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THE PHILOSOPHICAL ASPECT OF ANARCHISM IN ROBERT PAUL WOLFF'S THOUGHT

In order to better understand the subjects under consideration here, it is worth beginning with a brief overview of the various forms of anarchism, in conjunction with the essential characteristics of those which are deemed as most relevant to the issues at hand. It is necessary to locate the so-called philosophical anarchism mainstream in a broader framework, to show its sources and to select the fundamental differences that exist between this approach and other forms of anarchism. Already, at the outset, some divisions are visible which will help to define a kind of framework for future analysis.

Based on various studies, sources, and the definitions given by different encyclopedias, some contractual lines of the primary classifications can be marked. According to these, the first dividing line runs between political and philosophical anarchism, and the second will be marked out between individualist, collectivist (communal, or sometimes even known as communist anarchism¹), and anarcho-syndicalism. The third dividing line will be recognized as the distinction between *a priori* and *a posteriori* philosophical anarchism². At the outset we should also note that Robert Paul Wolff's approach will be taken into special consideration in this paper. This American philosopher of law and politics is today regarded (particularly in the United States, but also in other English-speaking countries), as an authority in these areas. Therefore, as a main aim of this paper we should consider (in addition to the separation of philosophical anarchism from other current anarchist appro-

¹ We may encounter various classifications of political anarchism. Sometimes the communal anarchism of Bakunin is classified as anarcho-communism. See: D. Miller, *Anarchism*, London 1984, p. 45.

² It is supposed that this classification was first presented by A. J. Simmons.

aches mentioned previously) an attempt to reconstruct the idea of philosophical anarchism and a critical overview of its basic assumptions.

It will probably come as no revelation if we draw the conclusion that political anarchism considers as its main premise the overthrow of the state. Equally obvious is the lack of acceptance and final rejection of any political government. The state itself is seen as an extremely inappropriate, even sometimes evil form of social organization. This also leads to the statement that the existence of the state and, moreover, of any power within it, will never remain legitimized. Certainly, looking at these clearly outlined features, the vision of social life is not based on well-known political institutions, but on completely different alternatives.

The individualistic version of anarchism was developed mainly in the United States of America, and this fact is hardly surprising, especially given the well-known tradition of the region and certain, also very specific, economic determinants. It is worth mentioning, though, that the most individualistic approach ever was presented by Max Stirner, a philosopher born in Bavaria. He believed that beyond individuals there is no reality. His main goal was to free the individual from what he always called tyranny. This tyranny could have a variety of sources, e.g. religious, philosophical or political³.

In general, belief in the sovereignty of the human being was taken from liberal ideas. It was then easily extended to political issues, and in the end it was concluded that it is impossible to merge the sovereignty of the individual conceived in this way and existence of the state. The most important thing is to prevent a situation in which the sphere of the individual's activities (which are the supreme values) would have been disrupted, in particular, bodily integrity, and lawful acquired property⁴. In principle, the individual could do what he or she wanted, with sovereign status within his or her territory. Any incursion of the individual into the private sphere of another was not allowed, unless the individual acquiesced to this, or such a situation was caused by an exchange, contract, or a free gift.

However, if the interference was of a different nature than the options mentioned above, then this action was considered as a kind of invasion. Consequently, this invasion could be legitimately resisted by force, if the situation so required. The damages and injury caused (any harm treated as a result of the invasion) needed to be compensated. Thus, the limit of discriminating power used by the aggressor and that which was used for defense was laid out quite clearly.

Significant weight was also attached to acts of charity, which were considered extremely valuable. However, such acts had some limitations which had to meet certain conditions, for example they had to be made voluntarily, so they were not mandatory, and could thus in no way be forced on anyone.⁵

³ S. Shatz, *The Essential Works of Anarchism*, New York 1972, p. 42.

⁴ D. Miller, *Anarchism*, London 1984, p. 30.

⁵ *Ibidem*.

Sometimes it is emphasized that while 19th-century individualist anarchism is embedded in the socialist movement, its followers, from the early 20th century, who called themselves anarcho-capitalists, preferred an emphasis on the free, unrestricted market, with all kinds of goods, so the state as institution ceases to be necessary. Benjamin Tucker speaks similarly, commenting on the assumptions of, *inter alia*, Proudhon and Warren, also considered to be representatives of the mainstream of individualist mechanism.

