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**WHEN OBEDIENCE LOSES ITS WARRANT: POLITICAL OBLIGATION,
JUSTIFICATORY FAILURE, AND DEMOCRATIC RESISTANCE**

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Abstract

This paper develops an epistemic account of political obligation and democratic resistance. It argues that democratic obedience is not a categorical duty owed to authority merely because authority bears a constitutional name. Rather, obedience remains reasonable only where public institutions continue to justify themselves through transparent decision-making, responsiveness to grievance, protection of basic rights, and fidelity to popular sovereignty. Where elections are manipulated, citizens excluded, law applied selectively, or ordinary channels of redress closed, the obligation to obey may be overridden by a higher democratic duty to preserve the conditions of legitimate authority. Drawing on Dewey's account of warranted inquiry, Rorty's critique of final political foundations, and contractarian accounts of political obligation, the paper distinguishes everyday compliance from democratic guardianship. Its central contribution is to formulate two cumulative conditions under which resistance becomes warranted: systemic justificatory failure and closure of institutional pathways for correction. It concludes that proportionate, public, and reconstructive resistance is not hostility to democracy, but a civic practice aimed at restoring the justificatory conditions under which obedience can again be reasonable.

Keywords: political obligation; obedience; democratic resistance; justificatory failure; epistemic warrant; civil disobedience; democratic guardianship

Introduction: Obedience as a Question of Warrant

In political life, obedience is often treated as if it were the first duty of citizenship. The citizen is expected to pay taxes, obey laws, accept public decisions, and submit to the authority of the state. Yet

the old democratic promise is not simply that people should be ruled, but that they should in some meaningful sense rule themselves. Democracy, from the Greek *dēmos* and *kratos*, names this promise of rule by the people. Since classical Athens, it has stood both as a noble ideal and as a difficult practice (Dahl 1989). Its attraction lies in the thought that power is justified only when it respects the equal standing, freedom, and voice of those over whom it is exercised.

The difficulty is that democratic language can survive even when democratic life is weakened. Constitutions may proclaim liberty while officials act arbitrarily; elections may be held while meaningful choice is constrained; courts may exist while ordinary citizens doubt that justice can be obtained through them. In such conditions, citizens are not merely disappointed. They begin to ask whether the institutions demanding obedience still provide good reasons for that obedience. This question is ethical, because it concerns the right relation between citizen and state. It is also epistemic, because it concerns the grounds on which citizens may reasonably believe that authority remains legitimate.

This problem is familiar in many societies where democratic forms remain visible but democratic substance becomes uncertain. Citizens are asked to trust institutions that invoke the people's name while their daily experience suggests distance, exclusion, manipulation, or indifference. Some respond with apathy. Some reduce civic duty to passive compliance. Others reject authority altogether. The task of political philosophy is not to praise either obedience or resistance in advance, but to ask when each is justified. The central question of this paper is therefore this: under what conditions does obedience lose its warrant, and when may resistance become a democratic duty?

There is extensive literature on democracy's internal tensions, theories of political obligation, pragmatist epistemology in Dewey and Rorty, and conditional resistance in Locke and Rawls. Existing theories of political obligation typically ground obedience in consent, fairness, natural duty, or associative ties to a political community (Simmons 1979: 57–100; Rawls 1971: 333–342; Dagger and Lefkowitz 2021). Even when they recognise limits to allegiance, those limits are usually framed in moral or contractual terms. Pragmatist political theory reconceives democracy as an experimental and justificatory practice, but it has not developed a systematic account of political obligation. Contemporary epistemic-democracy literature, represented by Estlund, Rothstein, and Cerovac, focuses mainly on procedural fact-responsiveness rather than on the epistemic grounds of obedience or resistance. The distinct thesis of this paper is therefore that political obligation should be treated as an epistemic relation of warrant: obedience is justified only while institutions continue to give citizens publicly accessible reasons to regard authority as democratic, corrective, and answerable.

The argument advanced here is that obedience is warrant-dependent. Citizens normally have reason to comply with law when institutions are transparent, responsive, rights-protecting, and open to correction. But when justificatory failure becomes systemic, and when ordinary paths of repair are closed or made ineffective, the higher duty to preserve democratic ends may override routine compliance. Resistance in such a case is not mere defiance. Properly understood, it is democratic guardianship: a public, proportionate, and reconstructive effort to restore the conditions under which political authority can again be worthy of obedience. This formulation makes the paper's contribution distinct from standard accounts of civil disobedience: it does not ask only when disobedience is morally excusable, but when obedience itself has lost the evidential support required by democratic legitimacy.

