UGANDA KANT 1AC:

Plan text: The governments of the administrative districts of the Republic of Uganda will require employers to pay a living wage to employees. I reserve the right to clarify. **DEVEREUX[[1]](#footnote-1):**

The National Union of Plantation and Agricultural Workers of Uganda (NUPAWU) was criticized as ineffec- tual by estate workers interviewed for Uganda’s second Participatory Poverty Assessment (Government of Uganda, 2002, p. 76). In the absence of effective unions, the Uganda Human Rights Commission (UHRC) has consistently called for government intervention to protect workers against exploitation by raising the minimum wage to a ‘living wage’ level. The Commission counters employers’ concerns that higher labour costs would reduce Uganda’s economic competitiveness and deter foreign investors, by arguing that improved wages and working conditions should result in more harmonious labour relations, a better motivated workforce and a more profitable enterprise (UHRC, 1999).

Ugandan wages are worthless. **IMRAN[[2]](#footnote-2):** Today, Uganda is politically stable, though labour conditions are poor. 6 President Museveni’s reforms that produced solid economic growth and dropped inflation rates in the 1990’s, unfortunately did not significantly improve the implementation and enforcement of labour legislation. Many of the key Labour laws in Uganda remained obsolete for the first 20 years of the Museveni regime and were only reluctantly revised in 2006 out of the need to access the US market under the African Growth and Opportunity Act.7 Due to poor funding, the ministry in charge of labour lacks the capacity to adequately supervise employer compliance with labour laws.8 And the Industrial Court has been inactive since 2006.9 The poor enforcement of protective labour regulations exposes workers to exploitation through poor working conditions, long hours of work and the payment of unduly low wages to mention a few. The minimum wage is a protective labour market regulation tool that ensures workers are not exploited by setting a floor wage-rate below which it is illegal to pay workers. In Uganda, the minimum wage was last set in 1984, and is currently UGX 6000, an amount equivalent to about US$2.3 per month. 10 Over the past years, several efforts to review this wage have stalled despite the existence of a statutory framework for setting a minimum wage. Fluctuating economic situations including currency devaluations and inflation have diminished the purchasing power of the 1984 minimum wage, to a point where it has become ineffective as a social policy tool.11 This should however be self-evident when the country’s minimum wage which is equivalent to US$ 2.2 a month is contrasted with the rate of US$ 2 a day as an earning used to categorize persons living in poverty.12

Treating humanity as an end requires the payment of a living wage. Anything else disrespects the dignity of workers and uses them as a means. **BOWIE[[3]](#footnote-3):** Although Kant’s explicit remarks on work are rather limited, nonetheless I believe the following ideas concerning the obligation of the manager to employees have explicit warrant in the Kantian texts: 1. A corporation can be considered moral in the Kantian sense only if the humanity of employees is treated as an end and not as a means merely. 2. If a corporation is to treat the humanity of employees as an end and not as a means merely, then a corporation should honor the self-respect of the employees. 3. To honor the employees’ self-respect, the employees must have a certain amount of independence as well as the ability to satisfy a certain amount of their desires. Thus, the corporation should allow a certain amount of independence and make it possiblè for employees to satisfy a certain amount of their desires. 4. In an economic system people achieve independence and satisfaction of their desires using their wages that they earn as employees. 5. Thus, a corporation should pay employees a living wage, that is, a wage sufficient to provide a certain amount of independence and some amount of' satisfaction of desires.6

Implications:

1) The ends of workers must be considered to avoid exploiting labor. Paying living wages resists exploitation in Uganda, where workers are appropriated for profit. **DEVEREUX (2)[[4]](#footnote-4):** There is evidence that workers in rural Uganda are not well informed, and are immobile both geographically and occupationally. These labour market imperfections allow employers to operate as monopsonists, recruiting from a large pool of unskilled labour on the basis of ‘misleading promises’, and under-paying their permanent and casual workers (PEAP Secretariat 2003, p. 3). Estate workers often choose not to renew their contracts, which indicates both that terms and conditions of employment are unsatisfactory and that surplus labour exists which allows estate managers to rotate their labour force regularly. This combination of factors means that Uganda’s estate agriculture is quasi-monopsonistic, analogous to Morocco’s dualistic agriculture and the circumstances of Namibian farmworkers, as described above. Wages on Uganda’s tea, sugar and tobacco estates are especially low, partly because the determination of wages has been left to voluntary collective bargaining between employ- ers and employees since 1962, following a Minimum Wage Board recommendation. On tea estates, which employ over 50,000 Ugandans, tea-pickers are employed on short-term contracts and are paid per kilogram of leaves picked. In 2002, average earnings on the Mwera Tea Estate were around U.Shs.1,000 per day ($0.55), too little to cover basic living expenses. However, requests by casual labourers for their wages to be increased have met the response from Mwera management that the company is paying more than the legal minimum wage (Government of Uganda, 2002, p. 73)—which only highlights how low the minimum wage is currently set. Estate workers’ complaints over inadequate pay are compounded by grievances over harsh and sometimes illegal terms and conditions of employment. Among other docu- mented practices, estate owners require labourers to work illegally long hours, accom- modate workers in overcrowded and unsanitary housing,6 lay off pregnant women who have to reapply for their jobs after giving birth, and pursue deliberate policies of ‘labour casualization’—continuously re-hiring and rotating workers to avoid employing them on a permanent basis—in direct contravention of Uganda’s employment law.7 These facts constitute a strong case for government intervention to impose fair wages and working conditions in the estate sub-sector. Wage bargaining is an accepted function of trade unionization in industrialized countries.8 The Ugandan economy is not heavily unionized, with only 21 registered trade unions. Most of these unions are too weak to engage in effective negotiations with employers—they are constrained by complex regulatory procedures and are often accused of siding with management against the interests of workers.