Even the simple police function of protecting person and property they deny to governments supported by compulsory taxation. Protection they look upon as a thing to be secured, as long as it is necessary, by voluntary association and cooperation for self-defense, or as a commodity to be purchased, like any other commodity, of those who offer the best article at the lowest price. In their view it is in itself an invasion of the individual to compel him to pay for or suffer a protection against invasion that he has not asked for and does not desire. And they further claim that protection will become a drug in the market, after poverty and consequently crime have disappeared through the realization of their economic program. Compulsory taxation is to them the life-principle of all the monopolies, and passive, but organized, resistance to the tax-collector they contemplate, when the proper time comes, as one of the most effective methods of accomplishing their purposes⁶.

It is quite clearly evident that the so-called early individualists, to whom Tucker undoubtedly belongs, see the benefits reaped by the capitalist class as a result of the monopolistic practices created based on the extension of the state's competences. Therefore they turned towards the working classes, in particular towards individuals running small businesses. They stressed the importance of self-employed entities, operating in the market as a single enterprise.

Nor does the Anarchistic scheme furnish any code of morals to be imposed upon the individual. "Mind your own business" is its only moral law. Interference with another's business is a crime and the only crime, and as such may properly be resisted. In accordance with this view the Anarchists look upon attempts to arbitrarily suppress vice as in themselves crimes. They believe liberty and the resultant social well-being to be a sure cure for all the vices⁷.

In turn, Rothbard saw the opportunity to build a broad coalition of co-workers, business representatives, students, and even national minorities, opposing the ideas of the revolutionary movements, both collectivist and anarcho-communist. He also denied the social democratic approach, maintaining that "libertarianism – a private-ownership anarchism – is morally empowered and competent, and all [...] the socialists are in manifest error."⁸

The remarks cited above allow us to highlight some major characteristics which can be distinguished in this branch of anarchism. In the first instance let us recall the principle of sovereignty of the individual, which can also be linked with

⁶ B. R. Tucker, *Instead of a Book, by A Man Too Busy to Write One; A Fragmentary Exposition of Philosophical Anarchism Culled from the Writings of Benj. R. Tucker*, New York 1969, p. 14.

⁷ *Ibidem*, p. 16.

⁸ M. N. Rothbard, *For a New Liberty: The Libertarian Manifesto*, London 1978, p. 309–312.

the statement that it is better not to deliver public goods than to require that, in order to generate them, individuals must bear certain financial outlays. Secondly, when the state is entrusted with the task, which is collection of funds from individuals in the form of compulsory taxation, individuals who are in power do not have any incentive to ensure whether the goods are actually favorable at the moment. Perhaps these goods are “false”, totally unnecessary goods, and their distribution causes only growth of the bureaucratic apparatus. And thirdly, we can find the opinion, shared by most anarchists, that the mere establishment of the state may raise the risk that the benefits provided are not commensurate with the potential effects of state interference on individual liberty.

Political, individualistic anarchism obviously particularly emphasizes individual autonomy and freedom as a basic priority. As pointed out by Wolff, “the autonomous man, insofar as he is autonomous, is not subject to the will of another. He may do what another tells him, but not *because* he has been told to do it. He is therefore, in the political sense of the word, *free*....”⁹ This type of approach promotes the idea of the undisturbed sphere of the individual, in conjunction with its absolute sovereignty. What’s more, in this context, social relationships are seen in the category of contractual interactions that occur between independent parties, with the ability to lead a life beyond the social environment and its influences¹⁰. This statement seems to be far from the truth, becoming the grounds for criticism. Leaving aside the elements of criticism mentioned above, let us just note that it is very difficult to imagine the possibility of man able to live outside the network of social relations, institutions and practices. Institutions and practices undoubtedly have a significant role in shaping individuals, and therefore cannot be regarded as external to the self-reliant person¹¹.

Two of the issues raised so far seem to be extremely important for the subject at hand. The first should be considered as relating to public goods, in particular criticism of the state’s role in its delivery. This stands, as we can see, in particular opposition to the assumptions of fair play theory, and is especially at odds with the position presented by another American philosopher, George Klosko¹².

