

**Civic Education and Compliance with Law**

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Should children be taught to comply with laws? Education for law-abidingness might appear to be both uncomplicated and uncontroversial as an element of civic education, at least in certain realistically favorable political conditions. Perhaps one cannot justify promoting compliance with the laws of a brutal dictatorship, but what happens if we assume instead a reasonably just liberal democracy? In such realistically ideal conditions, law-abidingness is commonly regarded as a civic virtue to be cultivated in the young. But what exactly does education for law-abidingness mean, and how exactly is it to be justified? The difficult and complex question is not whether but rather *in what senses* and *to what extent* children should be taught to comply with laws. We must attend to the normative significance and practical implications of the various different ways in which education might aspire to motivate compliance with the laws. And, given that all reasonable people accept the existence of circumstances in which it is morally permissible to break a law, even a just law, we must take seriously the worry that an education for law-abidingness will produce excessively compliant citizens.

One natural, albeit only partial, response to my question might be that we should teach children to recognize and be motivated by the moral authority of the law: the fact that X is legally required, although it does not settle the question of whether to do X, constitutes a significant moral reason for action, at least in the context of a reasonably just liberal democracy. But an important movement in political and legal philosophy has, I believe, convincingly shown that citizens do not have even such a *prima facie* general obligation to obey the law. Examples of such “philosophical anarchists” include A. John Simmons (2005), M.B.E. Smith (1973), and Joseph Raz (1979). I cannot here defend the

anarchist position at length, but I do hope to demonstrate its compatibility with many of our considered intuitions by showing that philosophical anarchists can and should accept the existence and importance of, and the propriety of teaching to children, a number of considerations that are widely believed to constitute reasons for compliance with the law.

Indeed, I believe (but will not attempt to prove) that *all* the coherent and defensible reasons for law-abidingness are fully consistent with philosophical anarchism: this claim should seem much less outlandish once I have explored both trust-based and expectation-based reasons for compliance, which are often wrongly conflated with the concept of a prima facie obligation to obey. On reflection, echoing Smith (1973, p. 975), “there is nothing startling in what I am recommending, nothing that in any way outrages common sense.” Having said that, I should note that my analysis does not depend upon the truth of philosophical anarchism. Those who believe that there is a prima facie duty to obey the law obviously do not think that this is the *only* possible reason for compliance, and they are not committed to the absurd principle that educators’ efforts to promote compliance should be limited to inculcating this one reason. Readers who reject philosophical anarchism will simply believe that there is, in the terms that I shall shortly introduce, one extra member of the set of moral, content-independent, prohibitive reasons for compliance.

Given my endorsement of philosophical anarchism, it is important to note that I use the concept of compliance to refer to behavior in accordance with the demands of the law, however that behavior is explained. (Obedience, as I use the concept, refers only to instances of compliance that are explained by the fact that the compliant agent, wrongly in my view, takes the law itself directly to be a reason for action.) My goal in this paper

is to explore the different non-obedience motives for compliance that educators might (try to) cultivate in children. So my question becomes: in what senses and to what extent should children be educated to comply with the law *if there is no obligation to obey?*

### **A Typology of Reasons to Comply**

Education for compliance consists partly in cultivating children's *reasons* for compliance, but what are those reasons? I shall propose a conceptual scheme for categorizing reasons for compliance with a particular law. According to this scheme, there are three independent and binary dimensions on which a reason is classified; therefore, there are (2 x 2 x 2) eight types of reason. When I refer to a reason to comply, I do not mean that the reason is (motivationally) or ought to be (normatively) conclusive, merely that it is a relevant consideration that counts in favor of compliance for an agent with both self-interested and moral motivations. In all that follows, X is a placeholder for an action that is required by, and Y for an action that is prohibited by, the law in question.