This thesis rests on a distinction between authority as office and authority as justification. An official may occupy an office lawfully, yet the citizen's moral reason to obey cannot be exhausted by the fact of occupation. Democratic authority is not a mere possession of rulers; it is a continuing relation

between institutional power and the people in whose name that power acts. The state must therefore do more than command. It must explain, answer, correct, and show that coercive decisions remain connected to reasons that free and equal citizens can recognise as public reasons. Where that relation breaks down, obedience becomes morally and epistemically fragile.

The analysis proceeds through five movements. First, it examines democracy's ideals and the conditions under which those ideals are betrayed. Second, it clarifies political obligation by distinguishing everyday compliance from the higher duty to preserve democratic ends. Third, it develops the epistemic conditions under which obedience remains warranted. Fourth, it explains when resistance becomes democratic guardianship rather than disorder. Finally, it answers objections concerning instability, subjectivism, citizen competence, respect for law, and unconditional allegiance.

Democracy, Legitimacy, and the Problem of Betrayal

In one classical formulation, democracy is presented as a regime in which the many rather than the few shape public life, where law offers equal justice and public advancement is tied to merit rather than inherited status (Thucydides 431 BCE/1972: 145; Blaug and Schwarzmantel 2016). This picture is compelling, but it begins to collapse as soon as we ask a simple, uncomfortable question: who, exactly, belongs to "the people" who rule? The Athenian *demos* famously excluded slaves, women, and foreigners; later European democracies limited the franchise by property, gender, literacy, or race (Dahl 1989). Even Rousseau's language of the "general will," which has inspired generations of democrats, coexisted with exclusions from active citizenship (Rousseau 1762/1968).

In contemporary multicultural societies, the question of who counts as "the people" is further complicated by ethnonational cleavages, religious divisions, and deep structural inequalities. Democratic legitimacy cannot rest on institutional labels alone; it depends on a justified belief that existing institutions embody popular sovereignty, equal citizenship, and the rule of law (Dahl 1989; Norris 2011). When the visible architecture of democracy coexists with systematic exclusion, manipulation, or domination, the connection between democratic form and democratic substance is weakened. Citizens may continue to live under institutions officially described as democratic, but their everyday experiences of marginalisation, disregard, or selective enforcement may undermine the belief that they are truly governed by "the people."

This tension is especially visible today. Electoral democracies have multiplied across regions, yet declining trust, authoritarian populism, and hollowed institutions have become familiar features of political life. The ideals of autonomy, equality, and inclusion that animate democratic imagination are weakened when citizens no longer experience democratic governments as worthy of obedience or loyalty (Dahl 1989; Norris 2011). One structural source of this difficulty lies in the movement from the relatively bounded Greek polis to the internally diverse modern nation-state.

The polis was often imagined, however inaccurately, as a community of broadly similar citizens. Contemporary democracies, by contrast, operate amid entrenched inequalities, layered identities, overlapping loyalties, and contested narratives of belonging. Under such conditions, the composition of "we the people" no longer functions as a settled premise but becomes an object of continuous political struggle. Correspondingly, the epistemic basis for believing that existing institutions genuinely speak for "the people" becomes fragile and contested.

Citizens encounter contradictory signals: constitutions and official rhetoric proclaim popular sovereignty, rights, and the rule of law, while everyday life discloses exclusion, arbitrary governance, and unresponsiveness to grievances. The belief that democracy is, in any meaningful sense, "rule by

the people” becomes harder to sustain. When elections routinely fail to translate popular preferences into public policy, or when constitutionally guaranteed rights are systematically ignored or selectively enforced, citizens are pushed to revise their beliefs about what democracy means and what value democratic obedience has. In this way, the erosion of democratic ideals produces not only a crisis of legitimacy but a crisis of warranted belief about the authority of democratic institutions.

Political Obligation: Compliance and Higher Democratic Duty

Set against this picture of partial fulfilment and partial betrayal of democratic ideals, the traditional notion of political obligation becomes less straightforward than it first appears. Standard accounts define political obligation as the moral duty of citizens to obey the laws of their state (Dagger and Lefkowitz 2021; Dobos 2015). Yet this definition leaves several questions unresolved: what grounds the duty to obey, how should duties be distinguished from obligations, and what happens when law itself no longer sustains the democratic ends that justify authority? Clarifying these questions is essential if we are to say when obedience is required and when resistance may be demanded by justice.

