

Political Legitimacy and a Natural Duty to Democracy

I. Standard Approach to Political Legitimacy:

- Justification → Legitimacy → Obligation
- Justification: providing moral or prudential reasons to take the state or government or authority as legitimate;
- Legitimacy: right to rule, that is right to impose duties on subjects and to enforce them;
- Political obligation: duty or obligation to obey the authority's directives.

II. Simmons's criticism:

- Justification **X** Legitimacy → Obligation
- Justification simpliciter: '*the impersonal presentation of objectively good reasons or good arguments to a conclusion*', that is meant to show how a certain kind of state may be morally acceptable, prudentially rational or both;
- Legitimacy: '*complex moral right to be the exclusive imposer of binding duties to its subjects, and to use coercion to enforce these duties*', which requires a form of personal legitimation by individual actual consent in order to exist.

III. Rawls's 'internalist' way-out:

- Justification (to the reasonable) → Legitimacy → Obligation
- Justification: addressed to specific people (the reasonable) and meant to provide them with reasons they could reasonably be expected to accept;
- Legitimacy: moral right of the state, which results from the fact that reasonable people can be expected to endorse such state.

IV. Christiano's 'externalist' way-out:

- Justification → Legitimacy ↔ Obligation
- Justification: set of reasons to take a state as minimally just, according to the fundamental principle of justice (equal advancement of the interests of all);
- Legitimacy: since we have a natural duty of justice that prescribes us to support just institutions, we have an obligation to obey any state which is minimally just;
- The fact that a state is minimally just makes it legitimate because we have an obligation to obey just institutions derived from the natural duty of justice.

V. Some problems with a natural duty of justice:

- It does not take disagreement seriously into account;
- It fails to fulfill two requirements that characterize other natural duties:
 - Perfection;
 - Conditionality;
- It produces unexpectedly bad consequences for democracy.

- If our obligation to obey democratic decisions depends on a natural duty of justice about whose requirements and implications we disagree, then either we end up without a proper obligation democracy is legitimate only insofar as it respects the principle of public equality,