However, the second of these issues applies to the idea of voluntariness and its perception by anarchists.

On the other hand, emphasis is placed with equal power on the thesis that no state institution is proactive, and therefore is not based on voluntary agreement.

⁹ R. P. Wolff, *In Defense of Anarchism*, New York 1970, p. 14.

¹⁰ J. Horton, *Political Obligation*, London 1992, p. 117.

¹¹ As a side note, due to the problems that had arisen around this approach, in the 20th century a need to modify it appeared, and the concept of anarcho-capitalism (or market anarchism) was born on the basis of this approach. Narveson stresses that if anarchism is possible at all, it must be in its market version, where production is controlled by individuals or groups acting unconstrained and distribution of goods is based solely on voluntary exchange. J. Narveson, *The Anarchist’s Case*, [in:] *For and Against the State*, ed. J. T. Sanders, J. Narveson, Lanham 1996, p. 197.

¹² See: G. Klosko, *The Principle of Fairness and Political Obligation*, “Ethics” 1987, Vol. 97, No. 2; G. Klosko, *Multiple Principles of Political Obligation*, “Political Theory” 2004, Vol. 32, No. 6.

The state, on the contrary, is seen as a creature using coercion, being exploitative of individuals and fundamentally wrong.

Having outlined the basic elements that can be described as characteristic of individualist anarchism, it remains to discuss in just a few sentences what is called collectivist anarchism. It should be stressed that this characteristic will not bring any specific distinction or nuance. The only task is to approximate the fundamental determinants of the concept as a whole. Current collectivist anarchism, primarily, is clearly associated with the classical representatives of this direction, mainly with Bakunin, Proudhon, and also Kropotkin¹³. Indeed, it is hard not to agree with the assumption that this direction of anarchism has much in common with the socialist tradition. However, on the other hand, we cannot expect that no differences between the two may be observed. On the contrary, a number of elements make collectivist anarchism (in many ways) quite different from ideas classified as socialist. This distinction is particularly evident in the focus of the latter, centralized forms of organization and state control¹⁴ – even if they are not treated in terms of the ultimate goal, but at least as a means to build an ideal society. Collectivistic anarchists, in spite of their socialist tendencies, have been treated by socialists as utopians, and this was one of the main reasons for the rejection of the anarchistic, collectivistic vision by socialists. Socialists have argued that such ideas are impossible to initiate¹⁵.

As can be seen from the very beginning, these two ideas – collectivist and individualist anarchism – came about from quite different foundations, which do not share a similar relation to the issue of coercion. Each time, all kinds of anarchist manifestations are condemned, and in addition the main objective of the collectivist approach is a desire to settle social organization on the principle of free community. Therefore, one can notice a greater tendency among collectivists to share the thesis on the cooperative concept of human nature. People naturally combine to form a group whose main task is to coordinate economic activities and to provide mutual assistance by all the members of the community¹⁶.

[...] the idea of mutualité, which was to be one of the twin pillars of Proudhon's anarchism; he conceived the plan of a great mutual aid association among all the workers that would save them from the perils of those economic crises during which they were normally forced to sell their labor at starvation prices. The other Proudhonian pillar, federalism, was the subject of much discussion and even experiment during the Revolution.¹⁷

¹³ More can be found in: P. McLaughlin's, *Mikhail Bakunin: The Philosophical Basis of His Theory of Anarchism*, New York 2002.

¹⁴ Joll draws attention to the fact that there was a clear gap growing between these two ideologies in these years, observed particularly in France. However, the separation started much earlier – in 1870. See J. Joll, *The Anarchists*, London 1964, chapter IV.

¹⁵ Idem, *The Second International 1889–1914*, p. 56–62.

¹⁶ J. P. Clark, *What Is Anarchism?*, [in:] *Anarchism*, ed. J. R. Pennock, J. W. Chapman, New York 1978, p. 22.

¹⁷ G. Woodcock, *Anarchism: A History of Libertarian Ideas and Movements*, Cleveland 1962, p. 52.