On the first dimension of my typology, a reason for compliance is either moral or prudential. A moral reason is categorical, in the Kantian sense that it applies regardless of the agent's desires or preferences, but not necessarily thereby conclusive (as noted above). Moral reasons are typically grounded in the consideration owed by each of us to other persons (and perhaps also non-human animals), but I do not want to deny by mere stipulation that moral reasons might sometimes be grounded in the consideration owed to oneself or to a god. Prudential reasons for compliance are reasons of self-interest, whether of the type that are commonly called selfish ('interests in the self') or of the type we normally consider altruistic ('interests of the self' in the well-being of others)

(Gauthier, 1986). Unlike moral reasons, prudential reasons for compliance are Kantian hypothetical imperatives: they exist if and only if the agent has preferences that would be satisfied by compliance.

On the second dimension, a reason for compliance is either content-dependent or content-independent. A content-dependent reason invokes the particular nature of action X (or Y). A content-independent reason, by contrast, invokes only the existence of the law and, perhaps, the sanctions for noncompliance. On the third dimension, a reason for compliance is either in se or prohibitum. An in se reason is one that would exist in the absence of the law, whereas a prohibitum reason exists only because of the existence of the law. It may appear that the independence of the three dimensions breaks down here: some readers may suspect that all in se reasons are content-dependent. In a sense this is true, but the important thing to observe is that although an in se reason to do X cannot by definition invoke the fact that X is legally required, the existence of the law can provide grounds for *believing* that there is some (unknown by the agent) in se reason for doing X. Whenever I comply with a particular law simply because I trust that the demands of the law reliably (albeit imperfectly) track the balance of independently existing reasons that should guide my actions, I am acting on a content-independent in se reason.<sup>1</sup>

### **Prohibitum Reasons, Expectations, and Social Coordination**

What kinds of prohibitum reasons for compliance exist if we deny that X's being legally required constitutes a moral reason to do X? One important prudential content-independent prohibitum reason for compliance is to avoid the (risk of) penalties that

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<sup>1</sup> To be precise, one might say that I have a content-independent reason to believe that there is an in se reason for compliance.

society imposes on law-breakers, whether formally through the legal system or informally through the private opinion or behavior of persons and groups (Mill, 1859/1989, p. 8). There is also a familiar content-independent prohibitory moral reason for compliance when impressionable others are watching, namely, that noncompliance may be contagious, so that one particular act of noncompliance that appears unobjectionable when viewed in isolation may tend to increase the number of future unjustified acts of noncompliance.

But there are other important prohibitory reasons for compliance, which take the form: you should do X given that the law both leads other people to expect you to do X and leads you to expect others to do X (Waldron, 1999). These expectation-based reasons for compliance appeal to the instrumental values of social coordination, order, and predictability, the efficiency benefits that result from individuals and groups (including the state) devising and executing plans based on the true assumption that people will generally comply with laws that are adequately promulgated and therefore widely known.

### **8 Types of Reason to Comply: An Example**

Before I examine the educator's dilemma, it may help to review the eight types of reason for compliance by showing via a concrete example how there could be a reason of each type to comply with a particular law. Imagine that you are hiking in Hawaii with a friend and you come to a large field of volcanic rocks. There is a sign stating: "By Order of the State of Hawaii, No Climbing on the Rocks!" Your friend has not seen the sign, and she runs towards the rocks, clearly intending to climb on them. What reasons might

you offer in an effort to persuade her not to do so? I label each of the eight types of reason with a letter using the scheme below.

	Content-Dependent		Content-Independent	
	Prudential	Moral	Prudential	Moral
In se	A	B	C	D
Prohibitum	E	F	G	H

If I decide to offer a reason of type A or B, I need not call my friend's attention to the sign. My content-dependent in se reasons are those that I would perceive in the absence of the law. If I tell my friend that the rocks look slippery and that it's not worth taking the risk of a painful fall, I have offered a type A reason. By contrast, if I tell her that these rocks are a valuable environmental feature and that it would be wrong to damage them, I have offered a type B reason.