2) Receiving private good from labor without fair compensation treats the worker as an instrument rather than an end. Requiring a fair living wage ensures work is an end employer and employee can meaningfully share; just compensation ensures workers can participate in a fair contract consistent with their freedom under universal law. **BOWIE (2)[[5]](#footnote-5):** The overwhelming number of people need to work to survive, at least for a large portion of their live. There is a sense in which people are forced to work. When an assailant says, “Your wallet or your life,” you technically have a choice. However, for many this situation is the paradigm of coercion. How close is the analogy between the assailant and the requirements of the employer? Admittedly, in good times the balance of power shifts somewhat, but in hard times the balance of power is with the employer. Most people have to take the terms of employment a they get them (Manning 2003). Someone wanting employment does not negotiate about whether or not to be tested for drugs, for example. If drug testing is the company policy, you either submit to the test or forfeit the job. If you want a job, you agree to employment at will and to layoffs if management believes that they are necessary. Survival for yourself and any dependents requires it. As with the assailant, you technically have a choice, but most employees argue they have little choice about multiple important terms of employment. A Kantian, in common with the pluralist school of industrial relations, maintains that the imbalance between employer and employee ought to be addressed. Otherwise, industrial relations rests on an unethical foundation.

The laws must be changed to curtail actions that violate equal freedom. The powerful need to be regulated so they cannot rightfully abuse positions over those subject to them to maintain equal freedom. Coercion is when your circumstance requires adopting another’s purposes *because* of imbalanced bargaining position. A living wage helps equalize power between employers and workers, given that unequal contract allows making coercive demands of workers they would not otherwise consent to. **RIPSTEIN**[[6]](#footnote-6): Kant argues that provision for the poor follows directly from the very idea of a united will. He remarks that the idea of a united lawgiving will re- quires that citizens regard the state as existing in perpetuity.6 By this he does not mean to impose an absurd requirement that people live forever, or even the weaker one that it must sustain an adequate population, or make sure that all of its members survive.7 The state does need to main- tain its material preconditions, and as we saw in Chapter 7, this need gen- erates its entitlement to “administer the state’s economy and finance.”8 The state’s existence in perpetuity, however, is presented as a pure normative requirement, grounded in its ability to speak and act for everyone. That ability must be able to survive changes in the state’s membership. You are the same person you were a year ago because your normative principle of organization has stayed the same through changes in the mat- ter making you up. As a being entitled to set and pursue your own pur- poses, you decide what your continuing body will do. That is why your deeds can be imputed to you even after every molecule in your body has changed, and even if you have forgotten what you did. The unity of your agency is created by the normative principle that makes your actions im- putable to you.9 In the same way, the state must sustain its basic norma- tive principle of organization through time, even as some members die or move away and new ones are born or move in. As we saw in Chapter 7, its unifying principle—“in terms of which alone we can think of the legiti- macy of the state”—is the idea of the original contract, through which people are bound by laws they have given themselves through public in- stitutions.10 The state must have the structure that is required in order for everyone to be bound by it, so that it can legitimately claim to speak and act for all across time. The requirement of unity across time is clear in the cases of legislation by officials: if the official’s decision were only binding while a particular human being held office, a citizen would be entitled to regard laws as void once the official’s term ended. Because each person is master of him- or herself, one person is only bound by the authority of another through the idea of a united will. So the idea of a united will pre- supposes some manner in which it exists through time. Past legislation, like past agreement, can only bind those who come after if the structure through which laws are made is one that can bind everyone it governs.The solution to this family of problems is a self-sustaining system that guarantees that all citizens stand in the right relation to each other and, in particular, do not stand in any relation inconsistent with their sharing a united will. The most obvious way in which people could fail to share such a will is through relations of private dependence through which one person is subject to the choice of another. A serf or slave does not share a united will with his or her lord or master, so these forms of relationship are in- consistent with a rightful condition. Yet the same relation of dependence can arise through a series of rightful actions. The problem of poverty, on Kant’s analysis, is exactly that: the poor are completely subject to the choice of those in more fortunate circumstances. Although Kant argues that there is an ethical duty to give to charity,11 the crux of his argument is that dependence on private charity is incon- sistent with its benefactor and beneficiary sharing the united will that is required for them to live together in a rightful condition. The difficulty is that the poor person is subject to the choice of those who have more: they are entitled to use their powers as they see fit, and so the decision whether to give to those in need, or how much to give, or to which people, is entirely discretionary.12 So long as there are a variety of unmet wants, private persons are entitled to determine which ones to attach priority to.

Impacts:

1) Economic exchange uses people by generating personal good from another’s labor unless legitimized by equitable bargaining power, enabling participants to enter into joint objectives. Ugandan workers lack bargaining power; they’re exploited to work for profit so external checks are needed to maintain equal freedom. **BOSSA[[7]](#footnote-7):** Left on their own, most employers in pursuit of maximising their profits, will pay their employees wages which will hardly meet the basic needs of food, clothing and shelter for themselves and their families. It is morally wrong to pay a worker a wage which does not approximate his effort in producing the goods or providing services to the employer. To tell a desperate worker to “take or leave’’ the wage offered that is not fair is to treat that employee only a little better than a slave and turns the employer into a little better than a slave driver. It amounts to exploitation and is a moral outrage. The Political Aspect We have a situation where the Ugandan employee is extremely vulnerable. He is entirely on his own. Yet the employer is extremely strong, supported by the NRM government which has opted for the practice of unfettered private enterprise. The hand-caps that go with the absence of minimum wages are compounded by the fact that there is almost no trade union movement to speak of in this country to offer collective bargaining for improved wages and conditions of work. The employers are completely free from the fear of industrial action by workers withholding their labour. From occasional newspaper reports, it is suspected that most workers perform their duties in work place environments which are hazardous to their health, without protective gear, and under unregulated hours of work. The factory inspection department of the Ministry of Labour, which would ensure the safety of workers at their workplaces, no longer functions. In fact, a stand-alone ministry of labour no longer exists but is now an appendage of the Ministry of Gender, Labour and Social Development.The Industrial Court, which should arbitrate disputes between workers and employers, has been moribund for years and, although recently restored, is yet to fully function again.