It can be concluded that in this perspective, people are not perceived in terms of holders of certain natural rights, as was previously discussed with representatives of individualist anarchism, but altogether they are considered as, on the one hand, independent and, on the other, related in their network of interactions between each other. Equally important and distinctive in addition is the strong withdrawal from cherishing of private property to the degree it was done by the individualists. The same applies to the formation of the human individual within the community. For communal anarchists such a process is one of the most important sources of stability that can be determined within a social group. The members of society share a common practice, often based on cooperation, established voluntarily, and relationships in such large groups are usually perceived as harmonious. This does not mean the absence of differences, or exclude the existence of conflicts and misunderstandings. According to the statement above, by removing a state considered in this case as a principal oppressive element, it will be possible to expose and make better use of the natural human tendency to build cooperative and voluntary structures. At the same time such a structure would be composed of free individuals, with a regard to achieving greater prosperity¹⁸.

Undoubtedly, collectivistic anarchists were aware of the possible disturbance of social order, due to spreading of various forms of behavior commonly regarded as anti-social. They believed, however, that the solution to these problems is possible through the power of universal education, current habits and new, completely voluntary communities. It is worth mentioning the important meaning of habits, especially in conjunction with legislation. Besides understanding the clear distinction between law and custom¹⁹, we can identify a desire for searching for new possibilities, finding new ways to organize society. Kropotkin pointed out that humanity is looking for new solutions, and even now finding them. He gives the examples of international railway lines and international mail as institutions operating on the principle of voluntary and multilateral arrangements that can successfully replace state law²⁰.

The positive law established by state institutions is sometimes seen as, on the one hand, arbitrary, and on the other hand as a tool of coercion, usually imposed by the will of the minority. The only thing that can be accepted is the existence of certain social forms of obligations arising from the vision of a cooperative and blossoming society, existing without state power. Secondly we can claim that the social existence of individuals and groups can successfully operate without any element of coercion.

The collectivist varieties of anarchism and its representatives, in particular, focus on highlighting unique and irreplaceable values. Mainly we can find em-

¹⁸ W. M. Phillips, *Nightmares of Anarchy: Language and Cultural Change, 1870–1914*, Lewisburg 2003, p. 50.

¹⁹ J. Horton, *Political...*, p. 121.

²⁰ P. Kropotkin, *Zdobyć chleba*, Kraków–Warszawa 1925, p. 29.

phasis on the importance of reciprocity as well as free and limitless cooperation. Proponents of this trend imagine that the existence of a society organized in the form of free initiatives is possible. Such a society affecting every aspect of social life (education, economics, culture) and realization of such a vision could be forced by the rejection of all sorts of systems, accompanied by an unshakable, optimistic belief in the positive qualities of human nature²¹.

With a solid foundation in the forms and general characteristics of the main anarchist tendencies, it is possible to attempt to present and analyze the philosophical anarchist approach. A broad spectrum of the different forms of anarchism could still be successfully analyzed; the characteristics outlined above cannot in this respect be considered as complete. This does not provide sufficient comments on many varieties of anarchism, such as the political one, and especially on those generally known by the term “collectivist anarchism”. All varieties, without any exception, focused on one common element – negation of the state and other institutions, considered as compulsory. “Of course anarchists do not deny that states are thought to possess legitimate authority by many of their subjects; that is a fact about the world which nobody in their senses would try to conceal. The anarchist view is simply that the belief is false, that no state has the right which it claims which its subjects generally concede. It is an argument about principles, not about facts”²². Something that is also relevant to philosophical anarchism is undermining the essence of political power as such. This type of lack of acceptance, or even denial of political power is a guiding feature of philosophical anarchism, but at the same time it is not considered to be a distinctive one because its presence is visible in the whole of anarchist thought. For a clearer separation of philosophical anarchism from other anarchist forms, it would be necessary to provide a more detailed analysis which can reveal a number of issues that would more precisely characterize this particular idea.

We shall begin this discussion with a statement by David Miller, who notes that “philosophical anarchism, it should be stressed, is not a variety of anarchism in the sense in which individualist and communist anarchism are varieties: it does not encapsulate any model of anarchist society, nor any recipe for destroying the state and other coercive institutions. It is rather a philosophical attitude, a way of responding to authority. It can contribute to an anarchist outlook only when combined with a substantive ideology.”²³

Important, from this point of view, can be anarchists’ attitude to power. We should draw attention to the distinction between authority and power: namely, in the moment of a dangerous situation, more adequate will be the recognition of strength, not the power (authority). Anarchists are obviously aware of the state

²¹ P. Marshall, *Human Nature and Anarchism*, [in:] *For Anarchism: History, Theory, and Practice*, ed. D. Goodway, London–New York 1989, p. 127–149.

