

¹⁶ For Huemer, authority is in part understood in terms of political obligation (2013, 5). The linkage between political obligation and authority and other concepts such as legitimacy is complicated, and not straightforward (e.g. Buchanan 2002). I need take no stand on these issues here, and only use the term authority in this section as this is the term Huemer uses.

institutions that set up recognized authority figures have the potential to become engines of evil” (Huemer 2013, 108; see also Brennan 2019, 112-115).

Huemer’s provides a more empirically grounded case that belief in political obligation is ideological in the pejorative sense. The argument is something like this: There is good reason to believe that human beings possess psychological mechanisms that lead to obedience to authorities. Authorities can use these psychological mechanisms to advance their interests by directing subjects in wrongful ways. Being subject to wrongful behavior is a setback to one’s interests, as is being complicit in perpetrating wrongful behavior on behalf of someone else. Therefore, belief in political obligation is ideological in the pejorative sense. If Huemer’s argument succeeds, this might appear to be a problem for me. Or so it seems.

Huemer is right that a belief in following what one is told can lead to horrible things. We would be remiss to ignore this. Nonetheless, I do not think his argument is sufficient to undermine my argument.

Huemer relies on individual cases of horrific behavior: Nazi Germany, the My Lai massacre, and so on. But these cases might be exceptions or outliers. Obviously, these cases are worth understanding and avoiding. However, to conclude that political obligation is ideological in the relevant sense, we would want to know if there is a general trend that posits a link between belief in political obligation and bad things happening. It is not clear that we see evidence for a general link between political obligation and bad outcomes. In contrast, I have provided evidence that the opposite is true. Where belief in political obligation goes up, bad things such as corruption go down. There is at least prima facie evidence to doubt a general link between political obligation and bad outcomes, though individual outliers remain.

Further, it is important to acknowledge that Huemer is correct that a belief in political obligation can lead to bad things. Perhaps the proper response to these sorts of cases is not to conclude that belief in political obligation is ideological in the pejorative sense as such. But, instead, to acknowledge that such a belief *can* function in just this way. This suggests a deeper problem with the claim that belief in political obligation is ideological in the pejorative sense.¹⁷ Whether advanced in its strong or mild forms, the claim makes no reference to the quality of the state in question. Surely, however, it matters whether the state is just or unjust, or to what extent it is these things. A belief in political obligation in Nazi Germany plays a very different role than a belief in political obligation in present day Sweden. Because of this, part of the story of the ideological nature of political obligation will depend on what regime we are talking about. That will not be the whole story, but neglecting the nature of the state our belief in political obligation attaches to is a mistake.

Objection 4: Against Political Obligation as Default Belief

A subtler version of Huemer's worry about the dark side of belief in political obligation focuses not on how horrible or wicked regimes may abuse such a belief. Instead, it is about imperfect regimes like the ones many of us find ourselves members of. In a discussion about civil disobedience, David Lyons argues that it is a mistake to see obedience to law as justified and disobedience to law as standing in need of justification, at least in particular circumstances (1998, 46). For example, there is no reason to think that Martin Luther King, Jr. in disobeying the unjust laws of Jim Crow needed to justify his legal disobedience. If anything, claiming that unjust laws require allegiance is what needs justification. Building on this, a critic might worry that I am too sanguine, albeit in a different way than suggested in the previous sub-section. In a

¹⁷ I thank an anonymous reviewer for suggesting this line of thought.

world full of imperfect states with morally tainted histories, a belief in political obligation or general duty to obey the law is not merited and may, in fact, be pernicious in the face of injustice.

I do not disagree with this basic point, but let me say three things to blunt its force. The first is that my view does not imply that civil disobedience to unjust law stands in need of justification nor that obedience to unjust laws does not require justification. These are first-order normative questions about our relationship with law. My view regards how a certain normative belief functions whether or not it is a well-founded belief. The second thing to say is that a source of injustice in at least some of the historical cases involves how government officials *ignore* the law to promote injustice. For example, Lyons notes, “Experience shows that, in the face of resistance against significant, deeply entrenched, systemic injustice, those who break the law, at least initially, are often not resisters but officials and their supporters, employing unlawful methods against resisters and failing to arrest unlawful attacks on them or to prosecute the prosecutors” (1998, 46). If such individuals believed that they ought to do as the law says, perhaps some of these injustices could have been avoided. A third thing to note is that these cases suggest that whether a belief functions in a pernicious sense as opposed to a positive sense depends in part on what force that belief has in what context. Much like how a belief in political obligation in an unjust state will create problems, a particularly deep belief in a general duty to law will likely create significant problems in the context of an unjust law. These problems will not just be in the form of supporting unjust laws, but also in how such a belief will shape reactions to principled disobedience against the law. But notice that acknowledging this does not imply that a belief in political obligation will always be pernicious, even under unjust circumstances. What it instead suggests is that we need to think about how such a belief interacts

with other beliefs and dispositions people have regarding the law. One might believe in a general obligation to obey the law, but also believe that such a duty has no force when a particular law is unjust.

Conclusion

In this paper, I have argued that, even if it is a false belief, a belief in political obligation can help advance the interests of citizens to the extent such a belief advances effective governance. Citizens have an interest in effective governance because such governance helps reduce bad things such as dangerous driving, corruption, bribery, human rights violations, and so on. To the extent that living in a state free of these ills advances citizens' interests, this evidence suggests a belief in political obligation can serve as ideology in the positive sense, as opposed to the pejorative sense. I take it that while perhaps not every single citizen benefits from effective governance (e.g. perhaps some particular bureaucrat may do better in a more corrupt society), citizens taken as a group do benefit. In such circumstances, a belief in political obligation may well be a false belief, but it is nonetheless a productive belief.

Importantly, I do not think I have established decisively that a belief in political obligation functions in this way. Nor do I wish to deny that political obligation can operate as a pernicious form of ideology that empowers bad actors under the right circumstances. What this suggests is that the question in the title of this paper is a genuine question. It does not make sense to argue that a belief in political obligation is ideological, tout court. It looks like different circumstances lead to different conclusions about that question. What we need, then, is a careful, more fine-grained approach that helps explain when a belief in political obligation helps citizens advance their interests, and when it acts to favor those in power at the expense of those under

them. My hope is that this paper has made this apparent, and that more attention is paid to the more empirical side of political obligation.

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