If I do draw my friend's attention to the sign, I may do so because I believe that the law's existence is good evidence that there are in se reasons not to climb on the rocks. I may say to my friend, "That looks like a safe and easy climb, but the sign makes me think that there are probably some hidden dangers," in which case I have offered a type C reason. Or I may give a type D reason: "I don't see anything special about those rocks, but if they've passed a law against climbing on them they're probably worth protecting."

Alternatively, I may draw my friend's attention to the sign not as grounds to believe that there are in se reasons for compliance but to alert her to the expectations aroused by that sign. Thus I might offer a type E reason: "The rocks look like a safe and easy climb, but no one else is going to be climbing on them because of this sign, so if you were to fall and injure yourself, there wouldn't be anyone to find and help you." Or I might offer the following type F reason: "It's important to preserve a few volcanic rock

fields for posterity, and this one stands an unusually good chance of survival because it is one of the few that the government has decided to protect: since we expect others not to climb on it, we ought not to do so ourselves.”

Just as type C and D reasons for compliance may consist in invoking the sign as evidence for the existence of type A and B reasons respectively, so type G and H reasons may invoke the sign as evidence for the existence of unperceived type E and F reasons respectively. But, as I have discussed, there are other kinds of content-independent prohibitum reasons. If I point to the sign and warn my friend that she may be caught by the park rangers and fined, I offer her a type G reason. Or, if I point to the sign and then to some children who are just behind us on the trail, I am implicitly offering a type H reason: these kids may be influenced by your example to disobey signs in future instances when there are in fact compelling reasons for compliance with the posted instructions.

### **Educational Strategies**

An educational strategy specifies the degree to which one tries to cultivate each of the eight types of reason for compliance<sup>2</sup> as well as the habit of compliance. What does it mean to ‘cultivate’ a reason? I am not referring to the (admittedly important) educational project of supplying merely descriptive and true information to children about the possible consequences of actions of noncompliance: “running a stop sign carries a \$300 fine,” or “people who are hit by cars traveling at 35 MPH have a 40% chance of dying.” What about educational strategies that encourage compliance by teaching children to believe falsehoods? “If you lie to a police officer, your tongue will fall out.” Perhaps

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<sup>2</sup> In theory, a complete description of a strategy would include the educator’s approach to content-dependent reasons for each law or category of laws.

these are justified as short-term expedients for promoting young children's compliance with the law. They may also be ways of inculcating habits of compliance that persist after the false beliefs have been discarded. But I assume without argument that a liberal educator should not inculcate beliefs that he knows to be false with the intention that these beliefs will persist into adulthood. No doubt the selection of true information to present and the mode of its delivery both involve important normative considerations, but I think these can be captured using the analysis that follows.

My concern is with educational methods that affect the expected rate of compliance with laws by shaping children's values and preferences and/or by promoting their trust in the law and law-abidingness. I propose that there are four senses in which one might cultivate children's reasons for compliance. First, one might encourage compliance by forming or altering children's self-interested preferences over deterministic and instantaneous states of affairs: education might affect children's ordinal preferences (e.g., how they would rank these three options: smoking pot, smoking a tobacco cigarette, or smoking a clove cigarette) as well as their cardinal preferences (i.e., how much prudential value they would attach to each option). Second, and still considering only actions with deterministic effects in the present, educators could promote compliance by shaping children's beliefs about what we owe to each other (Scanlon, 1998), i.e., which moral reasons exist and how much weight should be placed on them (e.g., whether the fetus possesses certain rights, or how seriously to take harms such as causing offense to others or acting contrary to their expectations).<sup>3</sup>

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<sup>3</sup> Of course, those who reject philosophical anarchism may also want to teach children that there is a *prima facie* duty to obey the law.