2) The argument is not about results. People might refuse to work, or employers might break the law, but that isn’t a problem of the system per se. The point is that the rights *allowed* and means *endorsed* by the state must preclude exploitative contracts. For example, people might refuse charity and remain poor, but it would be coercive to impose wealth upon them. If they have equal bargaining capacity under the law, right is maintained; some result doesn’t need to be brought about.

NEXT IS THE FRAMEWORK:

Individuals define who they are by acting upon a reason. But reason cannot account for itself alone; agency requires seeing it externally. **WOOD[[8]](#footnote-8):** The whole point of the summons, in fact, is that it is what first makes our individuality possible for us, through present[s] us with the concept of our own individual free action in the form of an object of our consciousness. I think Fichte chooses the term Aufforderung because its meaning is delicately balanced between the idea of something we merely can do and the idea of something we should do, or at least have some reason to do. What is clear, however, is that it cannot mean something we are compelled to do or have no choice about doing. Thus if the translation ‘summons’ suggests legal coercion, then that is positively misleading as to Fichte’s meaning. The decisive difference here is between an object that merely restricts our freedom and an object that makes freedom possible. This for Fichte is what is most basic to distinguishing the concept of another I from the concept of the mere not-I (the material world). The not-I resists our ends or may be brought into conformity with them. It may compel us to take one means to them rather than another, or it may make them impossible. But it cannot be the source from which we draw the concept of those ends. A summons, however, is precisely an object of consciousness which makes the concept of an end possible. How can a summons, in this sense, be considered a transcendental condition of free activity? We have seen that Fichte describes the summons as “contain[ing] within itself the real ground of a free decision” (GA 4:2:179). To act freely, on this conception, is to act in response to grounds or reasons [which]. Reasons have the peculiarity that they are the only possible determinant of what we do that does not compel or causally necessitate what we do, or restrict in any way the possibilities we have open to us. A good reason explains why I do what I have reason to do, but never takes away from me the possibility of doing otherwise. In fact, it makes sense as a reason only as long as this possibility exists. Accordingly, there are two fundamentally different ways that facts in the world might be given to us as agents: first, there are facts that causally necessitate what we do, restricting our freedom to do otherwise; second, there are [or] facts that determine what we do by presenting themselves as reasons for acting. I think Fichte was struck by the fundamental importance of this difference, and inferred from it that there must be something quite distinctive about the way that facts are given to us as reasons. His bold thought is that such facts can be given to us only through a distinctive kind of not-I that we regard as containing within itself the understanding of a reason, and hence free activity – in other words, through a not-I that is itself an I, namely, an I other than my own I. Only another rational being would be capable of [have] the concept of a free action and a ground or reason for free action. This is in fact the claim through which Fichte establishes this part of his argument. “I could therefore find a certain self-determination only through ideal activity; through imitation of one that is present at hand, and present at hand without my doing (Zuthun)…I cannot comprehend this summons to self-activity without ascribing it to an actual being outside me that wills to communicate[s] a concept of the action demanded, and hence is capable of the concept of that concept; but such a being is a rational being, one that posits itself as an I, hence an I” (SW 4:220-221). At times Fichte gives this last point what we may call a genetic presentation: Being an individual I, placing before oneself an end, is something a rational being must be educated to do, through the influence of another rational being. “A human being becomes a human being only among human beings.” Freedom is possible only through upbringing (Erziehung) through the influence of other free beings (SW 3:39-40; cf. SW 4:221). The summons [is] should be understood as that kind of object through which something like a reason for a free action can first be given to us. Fichte’s argument is that application of the concept of another I is the transcendental condition for the possibility of our awareness of a reason for acting. “It follows that if there are to be human beings at all, there must be more than one…The concept of a human being is not the concept of an individual – for an individual human being is unthinkable – but rather the concept of a species” (SW 3:39). “Self-consciousness therefore originates with my act of selection from a general mass of rational beings as such…[A free individual] subsists only in the whole, and by means of the whole, as a portion of the whole” (GA 4:2:177). Acting rationally, even acting autonomously, in other words, is not something a human being could do alone. Autonomy thus consists not in rejecting the influence of others, but in being influenced by others in the right way. Education, and being given reasons [is not] for action constitute an essentially different way of being influenced by the world from any merely causal influence, through which one may be coerced, or manipulated, or conditioned to behave, but not enabled to act freely or autonomously. If we embrace some conception of mind and action that cannot distinguish what Fichte calls a ‘summons’ from being causally influenced in general, then we should not expect to understand human freedom or rational action at all. Fichte’s argument implies that those who think of human individuality and freedom as somehow distinct from, or even in opposition to, human community, understand neither the nature of individual freedom nor the nature of community. Fichte’s view here, if correct, would also have some important implications for our conceptions of reason and rationality. Giving oneself a reason for acting is derivative from being given a reason by others and from giving others a reason. Giving others a reason is the internalization of being given a reason by another, and giving oneself a reason is only an application to oneself of giving others a reason. Just as the nature of a mental state is not known exclusively by its owner, so a reason for me is not something answerable only to my perspective. Kant is right that rational thinking is thinking for yourself, but also from the standpoint of everyone else.5 It follows that there is something fundamentally wrongheaded about developing conceptions of rationality that are oriented exclusively to the agent’s standpoint (the agent’s desires, beliefs and preferences). The ideally rational person cannot therefore be conceived of (as often seems to happen in the theories of rational choice theorists, game theorists, and economists) as a calculating sociopath with a gambling addiction.