²² D. Miller, *Anarchism...*, p. 15.

²³ *Ibidem*, p. 16.

power, and pay attention to the potential mechanisms used to enforce obedience to its dictates. However, acceptance of such a relationship should not be mistaken with acceptance of the authority.

The question raised by Miller, which concerns distinguishing acceptance of the authority from the state's strength, corresponds with a statement often invoked as the typical assumption of philosophical anarchism. Namely the question here is about the lack of legitimacy of the state's power. The main thesis of philosophical anarchists is close to the statement that all states are currently illegitimate. Support for this view arises from many sources, in other words, we can distinguish various substrates. The first of these sources can be considered to be a strong belief in the subject of individual autonomy, which constituted the core of the individualist position briefly characterized above. The idea of free choice, coupled with the state, understood as an involuntary institution, causes the existence of a conflict between authority and autonomy²⁴. In addition, one should mention the problem of social values, especially their failure (e.g. increasingly deepening lack of solidarity between people), leading to alienation or even social atrophy, which affects individuals and maintains divisions between existing groups. Another source may also be the ideal of equality, especially equal rights and equal opportunities, which in currently existing systems is difficult, if not impossible to accomplish²⁵. We may assume that the sources mentioned above are sometimes identified as a comprehensive foundation for contemporary criticism of philosophical anarchism.

Lack of legitimacy is the most notable, essential element in the philosophical anarchist position, which expressly provides a separation of this stream from the other types of anarchism. It is worth stressing that philosophical anarchists do not treat the lack of legitimacy of the state in terms of a moral order to eliminate the state. This can be viewed as a quite unusual feature, but the expected lack of legitimacy is treated more in terms of the basis for the removal of any moral foundation supporting the conviction of the need for obedience. In this case the obedience is understood as conforming with the standards created by the state, or as support and cooperation with its institutions²⁶. Adoption of such a position does not mean lack of differentiation within this approach. As already mentioned, philosophical anarchism is not uniform; we can easily indicate some significant differences, which will be presented briefly with special emphasis on the ideas of Robert Paul Wolff.

On the basis of philosophical anarchism the leading representatives of this idea can be distinguished, as well as a series of its interpretations and classifications. Sometimes it is suggested that the whole of modern philosophical anarchism consists of three main approaches: namely, the first represented by William God-

²⁴ R. P. Wolff, *In Defense...*, p. 12–19.

²⁵ See: K. Nielsen, *State Authority and Legitimacy*, [in:] *On Political Obligation*, ed. P. Harris, London–New York 1990.

²⁶ A. J. Simmons, *Justification and Legitimacy: Essays on Rights and Obligations*, Cambridge 2001, p. 102.

win, centered around the principle of utility²⁷, the second, highly individualistic and self-oriented, personified by Max Stirner²⁸ (briefly discussed earlier), and the third, the most modern, and still being developed by Wolff. Analysis of these historical assumptions would go far beyond the scope of this article, and we therefore focus on the characterization of Wolff's contemporary approach.

The principle of own, independent judgment is undoubtedly one of the central points of philosophical anarchism, and now Wolff is considered as the main follower of this approach²⁹. In particular, he draws attention to the issue of individuals' moral autonomy and responsibility for their actions.

Since man's responsibility for his actions is a consequence of his capacity for choice, he cannot give it up or put it aside. He can refuse to acknowledge it, however, either deliberately or by simply failing to recognize his moral condition. All men refuse to take responsibility for their actions at some time or other during their lives, and some men so consistently shirk their duty that they present more the appearance of overgrown children than of adults. Inasmuch as moral autonomy is simply the condition of taking full responsibility for one's actions, it follows that men can forfeit their autonomy at will. That is to say, a man can decide to obey the commands of another without making any attempt to determine for himself whether what is commanded is good or wise³⁰.