Third, expected compliance might be increased by the way in which education affects its recipients' attitude to future and/or uncertain consequences of actions of compliance and noncompliance. When applied to prudential reasoning, this means shaping children's time-preferences (typically modeled as the rate at which they discount future goods and bads) and/or risk-preferences (typically modeled as the way in which preferences over lotteries are a function not only of each lottery's expected utility but also of its variance). But it can also mean shaping children's views of their obligations to future generations (e.g., how much weight one puts on a noncompliant act's known harmful consequences for people who will be alive 100 years hence) or of the moral reasons not to expose others to risks of harm (e.g., if a particular action, such as throwing a stone over this cliff, carries a very slight risk of causing injury, how great a moral reason does that provide to comply with the law against performing such an action?). Fourth, education might increase the scope and degree of children's trust that there are reasons for compliance that they do not perceive (and give children a more restricted sense of the circumstances in which it is appropriate to withdraw that trust).

### **Content-Dependent Reasons vs. Support for Laws**

The most straightforward way to cultivate children's content-dependent reasons for compliance with a particular law is to tell them that it is a good law: there are strong reasons for doing X (or abstaining from Y), so our society has rightly passed corresponding legislation. I shall not discuss this way of cultivating reasons for compliance in this paper, not because it is uninteresting or unimportant, but rather because it raises so many pertinent issues that I intend to treat it elsewhere, in a paper

focused entirely on the question of whether educators should promote children's support for the existing laws of their society. But, for present purposes, it is important to see that educators can cultivate content-dependent reasons for compliance with a particular law without necessarily thereby encouraging children to *support* that law, i.e., to believe that it is a good law. It is obviously possible, and may often be appropriate, for teachers to tell children that they have strong content-dependent *prohibitum* reasons to comply with a particular law despite the existence of strong arguments that the law ought to be revised or repealed. ('Given that a 50 MPH speed limit is in place, there are good expectation-based reasons not to exceed that speed, although it might be better to have a 70 MPH limit or even to abolish the speed limit altogether, as on the German autobahns.')

But one can also cultivate *in se* reasons for compliance without encouraging support for the law. One could teach children that there are strong content-dependent *in se* moral reasons to act as a particular law directs but that the law is a bad one because it demands supererogatory behavior. (This would be one approach to teaching children about conscription or about 'Good Samaritan laws' that mandate assisting others in certain circumstances.) Or one might tell children that although doing Y is *in se* morally prohibited, the law oversteps the bounds of legitimate political authority. (Consider, for example, a law against adultery.) Or one might express the view that although there are clear and compelling prudential reasons to do X, the law is unacceptably paternalistic. (Imagine an educator telling her students this about mandatory seatbelt laws, for example.) Since one can have content-dependent *in se* reasons to comply with a particular law without being a supporter of the law, one can cultivate those reasons in children without intending to encourage their support for the law. And, if one is

sufficiently concerned to ensure that one's teachings not have the unintended effect of cultivating support for the law, one can attach an explicit disclaimer to one's remarks.

### **Self-Interest**

As explained above, when I refer to the educational project of cultivating children's prudential reasons for compliance, I do not have in mind the relatively uncontroversial practice of giving children true descriptive information about the effects of compliance and of noncompliance. Rather, I am concerned with the ways in which education shapes children's preferences, their understanding of their own interests, their conception of the good. An educational program that tells children "it's not cool to do drugs" and encourages them to regard regular drug-users as wasting their lives is, in my sense, cultivating prudential content-dependent reasons for compliance with anti-drug laws. (So, interestingly, would a program that aimed to condition young children to dislike the taste and smell of marijuana.)