Agency involves ascribing the same capacity to other rational beings; intersubjectivity is a precondition to actualizing myself. There can be no objection to deny another’s freedom since they possess the same right and that would deny my worth. We must have an omnilateral will since it’s a contradiction by willing a world where the will is denied or clashing without resolution. All claims are provisional until brought under public right. **KANT:[[9]](#footnote-9)** When I declare (by word or deed), “I will that an external thing shall be mine,” I thereby declare it obligatory for everyone else to refrain from using the object of my will.  This is an obligation that no one would have apart from this juridical act of mine.  Included in this claim, however, is an acknowledgment of being and that I’m reciprocally bound to everyone else to exercise a similar and equal restraint with respect to what is theirs. The obligation involved here comes from a universal rule of the external juridical relationship that is, the civil society.  Consequently, I am not bound to leave what is another’s property untouched if everyone else does not in turn guarantee to me [they] with regard to what is mine that he will act in accordance with exactly the same principle. This guarantee does not require a special juridical act, but is already contained in the concept of being externally juridically bound to a duty Verpflichtung on account of the universality and hence also the reciprocity of an obligation coming from a universal rule. Now, with respect to an external and contingent possession, a unilateral Will cannot serve as a coercive law for everyone, since that would be a violation of freedom in accordance with universal laws.  Therefore, only a Will binding everyone else—that is, collective universal (common), and powerful Will—is the kind of Will that can provide the guarantee required.  The condition of being subject to general external (that is, public legislation that is backed by power is the civil society. Accordingly, a thing can be externally yours or mind only in a civil society.

The standard is **consistency with universal reason.** To clarify:

1) Normativity flow from reasoning via a priori categories; natural facts only show what is. **KANT (2):[[10]](#footnote-10)** We have therefore wanted to say that all our intuition is nothing but the representation of appearance; that the things that we intuit are not in themselves what we intuit them to be, nor are their relations so constituted in themselves as they appear to us; and that if we remove our own subject or even only the subjective constitution of the senses in general, then all constitution, all relations of objects in space and time, indeed space and time themselves would disappear, and as appearances objects cannot exist in themselves, but only in us. What may be the case with objects in themselves and abstracted from all this receptivity of our sensibility remains entirely unknown to us. We are acquainted with nothing except our way of perceiving them, which is peculiar to us, and which therefore does not necessarily pertain to every being, though to be sure it pertains to every human being.

The good isn’t analyzable as a material entity since we cannot know the world in itself – a priori reason exists in the form of pure math, science, causality and platonic forms. **And,** morality must be grounded in a priori facts since theoretical ones are determined – you cannot command someone to hold a desire or fall in love, but only to act from moral duty. Since the structure of reason exists independent of empirical circumstances, maxims must be universal since a reason for a rational agent is a reason for every rational agent.

2) The only constraint on agency is non-contradiction—what is contradictory, like a round triangle, cannot be thought. Preempts aggregation since actions cannot result in more of a contradiction than other.

3) Solves skep. You can ask why into regress. But they can’t ask why reason because that’s a closed question. If I gave you a reason to act for reasons, I’d answer your question meaning you do act for reasons. Means rational agency is transcendental condition for moral justification.

4) All obligations stem from practical identities, like teacher, parent or debater, that impose candidate motivations for action. **KORSGAARD**[[11]](#footnote-11): *The Solution:* Those who think that the human mind is internally luminous and transparent to itself think that the term “self-consciousness” is appropriate because what we get in human consciousness is a direct encounter with the self. Those who think that the human mind has a reflective structure use the term too, but for a different reason. The reflective structure of the mind is a source of “self-consciousness” because it forces us to have a *conception* of ourselves. As Kant argues, this is a fact about what it is *like* to be reflectively conscious and it does not prove the existence of a metaphysical self. From a third person point of view, outside of the deliberative standpoint, it may look as if what happens when someone makes a choice is that the strongest of his conflicting desires wins. But that isn’t the way it is *for you* when you deliberate. When you deliberate, it is as if there were something over and above all of your desires, something that is *you,* and that *chooses* which desire to act on. This means that the principle or law by which you determine your actions is one that you regard as being expressive of *yourself.* To identify with such a principle or law is to be, in St. Paul’s famous phrase, a law to yourself.6 An agent might think of herself as a Citizen in the Kingdom of Ends. Or she might think of herself as a member of a family or an ethnic group or a nation. She might think of herself as the steward of her own interests, and then she will be an egoist. Or she might think of herself as the slave of her passions, and then she will be a wanton. And how she thinks of herself will determine whether it is the law of the Kingdom of Ends, or the law of some smaller group, or the law of the egoist, or the law of the wanton that is the law that she is to herself. The conception of one’s identity in question here is not a theoretical one, a view about what as a matter of inescapable scientific fact you are. It is better understood as a description under which you value yourself, a description under which you find your life to be worth living and your actions to be worth undertaking. So I will call this a conception of your practical identity. Practical identity is a complex matter and for the average person there will be a jumble of such conceptions. You are a human being, a woman or a man, an adherent of a certain religion, a member of an ethnic group, someone’s friend, and so on. And all of these identities give rise to reasons and obligations. Your reasons express your identity, your nature; your obligations spring from what that identity forbids.

To attach value to any identity means you must value yourself as someone who needs reasons to act and live. You can shed every identity except your human identity; we can shed conflicting impulses by choosing not to take them as reasons, but you cannot have reason to reject the value of the source of your moral reasons. *Also means no aggregation - all good is good for someone, but there’s no one for WHOM maximization is good.*

5) If an agent regards their purposes as important, they must regard the means as important; one of which is freedom. A condition of freedom is that other agents do not violate yours. If one willed the right to freedom existed only under certain conditions, lacking those conditions would mean lacking the right but any purposive agent must view themselves as having freedom; any restrictive condition on people’s freedom is incoherent. Being an agent generates these rights rather than a particular agent. O/w other frameworks on probability since they presume a will with ends attached rather the structure of willing itself.