A further important point is the impossibility of giving up on one's independence³¹, which will be discussed later. The possibility of making free judgments, however, is not only relevant to Godwin or Wolff; it is treated as a priority by most authors who consider themselves to be Kantians. This conviction is accompanied by the philosophers associated with the empirical tradition, as well as other theorists, not necessarily viewed as philosophers³². This does not mean, however, that Wolff fully adopted Kant's assumptions without making any modifications. The important thing is that he began to see the autonomy of the human being in terms of a specific moral duty or a rudimental, human obligation. On the other hand, from Kant's standpoint, autonomy is necessary, but more as a hypothesis, which helps to explain the possible existence of universal moral concepts we use. "Robert

²⁷ T. Honderich, *The Oxford Companion to Philosophy*, Oxford 1995, p. 321.

²⁸ *Ibidem*, p. 852.

²⁹ Wolff is generally recognized as the most important representative of philosophical anarchism; there are, nonetheless, those who question this opinion, e.g. H. Frankfurt. In his article he analyzes thoroughly the assumptions of Wolff and eventually comes to the conclusion that Wolff, when talking about unanimous democratic consent for the necessary arbitration in solving economic conflicts (R. P. Wolff, *In Defense...*, p. 24–25), assumes that individuals give their consent to follow a certain decision-making procedure, which means that those making a decision according to this procedure have the right to expect that the procedure will be complied with, which subsequently entails an obligation on behalf of those who gave their consent. H. G. Frankfurt, *The Anarchism of Robert Paul Wolff*, "Political Theory" 1973, Vol. 1, No. 4, p. 413–414. It seems, however, more justified to treat this issue as a fragmentary lack of cohesion in Wolff's concept rather than deny unequivocally that his theory is anarchistic in character.

³⁰ R. P. Wolff, *In Defense...*, p. 15.

³¹ *Ibidem*, p. 12–14, 71–72.

³² G. Wall, *Philosophical Anarchism Revisited*, [in:] *Anarchism*, ed. J. R. Pennock, J. W. Chapman, New York 1978, p. 274.

Paul Wolff's treatment of autonomy as the 'Kantian' primary obligation of man has the following consequences: it leads to treating 'autonomy' as a substantive duty, contrary both to Kant and good sense; this error leads to neglect of Kant's notion that the primary substantive moral duty of men is to treat other men as end-in-themselves whose dignity ought to be respected."³³

The crucial point for the analytical proposals of Wolff's philosophical anarchism seems to be set by the fundamental problem, namely the question of how the moral autonomy which the individual has may interact with the legitimized state power. In the first instance it finds, therefore, that a major determinant of the state is its power. State power is achieved by, on the one hand, the right to issue orders, and on the other, the principle of correlation, the right to expect obedience to the dictates. This point shows a commitment to comply with the orders of power expected from those to whom the authority is exercised. However, the question is how such an obligation corresponds with moral autonomy of individuals, especially when we consider that the primary duty of every human being is to have autonomy? "It would seem, then, that there can be no resolution of the conflict between the autonomy of the individual and the putative authority of the state. Insofar as a man fulfills his obligation to make himself the author of his decisions, he will resist the state's claim to have authority over him. That is to say, he will deny that he has a duty to obey the laws of the state simply because they are the laws. In that sense, it would seem that anarchism is the only political doctrine consistent with the virtue of autonomy"³⁴. Elsewhere, Wolff also clarifies how independence of the individual should be understood.

[...] moral autonomy is a combination of freedom and responsibility; it is a submission to laws which one has made for oneself. The autonomous man, insofar as he is autonomous, is not subject to the will of another. He may do what another tells him, but not because he has been told to do it. He is therefore, in the political sense of the word, *free*.³⁵

Therefore, it can be noted that Wolff highlights two basic issues. At the forefront is the categorical rejection of the possibility of reconciling individual moral autonomy and political power, sometimes reinforced with logical counter-argument (which appears when we try to combine moral autonomy and political power). Wolff's arguments constructed in this way have been widely criticized, and the remarks in this point will be further considered. The second of the important emerging issues is the emphasis which falls on the legitimacy understood in a *de iure* sense. It requires a brief consideration by the fact that the issue is not only discussed by Wolff, but is also the crucial point of the whole of philosophical anarchism.