Contemporary philosophers generally cluster theories of political obligation into three main camps: transactional, natural duty, and associative (Dobos 2015; Dagger and Lefkowitz 2021). Transactional theories ground obedience in concrete moral exchanges between citizens and the state. Fairness accounts hold that those who benefit from cooperative social arrangements owe a duty to contribute their fair share (Hart 1955; Simmons 1979: 101–142). Gratitude accounts interpret obedience as a response to benefits received from the state, while consent-based accounts locate obligation in explicit or tacit agreement to be governed (Locke 1689/1988; Simmons 1979: 57–100).

Natural duty theories approach the issue differently. They argue that citizens have broad moral responsibilities to support just institutions, not because they have personally consented, but because justice and the common good make legitimate claims on moral agents. If a society’s institutions are sufficiently fair and rights-protecting, citizens are bound to support them regardless of explicit agreement (Rawls 1971: 333–342; Dagger and Lefkowitz 2021).

Associative theories emphasise membership in a political community. On this view, citizens owe allegiance because they belong to a shared political association, much as persons may owe special responsibilities within families or friendships. Membership, history, and common identity generate a presumption of obedience, even apart from explicit contract or calculation (Simmons 2001: 65–92; Dagger and Lefkowitz 2021).

The distinction between duty and obligation clarifies why obedience cannot be treated as morally simple. Obligations often arise from voluntary acts, such as promises, consent, or accepted benefits. Duties, by contrast, may bind persons independently of explicit agreement, especially where justice, rights, and the common good are at stake. Political obligation combines these dimensions, but it does not always combine them harmoniously. In stable constitutional orders, everyday compliance and the deeper duty to sustain justice may reinforce one another. In regimes where democratic form masks domination, however, these dimensions can diverge.

This divergence is crucial. Everyday compliance refers to the routine expectation that citizens obey laws, pay taxes, observe regulations, and accept public decisions. Higher democratic duty refers to the responsibility to preserve the conditions that make political authority legitimate: justice, rights, accountability, popular sovereignty, and the possibility of correction. When laws and institutions protect these ends, compliance is part of democratic participation. When they systematically betray them, the deeper duty may require critique, non-cooperation, civil disobedience, or other forms of principled resistance.

Epistemic Conditions of Obedience

Once political obligation is understood in this dual sense, the central question becomes: under what conditions do citizens have good reason to believe that obedience is justified? An epistemic approach reframes obedience as a judgement rather than a default. Political authority must continually earn warrant through transparent justification, reliable procedures, responsiveness to grievance, and protection of basic democratic goods. Legitimacy, in this view, is not a static entitlement but a fragile achievement sustained only as long as citizens have reasons to regard authority as trustworthy and answerable.

Dewey's account invites us to see beliefs not as fixed possessions but as habits of expectation shaped by repeated encounters with experience (Dewey 1938: 101–119). A belief is warranted when it enables intelligent response to problematic situations rather than resting on certainty detached from inquiry (Dewey 1938: 6–15, 101–104). Political beliefs, including the conviction that government deserves loyalty or that obedience serves the common good, are therefore not timeless certainties but working hypotheses. They must withstand the test of experience. If institutions provide security, justice, and fair treatment, citizens have grounds to sustain trust. When institutions repeatedly produce corruption, arbitrariness, or unresponsiveness, those grounds weaken.

Rorty pushes this further by challenging the idea of ultimate, unchanging foundations for political authority and knowledge (Rorty 1979: 315–356). His anti-foundationalism directs attention away from abstract guarantees and toward the practices through which communities justify beliefs and institutions to one another (Rorty 1979: 367–394; Rorty 1989: 44–69). There is no final standpoint from which legitimacy can be certified once and for all. Citizens measure institutional claims against public reasons, historical experience, and the extent to which official promises are kept or betrayed.

In democratic societies, declarations such as “the law applies equally” or “elections express the people's will” cannot be taken at face value. They must be supported by the actual practices of officials and institutions. When official language is repeatedly contradicted by lived experience, citizens' willingness to believe in and comply with the system understandably fades. Obedience then becomes not only ethically questionable but epistemically suspect. Justificatory failure appears in secrecy, arbitrariness, selective enforcement, ignored grievances, captured institutions, and the refusal to treat citizens as participants in selfgovernment. Each pattern chips away at the sense that the law is “ours.” Citizens do not merely feel disappointed; they acquire reasons to doubt that obedience remains an act of democratic participation rather than complicity in democratic erosion. At this point, the higher duty to uphold justice and democratic self-rule becomes more urgent than the ordinary expectation of compliance. Resistance, in such circumstances, is not a collapse of civic duty but a transformed expression of it. To resist is to act on the judgement that existing institutions have lost their claim to automatic allegiance and that repair is necessary if legitimacy is to be restored. Such resistance is not mere defiance; it is a practice of democratic guardianship, a commitment to defending the conditions that make authority warrantable in the first place.