Being a moral agent requires attaching unconditional value to one’s own agency instead of the incident effects. **KORSGAARD (2)[[12]](#footnote-12):** For to be an agent is to be essentially subject to a standard of success and failure, and to be subject to a standard of success and failure in the very same way that a functional system is. Here’s what I have in mind. A functional system – let’s say a machine – is designed to achieve a certain end. If it does not achieve its end, we say that it has failed. You were late this morning, you say, apologetically, because your alarm clock broke down and failed to go off. But to be successful, it is not enough that your alarm clock goes off from any cause whatever. If the alarm rings because a sudden jolt of electricity happens to break a spring which accidentally hits the mechanism that sets off the alarm at 7:00 a.m. precisely, it is not a good clock. A functional system, to be successful, has to be *the kind of thing* that reliably achieves its end. In the same way, the kind of success that we associate with agency is not exhausted by the idea of the agent actually bringing the end about, since an agent who brought about his end only accidentally – say by a deviant causal pathway – would have failed as an agent. If I fire my gun wildly astray, but the bullet ricochets off a cast iron fence and happens to hit the target in exactly the spot that I intended, I have not made a good shot. Indeed, once I understand the causal situation, I should feel that I have been the beneficiary of a lucky accident, that is: that *I* didn’t really *do* anything at all. To be successful in action is not merely to do something that brings about your end [but]. To be successful in action is to make yourself into *the kind of thing* that reliably achieves that end.2 So to regard yourself as an agent is to regard yourself as a functional system, and to regard yourself as a functional system is to regard yourself as having a good, in the functional sense of good. But now it is not *only* the functional sense of good. For if you regard the thing you aim at as a final good – that is, as something worth going for – then you regard the things that promote it, your own condition included, as good in that way too. An agent necessarily values his own efficacy, and therefore necessarily values his own functional good as an aspect of his final good.

Deliberate actions can only be explained in terms of reasons for them, not causal effects as such. **RODL[[13]](#footnote-13):** Practical reasoning is the causality of the will if acting according to the representation of an end is deriving an action from this end. Thus we must consider what it is to act according to a representation. When someone is acting according to a representation, then the representation causes her action. Explaining why she is doing what she is doing, or why she is acting in the way that she is, we refer to this representation: She who is doing A according to her representation of doing B is doing A because she wants to do B. And she who is doing A according to her representation of a certain manner of acting, is doing A because she wants to act in this manner. How- ever, this does not suffice. Someone’s wanting to do something may cause all manner of movement on her part, which is not on that account a case of acting according to the representation of doing that. For example, someone may be falling ill because he wants to lose weight in this way: He has been wanting to lose weight for a long time, nothing he tried worked, at last his anxiety gives rise to somatic symptoms. As he is falling ill, he is not acting according to his representation of losing weight. It seems obvious what is missing: If he is to act according to his representation, he must recognize that his action accords with the represented end. He must sub- sume his action under the end as a part of or as exemplifying it. In order for someone to act according to the representation of an end, there must be not only a causal nexus of the representation and the action. Moreover, the subject must be conscious of the logical nexus, the accord of the action with the end. However this, again, does not suffice. We can embellish our example and add that our man recognizes that he will lose weight if he falls ill and welcomes his illness on that ground. We do not therewith represent him as acting according to his representation in falling ill.

**And,** volitional agency requires willing consistently with other agents. **KORSGAARD (3)[[14]](#footnote-14):** But what, if anything, compels us to view reasons as public and universal in this way?15 In my view, part of the answer lies in the role of universal principles in unifying and therefore constituting the will or the self, the role played in Frankfurt’s view by caring. And if the self is constituted by volition, it cannot be assumed to exist in advance of volition. When I will to go to the dentist on the day of my appointment, I cannot be willing a law that my future self should go to the dentist, for whether I have a future self depends on whether that law and others like it are obeyed. If that law and others like it are not obeyed, then my body is, in Frankfurt’s terms, not that of a person but that of a wanton without a self, and no person has disobeyed my law. So I must be willing that an agent characterized in some other way—perhaps as the future conscious subject of my body—should go to the dentist. Minimally, this shows that any maxim that I will must universalize over some group more inclusive than my present conscious self, and that the normative force of the reason I legislate should be public and shared between me (my present conscious self ) and the members of that group.16 Perhaps it is only all the future conscious subjects of my body, but we need some reason why that and only that should be the relevant group, and some of the possible answers to that question suggest that the group should be more inclusive still. For instance, one possible answer is that I must interact cooperatively with the future conscious subjects of my body if I am to carry any of my projects out. But of course it may also be argued that I must interact cooperatively with other rational agents as well, for unless others respect my reasons and I respect theirs, we are apt to get in each other’s way.17 So it begins to look as if I must will universally and publicly— that is, will reasons I can share, not only with the future conscious subjects of my body, but with all rational beings, or at least all with whom I must interact. In any case, I cannot coherently regard my reasons as applying merely to myself. And there may be the beginnings of a route to morality.

