

Why should we obey the law? essay sample

Law



**ASSIGN
BUSTER**

There's a limit to what I can say in an e-mail, so I would recommend coming to talk to me about this in my office hour if you're able. That's 9-10am Wednesday, in room 13.33 of the Social Sciences Building – which is Ricardo Blaug's office. I'll be able to offer a lot more help face to face. In brief I would recommend first deciding which of the various theories detailing why we should obey the law you find to be the most persuasive, then have a think about why. Have a think for a while about why you think we actually should obey the law, in your opinion. Is it because this is a democracy and therefore we've chosen the law? Is it because we're all part of the same society and we need to obey the law to stop it collapsing? Or is it because it just works out best if we do, but there's no moral reason for doing so.

Those are the three main theories we've studied on the course – consent theory (you've agreed to the law so you should obey it), membership theory (you're a member of a community which means you should obey its laws), or philosophical anarchism (there isn't a moral reason to obey the law, but it might be a good idea sometimes anyway). A classic answer to this kind of question would argue that one of those theories was correct, in your view, and that the others are flawed. Once you've decided what you actually think about this question it will be easier to work out what each section of the essay will say.

Books:

*Gilbert, Margaret (2006). *A Theory of Political Obligation*. Oxford: Oxford University Press. Plamenatz, John (1968). *Consent, Freedom, and Political Obligation*, 2nd ed. Oxford: Oxford University Press. Senor, Thomas (1987). “

What If There Are No Political Obligations?" *Philosophy and Public Affairs*, 16: 260-68. Wolff, Robert Paul (1998 [1970]). In *Defense of Anarchism*, 3rd ed. Berkeley: University of California Press.