The account can be formulated as two cumulative tests. The first is the failure test: citizens must have public and shareable reasons to judge that democratic institutions have ceased to justify themselves in central areas of political life. Isolated errors, unpopular policies, and ordinary disagreement do not satisfy this condition. The second is the closure test: available constitutional mechanisms for correction must be absent, captured, systematically ignored, or practically ineffective. Resistance becomes democratic guardianship only when both tests are met. The tests protect the argument from becoming a licence for personal preference while also preventing political authority from hiding behind formal legality after it has abandoned democratic justification.

When Resistance Becomes Democratic Guardianship

Illiberal democracies provide a vivid test for the epistemic account of political obligation, because they preserve the outward symbols of legitimacy while weakening the practices that make legitimacy believable. Elections, constitutions, and courts may remain in place, yet manipulation, repression, exclusion, and selective accountability can hollow out democratic life from within (Norris 2011). Citizens living under such conditions therefore confront a conflict between the legal expectation of compliance and the epistemic reality of failed justification. Resistance becomes warranted not because citizens dislike a particular policy or distrust a particular official, but because the failures of the regime become systemic and the normal avenues of correction cease to function. Where fraud, rights violations, exclusion, secrecy, and official unresponsiveness persist, and where courts, elections, petitions, and public deliberation no longer operate as meaningful sites of contestation, obedience loses the warrant that democratic authority ordinarily claims. In that setting, resistance is best understood not as impatience with law but as an effort to recover the justificatory conditions without which law cannot command democratic allegiance.

Civil disobedience, non-cooperation, and other forms of proportionate public resistance may then become mechanisms for restoring the justificatory conditions necessary for legitimate authority. They are not rejections of democracy but attempts to renew the conditions under which democratic authority can again command obedience. Civil disobedience, in this framework, becomes a form of public reasoning. Those who engage in non-violent protest, selective law-breaking, boycott, or non-cooperation do not necessarily reject public order; they may instead expose the gap between democratic ideals and political reality. Their actions ask whether a society that suppresses peaceful dissent, manipulates elections, or closes avenues of redress can still claim the obedience of those it governs. In such contexts, resistance is justified only when it remains proportionate, public, accountable, and directed toward restoring rather than destroying legitimate authority (Locke 1689/1988; Rawls 1971: 363–391; Norris 2011).

Objections and Responses

Any account that grounds political obligation in citizens' continuing assessment of legitimacy must confront worries about stability, subjectivism, civic competence, respect for law, and the possibility of unconditional allegiance. These worries matter because an epistemic account of obedience could appear, at first sight, to make political order too vulnerable to individual judgement. The force of the account, however, lies in showing that democratic authority is strengthened rather than weakened when it must continue to earn its warrant through public justification.

One objection is that a defeasible warrant for obedience may create instability. If legitimacy depends on citizens' continuing judgement, critics may fear that political order will become fragile and that individuals will feel entitled to withdraw allegiance whenever they face disappointment, ideological disagreement, or conflict with public authority. This worry, however, misrepresents the standard being defended here. The epistemic account does not license impulsive defiance or make every frustration a ground for resistance. It requires a high threshold: only systemic justificatory failure, persistent exclusion, secrecy, manipulation, or official unresponsiveness undermines the warrant to obey. Healthy democracies meet this test through transparency, answerability, and responsiveness in ordinary governance. By requiring legitimacy to be continuously earned through justificatory practices, the account disciplines power, prevents complacency, and protects democratic order against gradual decay.

A second worry is that grounding obligation in epistemic judgement may invite subjectivity or self-interest. Citizens might cloak personal preferences, partisan loyalties, or factional aims in the

language of failed justification. This is a serious concern, but the epistemic account does not rest on private whim. Claims of justificatory failure must be publicly intelligible and supported by shared evidence, debate, and communal standards of reasoning. Democratic institutions such as independent courts, free media, civic associations, and open public debate provide spaces in which such claims can be tested. What counts as systemic justificatory failure must therefore be established collectively rather than privately. Far from widening the space for self-serving resistance, the account narrows it by requiring dissent to be public, reasoned, proportionate, and accountable.