UNDERVIEW:

Ugandan women disproportionately work in lower paying jobs – the plan empowers them and reduces inequality. **DRT[[15]](#footnote-15):** First and foremost, a minimum wage is about putting in place a basic social protection floor to guarantee a basic survival standard in a given society. The Constitution of Uganda provides that all Ugandans have a right to a life in dignity and a minimum wage is one of the instruments to ensure the realisation of this right. According to the ILO, in 2005 slightly **over 50 percent of waged and salaried workers in Uganda were poor** with 30 percent living in extreme poverty (ILO, 2013). Similarly, the 2009/10 labour market survey indicates that of the 24.5 percent of the population (7.5 million persons) living below the poverty line, about 2.7 million (21 percent) are classified as the “working poor”. These, according to the survey, earned a median monthly income of 50,000 Ugandan shilling (about USD 19) for casual labours close to their counterparts’ in the agriculture and fisheries sectors, who earned 54,000 Ugandan shilling (about USD 20). In both incidences, this monthly income is lower than the poverty line, which if computed using USD 1 a day amounts to USD 31 per month. These studies point us to the fact that there is a high number of **Ugandan**s who are working, but their **earnings are insufficient** to lift them out of poverty. Coupled with the current economic context, a minimum wage acts as an “anchor” to not only providing a 3 basic minimum, but an income that can lift them out of poverty and earn them a decent life. Evidence by Lang (2007) suggests that a $ 1 increase in real minimum wage is associated with a reduction of 0.3% of poverty. It is important however to note that a minimum wage cannot work alone as it is restricted to only those in formal employment when the informal sector forms a big majority, where people often work for no remuneration such as in family businesses . This thus means that it must be complemented by other social protection instruments that target those outside of formal employment. A minimum wage provides an affirmative action for women **Women workers** not only constitute the majority in the informal sector but even in formal employment, when compared to men, they **are** often **concentrated in** low **ranks that attract low pay**. Available evidence indicates that **50 percent of employed women work in the three lowest paying sectors** of agriculture, household, and mining and quarrying compared to only 33 percent of men (UBOS 2011). **These sectors are** also the main **providers of low paying jobs**, **which do** **not** always **have** additional **social protection** covers such as medical care, or pensions among others. As women shoulder the function of providing for their families, this means that many families are relying on low-wage jobs to earn a living and thus are increasing their vulnerability to poverty. **A minimum wage** thus **fosters income equality between men and women, considering that women carry out low-paid tasks** which have an impact on **narrowing the gender pay gap** (Dale, 2006; Rubery, 2003).

I outweigh unemployment turns – they assume economic models that do not apply in Uganda. **DEVEREUX[[16]](#footnote-16):** **The** theoretical **case against minimum wages** has been challenged by the ‘new economics of the minimum wage’, which argues that the textbook critique outlined above **is built on** several critical but **unrealistic assumptions**: that labour markets are perfectly competitive (no individual firm can influence wage rates), that workers are homogeneous (all have the same level of skill) and perfectly mobile (they can move freely from place to place), and that workers have access to complete information about job opportunities (Hewitt, 1976; Lustig and McLeod, 1996). Relaxing any of these assumptions can yield more positive interpretations of the potential benefits of a minimum wage. For instance, **where wages are below** workers’ **reservation wage**, or where labour **markets are quasi-monopsonistic**—a realistic scenario **in** many **countries where poverty is** so **widespread** that the **supply of unskilled labour exceeds** labour **demand**—**a** legislated **minimum wage can increase** aggregate **employment** as well as **individual welfare** (Alatas and Cameron, 2003; Boadway and Cuff, 2001). The textbook explanation is that monopsony employers indulge in ‘Pigovian exploita- tion’—they pay workers less than their marginal value product—and they hire to a point where the marginal cost of labour equals their demand for labour but exceeds labour supply (at Eo in Figure 2) (Stigler, 1946; Lipsey and Chrystal, 1995). It follows that **forcing the** monopsonist to pay a **‘fair’ wage** not only reduces wage exploitation of workers; it should also **raise the supply of labour towards** a market-clearing **equilibrium**. Put another way, **employers** who are extracting excess profit margins by under-remunerating labour **can afford** to raise **wage rates without laying off** workers, **and can** even **increase** **their profits** by hiring more workers at these higher rates. (In Figure 2, employment rises to Em if the minimum wage rate is set at Wm.) At both the microeconomic and macroeconomic levels, the ‘efficiency wage hypothesis’ asserts that better-paid **workers will be** better **nourished and** more **productive**, so that mandated minimum wages are also an investment in higher productivity and economic growth (Bardhan and Udry, 1999; Bell, 1995). Another argument in favour of legislated minimum wages is that low-pay sectors are typically characterised by poor working conditions, negligible benefits—no maternity leave, holiday entitlement, redundancy pay, pensions—and lack of job security, so that raising wages should partly compensate workers for their unfavourable employment contracts.

EXTRA CONTENTIONS:

*Gender equality:*

Gender inequality in Uganda is perpetuated by women’s financial dependence on men. **UMF[[17]](#footnote-17):**

**The “lack of control” of resources**, and the associated lack of decision-making power, **is** by far **the most important**, and most complex, of the issues raised in the UPPAP. As is apparent from the UPPAP findings, the issue of lack of control by women concerns economic matters and choices related to earning or disposing of income or assets. It is also concerned with “when and how often to have children.” It is associated in the UPPAP with “excessive fertility,” discussed in Chapter 4. **The economic dependence of women**—**their lack of** control over productive **resources and assets**—**is at the root of the problem**s women face. At the household level, women’s limited decision-making is associated with their insecurity of access to productive resources, especially land, and to their being predominantly engaged in the unpaid care economy. While women perform most of the agricultural work, they do not make decisions of what enterprises to get involved in or how the benefits accruing from them are distributed. **This leaves women in unfavorable bargaining positions** as well as poor fallback positions in cases of marriage break-ups. Differences in decision-making power within the household is one of the factors contributing to poor health outcomes in Uganda, including the high levels of maternal and child mortality. **The combination of heavy workload, resource dependency**, and limited decision- making may also help to explain why 44 percent of pregnant women delay their first visit to a health facility to the last trimester of their pregnancy. The issue of women’s lack of control applies to the use of their own time. UPPAP discussions revealed that men also control women’s time, with implications for economic, social, and political activity as well as mobility more generally. There is a dark side to the issue of **women’s lack of control of productive resources**: **powerlessness in the face of** sexual and other forms of **violence** against women, which is exacerbated by the linkage between violence and the spread of HIV/AIDS.

