

**Phil 290: Recent Work on Political Coercion**  
**August 28, 2012: Introduction**

It is generally thought to be wrong to use force against a person without his or her consent. I may not constrain, invade, or damage your body, for example, regardless of what I might thereby achieve (at least within a broad margin). Nor may I coerce you, by threatening to use force. But states do this as a matter of routine. And they are often thought to be permitted to do so.

*Our basic questions are:*

- I. *Why, if at all, should the use of force raise a special bar of justification?*
- II. *How, if at all, might the use of force, especially by a state, clear this bar? When is force permissible?*
  - a. If force effectively promotes the common good?
  - b. Only if those subject to force consent to it?
  - c. Only if force (is consented to or) has a “public justification,” based on premises that those subject to it can reasonably accept?
  - d. Only if force (is consented to or) is a response to (e.g., is defending against or punishing) force?
  - e. Only if force (is consented to or) is used by a state constituted in a certain way (e.g., democratic, respecting the “rule of law,” suitably institutional or impersonal)?

*What is force?*

Surprisingly little is said about this.

1. actually invading, damaging, or constraining the target’s body?
2. manipulating the target’s attitudes or actions through mind-control?
3. using or destroying the target’s property?

As 3 makes clear, but 1 may already imply, what counts as force may have to be conventionally or institutionally defined (although I’m not sure I know how that works).

4. making it the case that 1, 2, or 3 *would* happen, *were* such and such?
5. inducing or exploiting beliefs about 1, 2, 3, or 4, e.g. by threats?

*What makes force wrong, when it is wrong?*

It is just that force often has bad effects (e.g., it hurts)?

- On the one hand, those bad effects might come about without force, especially through a failure to protect against natural events.
- On the other hand, force seems objectionable even when it has only good effects (e.g., forcibly but painlessly vaccinating someone against a disease).

*Is it wrong to threaten to use force, even if the force never eventuates (e.g., because the target complies with the threat)? Why?*

*Why should consent make force permissible?*

- Is it because consent is an indicator that the force is, all things considered, in the interests of the target?
- Is it because, by giving consent, the target volunteers for the “burdens” of force?

- Is it because, by giving consent, the target changes the nature of force so it is no longer a “burden”?

*State force vs. state authority:*

On the one hand, one might think that the fact that:

A is permitted to use force against B

neither entails, nor is entailed by, the fact that:

A has *authority* over B: i.e., the power to obligate B by issuing commands.

On the other hand, a necessary condition on the justifiability of the use of force may seem to forge a connection between authority and permissible force:

A may use force against B only if A is thereby “enforcing” a moral requirement that B has.

Assume next:

*No Authority, Isn’t Required:* The only moral requirements that the state could be enforcing would be requirements that it has created via its authority.

It would follow that:

The state may use force only if it has authority to create, via its commands, the moral requirements that it enforces.

Why should we accept: No Authority, Isn’t Required? Why not say that the state is merely coordinating independently obtaining moral requirements (e.g., Rawls’s “natural duty of justice”) to promote the common good? It might be replied that states often enforce “mistaken” or “optional” contributions, in the following sense: an individual could better or no worse realize the common good without making that contribution. How else could *these* contributions be morally required of the individual—the defense of No Authority, Isn’t Required would run—unless the state had, and had exercised, the power to create an obligation by command?

*Parting thoughts*

I don’t have a “line” on this. I honestly don’t know what to think. I also am not sure that this topic is even a topic: that is, that is a good way of framing the interesting issues in the vicinity. Perhaps, we will find that it ends up being just a special case of the familiar questions about when harming others is permissible and how far the prohibition on harming others takes priority over doing what we can to prevent harm to others. It may all boil down to trolleys and fat men.

We will touch, but scarcely scratch the surface of, a number of bordering topics in moral and political philosophy: the nature and value of freedom, property and contracts, liberalism and libertarianism, democratic theory, the justification of self-defense and punishment, and the limits of the criminal law.

*Next week*

Simmons, “Justification and Legitimacy.” What exactly is “legitimacy” and why should we care about it? Why should consent, and perhaps nothing else, confer “legitimacy”? I have a clearer picture of what is supposed to *solve* the problem—free and informed agreement—than I have of what the *problem* itself is supposed to be.