

Moral Principles and Political Obligations

A John Simmons
Princeton University Press
£4.95 paperback

A short time after the sinking of *HMS Sheffield*, a local newspaper published a letter from a doctor complaining about industrial action by National Health Service workers. Such action at that time, he wrote, indicated that it was now 'for ourselves we struggle and not for the land that bore us and for which unity of purpose is now a paramount need'. The doctor's sentiments no doubt were shared by many other people in Britain and on their side too probably by many Argentinians. But are there rational moral grounds for the claim that we have a political obligation to obey the laws and support the government of our country of residence? John Simmons, Assistant Professor of Philosophy at the University of Virginia, does not think so and in this book he carefully examines and rejects what he believes to be the main modern philosophical arguments in support of this claim.

The particular claim which Simmons rejects is carefully defined by him from the outset. Obligations, he points out, are not the only weighty moral reasons for deciding what we ought to do. A doctor, for example, may have a moral obligation to fulfil a promise to speak at a professional gathering; but if, on the way there, he hears of a disaster in a nearby town, fulfilling his obligation may well not be what he ought to do. Yet the obligation – any obligation – once undertaken, loses none of its moral force. Is this, Simmons asks, the case with what are often regarded as our political obligations? Are we obliged to support and comply with political institutions, not because they may be good or just (a consideration which applies to the political institutions of any country), but because they are those of our country of residence?

In modern times, Simmons states, two main kinds of argument have been advanced in support of the claim that we may have such an obligation. The first is concerned with obligations deliberately and knowingly undertaken by promising or consenting, the second with obligations of fair play or gratitude generated by the receipt or acceptance of benefits from our fellow citizens or our government. The first provides a clear account of what might count as political obligation. But it runs into numerous difficul-

ties. The idea that citizens are bound by some original contract made by their country's founding fathers is not only historically unconvincing, but morally untenable, while if the obligation depends on the consent of each individual citizen now, few governments are owed obligation since few if any command total agreement. A traditional way round this difficulty, of course, is to say that citizens give tacit consent by remaining in the country and enjoying such benefits of its government as good highways and law and order. But this answer, Simmons points out, confuses these acts, which may be taken as implying consent, with acts which are genuine *signs* of consent; and it is only the latter, which display the citizen's deliberate and knowing intention, in a context moreover where some alternative is available, which create genuine political obligation. The number of people who do give such signs of consent – people who clearly if silently indicate their rejection of a real option of living elsewhere – are very few.

Acts which are not signs of consent, but which may be taken as implying it, are involved in the second kind of arguments which Simmons criticises, those concerned with fair play and gratitude. If our political institutions indicate our involvement in a joint enterprise conducted according to rules which restrict our liberty, then those who have submitted to those rules have a right to similar submission from all of the others who benefit from the enterprise. This is only fair play. But while this may be a valid moral principle, the deliberate, knowing *acceptance* of benefits, as opposed to merely receiving benefits (some of which we may not want), Simmons holds, is required to establish political obligation. A further difficulty here, he suggests, is the extension of principles which may be relevant to local communities to the larger political scene. The idea of gratitude as a ground of political obligation also seems to be based on an imperfect analogy between the parent-child relation (where the notion is tenuous enough) and that of the state and citizen (where the intentions of government may be dubious and the content of a debt of gratitude very difficult to define).

None of the traditional arguments then seem to establish firm grounds for the claim that we have the kind of political obligation which satisfies the criteria (of voluntary and knowing choice and of general applicability to the citizens of

existing states) which Simmons deems necessary. The last refuge of the scoundrel seems, on this showing, also to be philosophically untenable (although Simmons may have weakened his case somewhat by inventing some arguments for his contemporary philosophical opponents in response which further arguments may be expected). His conclusion is not that we should not obey our country's laws or support its government – rather that whether or not we decide to do this should depend on general grounds of justice and utility, which apply with equal force to all governments. Whether this still, small, precise voice of reason will be heard is another matter.

KENNETH M BOYD
Scottish Director
Society for the Study of
Medical Ethics

Evangelische Theologie

Vol 6,
Dietrich Ritschl et al
Medizinische Ethik
Munich, Chr Kaiser Verlag
DM 11

This issue of *Evangelische Theologie* is given over to excerpts from the report of a working party on medical ethics in West Germany. The members of this group, Christians concerned with the matter, set out the universal questions and those particular to West Germany. Their aim was to arouse the widest possible debate on medical ethics.

The main article gives a resume of the issues involved and these are then developed and added to in the subsequent contributions. Ritschl begins by discussing who should be involved in the decision making in medical ethics and maintains that all social groups must participate, complaining that the medical profession is defensive about opening up the debate, and that all too often, the public only becomes aware of what is involved when some scandal breaks.

The general public expects doctors to make decisions for them, failing to understand that a doctor who makes an ethical decision is not doing so in his professional capacity, but as a human being. Ritschl also warns of the danger inherent in the present trend of believing that if something is not illegal, it