Ugandan women disproportionately work in lower paying jobs – the plan empowers them and reduces inequality. **DRT[[18]](#footnote-18):** First and foremost, a minimum wage is about putting in place a basic social protection floor to guarantee a basic survival standard in a given society. The Constitution of Uganda provides that all Ugandans have a right to a life in dignity and a minimum wage is one of the instruments to ensure the realisation of this right. According to the ILO, in 2005 slightly **over 50 percent of waged and salaried workers in Uganda were poor** with 30 percent living in extreme poverty (ILO, 2013). Similarly, the 2009/10 labour market survey indicates that of the 24.5 percent of the population (7.5 million persons) living below the poverty line, about 2.7 million (21 percent) are classified as the “working poor”. These, according to the survey, earned a median monthly income of 50,000 Ugandan shilling (about USD 19) for casual labours close to their counterparts’ in the agriculture and fisheries sectors, who earned 54,000 Ugandan shilling (about USD 20). In both incidences, this monthly income is lower than the poverty line, which if computed using USD 1 a day amounts to USD 31 per month. These studies point us to the fact that there is a high number of **Ugandan**s who are working, but their **earnings are insufficient** to lift them out of poverty. Coupled with the current economic context, a minimum wage acts as an “anchor” to not only providing a 3 basic minimum, but an income that can lift them out of poverty and earn them a decent life. Evidence by Lang (2007) suggests that a $ 1 increase in real minimum wage is associated with a reduction of 0.3% of poverty. It is important however to note that a minimum wage cannot work alone as it is restricted to only those in formal employment when the informal sector forms a big majority, where people often work for no remuneration such as in family businesses . This thus means that it must be complemented by other social protection instruments that target those outside of formal employment. A minimum wage provides an affirmative action for women **Women workers** not only constitute the majority in the informal sector but even in formal employment, when compared to men, they **are** often **concentrated in** low **ranks that attract low pay**. Available evidence indicates that **50 percent of employed women work in the three lowest paying sectors** of agriculture, household, and mining and quarrying compared to only 33 percent of men (UBOS 2011). **These sectors are** also the main **providers of low paying jobs**, **which do** **not** always **have** additional **social protection** covers such as medical care, or pensions among others. As women shoulder the function of providing for their families, this means that many families are relying on low-wage jobs to earn a living and thus are increasing their vulnerability to poverty. **A minimum wage** thus **fosters income equality between men and women, considering that women carry out low-paid tasks** which have an impact on **narrowing the gender pay gap** (Dale, 2006; Rubery, 2003).

Rectifying coercive relationships among spouses is required. **WOOD[[19]](#footnote-19): The unequal relationship of two** human **persons** represented by traditional marriage surely does **pose a** formidable **obstacle** to the kind of trust, intimacy and total unification of personality that other early modern theorists of marriage – Hegel, for instance – made the basis of their conception of the family as an institution. . . . **An association on** such **unequal terms** in which **the dignity of humanity is under threat** because of this **inequality could never represent** a **true** model of **human intimacy**[.] . . . Complete consistency, however, should also have required Kant to conclude that **marriage**, **if it** is truly to be a relation of right that **protects the dignity of** the **women, is** also **impossible under** the traditional conditions of her **economic dependence and** social **subordination to her husband**. For in Kant’s picture of the reciprocal power struggle between husband and wife, the **coercive powers**, the powers that **should be curbed and regulated by right**, are all the husband’s powers.