How might such a program be justified? One option would be to say that it aims to supply prudential reasons to make up for the motivational inadequacy of moral reasons that are normatively sufficient: the program is justified if it gets people more often to do the right thing (albeit not for the right reasons – more on this later). But we might also consider a paternalistic justification. Ackerman (1980, p. 148) has an important argument that one may be justified in instilling self-control in a child, at some cost to her present freedom, because this will "increase the youth's capacity to remain free of the special restrictions imposed on aggressive adults by the criminal law." We might similarly ask whether shaping children's conception of their self-interest to make it more

easily satisfied given the particular laws of their political community is justified paternalism. Little Suzie likes the smell of marijuana, and she enjoys taking her clothes off in public. I may think that these are perfectly innocuous pleasures, that they ought to be legal, and that there are no weighty moral prohibitory reasons to refrain from indulging in them. But I recognize that Suzie will get into trouble with the law if she smokes weed or exposes herself and that she will be miserable if she does not realize her desires, so it would be better for her if I manipulated her tastes such that she has in se prudential reasons for compliance with the laws in question. Admittedly, her resulting preferences may not be authentic, but she will face fewer obstacles to satisfying them.<sup>4</sup>

### **Trust**

Cultivating content-dependent reasons for compliance is by its very nature a limited strategy. Educators cannot address all the various laws about which students will have to make future compliance decisions. And it is obviously not a strategy for encouraging behavior that tracks the *changing* demands of the laws over a lifetime. Content-*independent* reasons, by contrast, are (for better and for worse) both more general and more durable.

The fact that X is required by law is not itself a moral reason to do X; here I side with the philosophical anarchists. But, as many philosophical anarchists happily admit, the fact that X is legally required is often a reason to *believe* that there are in se moral reasons to do X. Hence one arrives at a content-independent in se moral reason: I regard the existence of the law as a reason to believe that there are (and would be even in the absence of the law) moral reasons to do X, although I do not perceive those reasons.

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<sup>4</sup> I shall shortly discuss the normative questions raised by manipulation of preferences.

And, although philosophical anarchists seem less keenly attuned to this possibility, there is also an important category of content-independent *prohibitum* moral reasons of the form: I believe that there are moral reasons to do X that follow from the expectations aroused by the law, although I do not perceive those reasons. The analogous pair of content-independent trust-based reasons exists with self-interest. An educational strategy must specify the extent to which one will try to cultivate each of these four types of trust.

### **Habit**

Most of the options I consider for teaching law-abidingness are reasons on which educators might encourage children consciously to act. But I also want to consider the non-rational motivation of habit that educators might (intentionally or otherwise) instill in children.

To the extent that one has a favorable view of the laws and the political system that produces them and an unfavorable view of human nature and/or the efficacy of our educational institutions in developing rational motives for compliance, one might believe that some degree of habituation to comply with laws promises to improve the profile of a person's future compliance decisions. Habituation is a blunt instrument, but sometimes one needs a hammer rather than a needle!<sup>5</sup> The proposal need not be to give up on cultivating reasons for compliance; rather, one might simply want to include an element of conditioning to correct for predictable shortfalls of moral motivation, the inadequacy of the motives of trust and fear of punishment, and agents' characteristic failure to foresee all the coordination benefits of compliance. On this moderate view, when faced

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<sup>5</sup> Even if the habit of compliance is undesirable in adults, it may be strongly desirable in children and impossible to eradicate once it exists. And the benefits during childhood might outweigh the costs during adulthood.

with a decision whether to comply with a particular law in a particular case, people will tend to make better choices (in terms of fulfilling their moral duties, and perhaps even satisfying their preferences<sup>6</sup>) if they have to overcome psychological, even physiological, discomfort in order to break the law. Many of us have been raised in such a way that we experience this kind of discomfort. It probably keeps us on the straight and narrow at times when we might otherwise stray. But sometimes it gets in the way of justifiable acts that serve one's self-interest in some small way, e.g., jay-walking on a deserted street. And, in more serious cases, it may prevent one from participating in an important campaign of civil disobedience.

### **Suboptimal Actions**

I suggest that the way to evaluate an educational strategy is to inquire into the tendency of persons educated according to that strategy to perform each of six types of suboptimal actions (henceforth, SAs) in particular instances where it is necessary to decide whether to comply with the law.