As mentioned previously, the philosophical notion of anarchism stresses the fact that the existence of a legally valid authority run by a government (state) or

³³ P. Riley, *On the "Kantian" Foundations of Robert Paul Wolff's Anarchism*, [in:] *Anarchism...*, p. 296.

³⁴ R. P. Wolff, *In Defense...*, p. 18–19.

³⁵ *Ibidem*, p. 14.

executed on its behalf is impossible. The point which is stressed here does not concern *de facto* authority (control), but legitimized *de jure* authority. It seems crucial for philosophical anarchists to make this distinction for the overall sense of their argumentation. Therefore, it is essential to differentiate between the situation where the subjects of the authority in a given state believe that it is legitimate, and the situation where its legitimacy is factual. *De jure* and *de facto* state authorities are thus different from each other in one point: namely, in the first case the belief that the authority is legitimate is true while in the latter the authority cannot be considered legally valid or it is not known whether it is legally valid³⁶. This distinction is also pointed out by Joseph Raz on the occasion of considering the definition of authority. He claims that there is a popular theory treating authority as capacity to exercise a certain type of actions and identifying *de facto* authority with power over people. Legitimate (*de jure*) authority may then be defined as justified efficient authority. It is sometimes defined as efficient authority accepted by its subjects, or as authority based on their consent. However, if it is to matter, then this will only be by showing to what degree the authority is justified³⁷. Clearly, the above reasoning is slightly different from the previous type because it refers to efficacy while avoiding the notion of belief. Efficient authority means factual power over people, not a belief concerning this power. If perceived in this way, efficient (*de facto*) authority in the domain of political authority is indispensable from *de jure* authority (which, for example, is essential in order to distinguish legitimate and illegitimate use of power)³⁸.

Let us now leave these definitional disputes, which might go considerably beyond the subject in hand, and return to the issue mentioned beforehand, namely, the problematic relation between authority and autonomy. Knowing Wolff's theses on this subject, let us try to undermine them. The starting point would be considering the question of why the preservation of moral autonomy of an individual should have a prevailing status of duty. Wolff's only explanation is that one cannot deny that "the primary obligation of man is autonomy, the refusal to be ruled"³⁹. He also adds elsewhere that moral conditions require from us to acknowledge our responsibility and to achieve autonomy wherever and whenever it is possible⁴⁰.

However, according to Horton, moral autonomy is for the majority of us merely a positive ideal. It is just one of the elements of a good life, not its sole component, and only sometimes its dominant element. Autonomy has its own position among other moral ideals, which relate to other individuals and determine rules of behavior in particular contexts. Although autonomy of an individual may at times be in conflict with such virtues as not harming others or supporting the ones we

³⁶ R. Martin, *Anarchism and Scepticism*, [in:] *Anarchism...*, p. 120–121.

³⁷ J. Raz, *Autorytet prawa*, Warszawa 2000, p. 9.

³⁸ *Ibidem*, p. 10–11.

³⁹ R. P. Wolff, *In Defense...*, p. 18.

⁴⁰ *Ibidem*, p. 17.

care about, one should not assume that autonomy will always prevail over those virtues⁴¹.

Wolff's claim about the superiority of individual autonomy seems significantly impaired. His thesis that authority and autonomy are logically contradictory and that there is no link between the two can also be undermined. In this case, the issue of authorization (examined earlier when discussing contractual theories) should be taken into account. Does this kind of action also violate someone's autonomy? It seems rather doubtful. Not surprisingly, Wolff (and Godwin) denies the possibility of satisfactorily securing the authority with any sort of agreement. But the argument that authority and autonomy are logically contradictory is also impaired. Moreover, it appears unfounded to claim that the moral power of individual autonomy is supreme. This ideal is impossible to achieve for one reason – the existence of political authority. Further reasoning would be that acknowledging the supreme value of autonomy does not completely refute the possibility of coexistence of autonomy and political power – because they are not necessarily logically contradictory.