A further objection is that ordinary citizens may not be capable of evaluating legitimacy. Many citizens lack political expertise, have limited time, or feel alienated from formal governance; it may therefore seem unrealistic to make political obligation depend on epistemic vigilance. Yet this objection underestimates the democratic intelligence embedded in everyday life. Citizens constantly evaluate trustworthiness in workplaces, communities, markets, religious spaces, online forums, and neighbourhood gatherings. These settings form a distributed epistemic network through which judgements about legitimacy gradually emerge. Moreover, the primary burden of justification falls not on citizens but on institutions. When governments communicate openly, respond to grievances, and make their processes comprehensible, citizens' evaluative task becomes an ordinary extension of civic participation rather than an impossible intellectual burden.

Another concern is that emphasising resistance may weaken respect for law or encourage disorder. If resistance is invoked too easily, critics may argue, the rule of law itself becomes fragile. The epistemic account avoids this danger by drawing a sharp distinction between principled resistance and lawlessness. Resistance becomes warranted only where systemic justificatory failure is joined by the closure or serious corruption of institutional pathways for correction. Even then, the forms of resistance defended here—civil disobedience, public contestation, boycott, and non-cooperation—are proportionate, transparent, and reconstructive. They aim to restore the conditions under which the rule of law can function legitimately. In this sense, democratic guardianship strengthens respect for law by insisting that law remain tied to justice, accountability, and public reason.

Finally, one might argue that allegiance to one's political community should be unconditional. Associative and natural-duty theorists may insist that shared identity, history, and membership generate obligations that persist despite institutional failure. But even the strongest accounts of political membership must recognise limits. When institutions become profoundly unjust, they can lose the moral authority that membership normally presupposes. The epistemic view clarifies these limits by refusing to equate loyalty with acquiescence. True allegiance is owed to democratic ends, not to an administration, party, ruler, or institutional façade. When institutions betray those ends and justificatory practices collapse, loyalty may require active guardianship rather than passive compliance. Conditional allegiance is therefore not a threat to community; it is one way a community reclaims its democratic identity after periods of erosion or manipulation.

The practical implication is not that citizens should become permanent judges over every law in isolation. Rather, a democratic people must cultivate habits of public vigilance. They must ask whether institutions remain corrigible, whether criticism can be voiced without intimidation, whether minorities can contest decisions as equal members of the polity, and whether public power is still answerable to reasons rather than mere force. A democracy worthy of obedience is therefore one that can bear scrutiny. It does not demand silence in the name of order; it invites correction because correction is part of what makes democratic authority distinct from domination.

Taken together, these objections reveal legitimate anxieties about stability, unity, and the moral authority of law. Reframed through epistemic legitimacy, however, the central point remains clear:

obedience requires warrant, warrant requires justificatory practices, and where those practices collapse, higher democratic duty may override everyday compliance. Proportionate and public resistance is therefore not disorder in another name. It is democratic guardianship: an effort to preserve or restore the conditions under which law can again claim the allegiance of free and equal citizens.

Conclusion

This paper has argued that political obligation should be understood as warrant-dependent rather than unconditional. Citizens do not owe obedience merely because institutions bear democratic names or preserve constitutional forms. They owe obedience when institutions continue to justify themselves through transparency, responsiveness, rights protection, and fidelity to popular sovereignty. When these justificatory practices collapse, the grounds of obedience weaken, and political obligation must be reconsidered in light of the democratic ends authority is meant to serve.

The distinction between everyday compliance and higher democratic duty is central to this claim. In well-functioning democracies, compliance normally supports justice, rights, and public order. In contexts of systemic justificatory failure, however, the higher duty to preserve democratic authority may require critique, civil disobedience, boycott, non-cooperation, or other proportionate forms of public resistance. Such resistance is not a rejection of democratic order; it is an attempt to restore the conditions under which obedience can once again be reasonable.

This paper has therefore defended democratic guardianship as the appropriate name for resistance that is public, proportionate, accountable, and reconstructive. Citizens living under democratic forms have a duty not only to obey legitimate authority, but also to prevent the collapse of the conditions that make authority legitimate. When people can no longer truthfully say, “this is our rule,” obedience loses its warrant and the burden shifts toward principled action. Political obligation, on this account, is not blind submission to power; it is fidelity to the democratic purposes that make power worthy of obedience.

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