The first two types of SA are moral errors, i.e., failures to do one's duty. An SA1 is an 'ordinary crime,' an act of noncompliance when compliance is morally required (e.g., stealing without adequate justification). An SA2 is the opposite error, an act of compliance when noncompliance is morally required. Uncontroversial examples may be hard to find in reasonably just states, but a likely candidate would be the act of abiding by the speed limit en route to a hospital on an empty road while my injured and unconscious passenger bleeds to death. A more controversial example might be the act of revealing

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<sup>6</sup> Again, recall Ackerman (1980, p. 148). Habituating children to some degree to comply with the law may be justified paternalism.

the identity of one's journalistic sources or passing someone's confidential medical records to the government as required by an unjust homeland security law. (Notice that the controversy regarding whether these are SA2s remains even if we are allowed to stipulate that the law is unjust because there may be prohibitory reasons that render compliance at least permissible.) In general, SA2s will be rare simply because there are few instances in which noncompliance is morally *required*. Even when a law is unjust, compliance is often permissible; I usually do no wrong by complying with an excessively demanding law. And in those circumstances where it is permissible not to comply with a just law, noncompliance is again rarely a duty. Thus, in those cases in which compliance is an SA, the suboptimality will not typically consist in failing to do one's duty. We must look elsewhere.

In the next two types of SA, education for compliance misfires by distorting the agent's motives to favor an action that is not morally required. (I consider here only instances in which the suboptimality consists in the agent's actually performing that action, although we should also recognize the suboptimal outcome in which the educationally-induced motives are insufficient for action but sufficient to leave the agent with a morally inappropriate guilt. An example might be the gay man whose education in the supposed sins of homosexuality is insufficient to secure his compliance with a law against sodomy but does 'succeed' in leaving him wracked with guilt.) These are cases of compliance when noncompliance is morally permitted (but not required, although it may be supererogatory) and would have been the agent's choice if her motives had not been manipulated by an education for compliance. It remains to be shown, of course, when and in what sense this kind of action due to manipulation is truly suboptimal.

An SA3 occurs when an agent perceives content-dependent reasons for an act of permissible noncompliance and these reasons *would* be motivationally sufficient in the absence of the content-independent motives for compliance that were inculcated by her education. For example, she may see moral reasons for committing a particular act of civil disobedience, but she finds these reasons to be defeated by her (ex hypothesis, misplaced) trust that there are strong moral reasons to obey this law on this occasion or her self-interested and educationally-induced strong preference to avoid the stigma of criminality. Or, alternatively, her reason to participate in civil disobedience is undefeated in her mind but less motivationally efficacious than her habit of compliance. In general, the suboptimality of an SA3 rests on the normative assumption that there is value in persons' acting on the content-dependent reasons they perceive in cases where doing so is morally permissible. This is the value of living one's life according to one's own judgments.<sup>7</sup>

An SA4 occurs when the agent *would* perceive reasons for noncompliance as in an SA3 were it not for the fact that her conception of her self-interest and/or of morality was shaped by her education in a way that strengthened her content-dependent reasons for compliance in this case. For example, a profoundly closeted gay man complies with the law against same-sex intercourse only because he was educated in a way that suppressed his homosexual preference. Whether he was taught to believe that gay sex is wrong or bad for him or both, the effect is that he now sees strong content-dependent reasons not to have sex with men. It is not hard to see the suboptimality in actions that are performed only because the agent holds some false moral belief that was induced by

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<sup>7</sup> Of course, the content-dependent reasons that an agent perceives may call for action that, although morally permissible, is foolish and/or selfish. A complete theory of education for compliance would therefore have to grapple with issues of paternalism and supererogation.

his education.<sup>8</sup> But I also assume that actions resulting from manipulation of self-interested preferences can be suboptimal even when they are morally permissible: education for compliance may repress or distort preferences that are more authentic expressions of one's nature or person (Taylor, 1979).