However, Wolff's concept presented above did not remain solitary – it promptly found its followers. One of the viewpoints worth mentioning, based largely on Wolff's idea, but modifying it slightly, is that of Chaim Gans, Wolff's commentator and follower. He indicates that the entire trend of philosophical anarchism focuses on denying that an obligation to obey the law of a given state actually exists. It can be seen from the very beginning that this definition is only partial and insufficient. According to Gans's classification, there are two fundamental distinctive types. The first is entirely based on Wolff's argumentation, i.e., the assertion that authority and individual autonomy are incompatible. On the basis of this statement Gans concludes that moral obligation to obey the law contains the need to eschew individual moral autonomy – although it has been excluded due to being contradictory⁴². Complying with this reasoning, Gans states that this form of philosophical anarchism should be called autonomy-based anarchism. The other type is hit by criticism, which does spare any approach trying to explain the existence of political obligation. According to Gans, the denial that an obligation to obey laws exists is based on rejection of its grounds and is defined as critical anarchism⁴³. The notion of critical philosophical anarchism described in this way is, nonetheless, insufficiently defined and general enough to refer to almost any kind of anarchism. This is the main reason why it is considered impractical and yields to more concise competitive classifications.

There is one more aspect of Wolff's concepts worth considering. It triggered subsequent classifications around his ideas and inspired various types of approaches to philosophical anarchism. One of these classifications was created by A. J.

⁴¹ J. Horton, *Political...*, p. 129.

⁴² C. Gans, *Philosophical Anarchism and Political Disobedience*, Cambridge 1992, p. 2.

⁴³ *Ibidem*.

Simmons, an American philosopher, who looked at philosophical anarchism from a different point of view, initiating *a priori* and *a posteriori* approaches. It is worth mentioning that the classification suggested by Simmons is suitable not only for philosophical anarchism but also for some other anarchistic theories in general.

The *a priori* approach to philosophical anarchism is based on the idea that the existence of a state or a state authority considered to be morally legitimate is impossible. A typical example of this approach would be Wolff's concept. However, as Rex Martin points out, Wolff contradicts himself by assuming that *one* type of legitimate state may actually occur – the one based on the idea that indirect democracy exists and that it is possible to achieve unanimity under this system⁴⁴.

The thesis that it is impossible for a legitimate state to occur is explained by the existence of certain essential features characteristic of state and statehood in its functioning based on hierarchical structure and having a clearly obligatory character. These features, as well as the remarks on the insoluble conflict between autonomy and authority, are the major arguments to support the assumption that it is impossible for a legitimate state to occur⁴⁵. We may even conclude that a phrase containing the term *legitimate state* would be a sort of oxymoron.

Nevertheless, taking into account the critical remarks mentioned earlier on Wolff's main assumptions on which he based his theory, we have to agree both with Simmons, who negates the *a priori* approach by considering it seriously defective⁴⁶, and with Reiman, who claims that the occurrence of obligation to obey a law is not logically impossible and does not impair the individual responsibility of man to determine what to do in particular circumstances. To cut things short, authority and autonomy are not logically contradictory; thus, it is not possible to deduct *a priori* anarchism from individual moral autonomy⁴⁷.

If the above conclusions are taken into account, Wolff's concept does not look nearly as destructive for legitimate authority (directly) and for the idea of political obligation (indirectly) as may initially seem to be the case. Therefore, we cannot agree that the argumentation he used supports anarchistic approaches in a convincing and positive way. To sum up, the fact that he based his overall argumentation on the idea of authority and autonomy being contradictory turned out to be the weakest – although intended as the strongest – point in his thesis.

⁴⁴ R. Martin, *Wolff's Defense of Philosophical Anarchism*, "The Philosophical Quarterly" 1974, Vol. 24, No. 95, p. 141.

⁴⁵ A. J. Simmons, *Justification and Legitimacy*..., p. 105.

⁴⁶ Idem, *The Anarchist Position: A Reply to Klosko and Senor*, "Philosophy and Public Affairs" 1987, Vol. 16, No. 3, p. 269.

⁴⁷ J. H. Reiman, *Anarchism and Nominalism: Wolff's Latest Obituary for Political Philosophy*, "Ethics" 1978, Vol. 89, No. 1, p. 8; see also: J. H. Reiman, *In Defense of Political Philosophy. A Reply to R. P. Wolff's "In Defense of Anarchism"*, New York 1972, p. 10–12.