The final pair of SAs are actions in accordance with duty whose motivation is morally suboptimal. An SA5 is an act of compliance that is morally required but motivated in a way that detracts from or eliminates its moral worth, e.g., a driver abides by the speed limit near an elementary school only because he does not want to pay a stiff fine. An SA6 is an act of noncompliance that is morally required but similarly ill-motivated, e.g., a doctor refuses to hand over her patient's medical records to the government simply because she dislikes the FBI agent who makes the legally binding but unjust request, or a driver speeds on the way to hospital with a severely injured passenger just because she enjoys driving fast.

I think we must care to some degree about the reasons why people do their duty. Other things being equal, i.e., holding constant the number and severity of SAs of types 3 and 4, we might prefer a world in which there are (a few) more moral errors (SA1s) but also (many) more actions of moral worth (fewer SA5s), in the Kantian sense of actions in accordance with duty that are motivated by appropriate moral considerations. So, in particular, there are two different grounds on which we might prefer an educational strategy that encourages its recipients to think for themselves about the substantive reasons for compliance to one that would (ex hypothesis) minimize violations of moral duty by strongly cultivating content-independent motives for compliance. First, the latter strategy may have unwanted effects on the choices people make when compliance is not

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<sup>8</sup> I cannot here address the complex issue of SA4s that constitute supererogatory actions.

required (SA3). Second, even when compliance is morally required, the compliant actions of persons who have been educated in this way lack moral worth (SA5).

Let us assume that decisions to be made regarding compliance with the law are drawn randomly throughout one's life from a particular distribution.<sup>9</sup> The distribution has two dimensions, one of which is discrete – morally, compliance is: required; permissible and supererogatory; merely permissible; permissible, but noncompliance would be supererogatory; or prohibited. The other dimension is a continuous variable, namely, the importance of the decision to be made. For a given distribution, each educational strategy would generate its own pattern of expected incidence of the six types of SA at various levels of importance.

One's preferences over educational strategies will, of course, be guided by one's beliefs about the distribution from which decisions to be made are drawn. If one believes that the laws are generally good (as distinct from merely not unjust), that noncompliance is justified very rarely and then only in cases of little importance, one will tend to favor strategies that more aggressively cultivate motives for compliance (including habit as well as content-independent and/or prudential reasons, assuming that one is not too concerned about SA5s). If, by contrast, one believes that noncompliance is often justified, including in a significant number of cases of considerable importance, one will be much more cautious about cultivating motives of compliance.

However, even if we stipulate the distribution and therefore know the expected SA profile generated by each strategy, choosing a strategy will demand difficult normative judgments. As I have just discussed, one such judgment concerns the extent to

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<sup>9</sup> I assume for simplicity that the distribution is never affected, even in the long run, by the choice of educational strategy. Like many simplifying assumptions, this one is false!

which motivation matters when we consider actions that are in accordance with duty. In addition, one must decide the relative importance of moral errors and suboptimal distortion of motives, since it may well be the case that various ‘conservative’ educational strategies will reduce the expected incidence of unjustified noncompliance at the expense of increasing the number of cases in which we see compliance that was neither morally required nor favored by the agent’s (authentic) content-dependent reasons. How do we trade off failures to discharge moral duties against lost opportunities for preference-satisfaction or moral supererogation? Within the category of distortion of motives, how much weight do we place on the authenticity concern: are we more concerned by education’s distorting effects when they work by cultivating content-independent reasons or by manipulating an agent’s content-dependent reasons? And, in general, we must determine how we will trade off important SAs against more trivial ones.

## **Conclusion**

I have argued that the idea of educating children in ways that conduce to their compliance with the laws of their political community must be disaggregated into nine different motives for compliance (eight types of reason plus habit) that could be cultivated through education, and I have proposed that our normative judgments and educational decisions on these issues should be informed by a sophisticated awareness of the dangers not only of undercompliance but also of overcompliance as well as a concern for the intrinsic moral importance of different types of motivation.

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