*Promises argument:*

Failing to update minimum wages is key to Uganda abiding by a promise made to the ILO. **IMRAN[[20]](#footnote-20):** 3.3.3 **Uganda’s Compliance on ILO Convention** 26 Article 1 (1) of Convention 26 **requires ratifying member states to create or maintain machinery for fixing minimum wages**. 199 **The Minimum Wage Act** which sets out the framework for fixing minimum wages. However, this Act **has remained unupdated** since 1957 **and seems** to be **out of line with some provisions of Uganda’s** 1995 **Constitution.** Earlier discussions highlighted the shortfalls created by this lack maintenance of the minimum wage fixing machinery. Article 2 of Convention 26 allows ratifying member states to decide the scope of application of minimum wages.200 However consultations with organisations of corcerned employers and workers (represented equally) are required to precede the decision on minimum wage.201 In conformity with the Article 2, the Minimum Wage Act allows the Minister discretion to appoint a minimum wages advisory board and determine its compostion as per the requirements above. The Minimum Wage Act does not apply to members of the Uganda Peoples’ Defence Forces, the police force, public officers or persons employed by the government.202 It also noteworthy that, while the wording of Convention 26 and Recommendation 135 seems to cover a wider scope, 203 the Minimum Wage Act only refers to ‘employees’.204 The Employment Act, defines an employee as ‘any person who has entered into a contract of service or an apprenticeship contract, including, without limitation, any person who is employed by or for the Government of Uganda, including the Uganda Public Service, a local authority or a parastatal organisation but excludes a member of the Uganda peoples defence forces.’205 While the limitation of scope of the minimum wage to employees is not neccesarilcally in conflict with Convention 26,206 the implications of this could be far-reaching. One determinable implication is that independent contractors operating within Uganda may not be protected by the minimum wage against the excesses of contractual freedom. This scenario may not be worrying given the legally presumed independent nature of contractors vis-avis employees. The more serious implication however is the possibility that this could encourage the disguise of employment relationships to circumvent complying with a set minimum wage. 207 In light of the above, the avoidance of the term ‘employee’ in Convention 26 and Recommendation 135, could be an indication of the caution needed to be exercised in choosing terminology that could unintentionally limit the scope of protection provided by minimum wage-fixing instruments. Another possible explanation for this could lie in the fact that the concept of employee is quite dificcult to define and many labour law systems have left it to the courts to define who is an employee and who is not.208 Article 3(1) of Convention 26 provides that ratifying members of the Convention shall be free to decide the nature and form of the minimum wage-fixing machinery, provided that such measures consult representatives of employers and employees,209 and that the fixed wages are binding on all employers and employees.210 Uganda’s Minimum Wage Act seems largely in conformity with this, however, **the government’s preference for a free market** system **sidelines the** minimum **wage setting** framework **outlined by** **the Act.** Accordingly **Uganda’s position** of the minimum wage **cannot be** easily **reconciled with the requirements** of article 3(1) of Convention 26. 211 Article 4(1) of Convention 26 requires effective supervision and imposition of sanctions, to ensure that minimum wages are paid while Article 4(2) seeks to ensure that covered workers can recover unpaid minimum wages due to them. The Minimum Wage Act sets out the supervisory mandates and penalties for non compliance with the minimum wage. 212 Unfortunately, Uganda’s capacity to supervise and implement minimum wages does not meet the requirements of Convention 26. Labour Inspection powers in Uganda are primarily vested in Labour Officers.213 The Employment Act provides that every district is supposed to have a labour officer.214 Dissapoiningly, while Uganda adopted a fully fledged and capable labour adminstration at Independence in 1962, 215 by December 2010, only 36 labour officers existed out of 112 districts in the country.216 Even the few availabe Labour Officers lack appropriate technical training,217 this also contravenes article 7(3) of ILO Convention No. 81 which is also ratified by Uganda.218 Uganda’s implementation shortfalls mainly originate from the government’s decentralisation process that put labour adminstration matters to the districts which are autonomous from the central govenrnment in terms of priorities, reosurce allocation and hiring staff.219 In this situation, the government’s reluctance to set the minimum is aslo supported by a lack of capacity to supervise and enforce the country’s labour laws in general. Article 5 of Convention 26 obliges each member which ratifies the Convention to communicate annually to the International Labour Office on the application of minimum wages.220 Additionally states are required to report regularly indicating the practical application of the machinery and whether national laws are in conformity with the Convention in question.221 In 2012, the ILO Committee of Experts on the Application of Conventions and Reconmmendations (CEACR) which assesses reports made by ratifying member states on different Conventions made the following Observation **on Uganda’s application of** article 1 to 4 of **Convention 26**: ‘The Committee has been commenting for several years on the need to readjust the **national minimum wage** rate which **remains unchanged since 1984** at the level of 6,000...in order to be able to fulfil a meaningful role in social policy, **the** minimum **wage should not** be allowed to **fall below** a socially acceptable **subsistence level**, and that **it should maintain its purchasing power** in relation to a basic basket of essential consumer goods...take all appropriate measures to reactivate the minimum wage-fixing process based on tripartite consultations.... The Committee understands, however, that the question of setting a new minimum wage has recently been the subject of strong trade union campaigns and vivid parliamentary debate but no concrete progress has been made regarding the revision of the minimum wage. 222 The above statement summarises the compliance deficicencies that Uganda’s position on the minimum wage creates in respect of Convention 26. The statement is also significantly helpful in understanding the ILO’s position on the absence of a minimum wage in Uganda.223 The preceding paragraphs illustrate that **while Uganda has** in place **the legal framework** that seems to satisfy the requirements of Convention 26, **the enforcement and** regular **update** of these legal provisions **has** often **been poor** and negates their effectiveness and intended purpose. The fact that Uganda has a minimum wage fixing statute and a minimum wage makes it seem compliant to the letter of Convention 26, however **the fact that this minimum wage is low** and has no social relevance also **means that Uganda is non-compliant with** the spirit of **Convention 26.**

This is a perfect duty since you cannot conceive of a world where promises are always broken; promises wouldn’t even be made, so they couldn’t be broken. Acting on this maxim relies on the institution of promising, without which the promise would be ineffective, while simultaneously contradicting the nature of promising.

Perfect duties o/w - If I don’t follow through on an imperfect duty because of a perfect duty its not a violation at all, because I could not will what is contradictory in the first place. An imperfect duty never obligates us to do something a perfect duty prohibits because that would be an instance when I would not conditionally will that desire be acted on in any similar situation because there could not *be* the action in any similar situation.

*LW specific substance additions:*

Dependence fails to be omnilateral because citizens could not agree to a system inconsistent with their innate right. Brackets for efficiency. **RIPSTEIN:[[21]](#footnote-21)** The requirement that the state support[ing] those who are unable to support themselves follows from the need for the people to be[ing] able to share a united will, as a precondition of their giving themselves laws together. As a matter of private right, nobody has a right to means that are not already his or her own [but], and, as Kant coldly remarks, “need or wish” is irrelevant. The duty to support the poor is not a way of coordinating efforts to dis- charge prior obligations to support those in need. There are no enforce- able private obligations to do so. The only private obligation to support the needy is an obligation of charity, which does not dictate specific actions, but requires only that each person make the needs of (some) others one of her ends.43 The state’s duty to support the poor [is] enters in a different way. A rightful condition makes property rights, especially the right to exclude others, conclusive. In a state of nature, a person does others no wrong by taking from them; in a rightful condition, such forms of self- help are prohibited, and the person who takes what is needed to survive wrongs those from whom it is taken. Such a person is subject to the grace of those who have more. Kant’s argument is that such a condition of dependency is inconsistent with the rightful honor of the dependent person. Citizens lack the rightful power to bind themselves to such a situation; as a result, enforceable private property is only rightful under a law that precludes that possibility. The only way in which the right to exclude can be made the object of the general will is to guarantee public support for those unable to support themselves.

Being free requires having a right to instruments like money that enable freedom to pursue purposes. **RIPSTEIN[[22]](#footnote-22):** As a matter of fact you may be able to set yourself the end of making a mushroom omelet without having rights to objects that are not in your physical possession, but you could not have an entitlement against others to set yourself the end of making one. If there were no such rights, someone else would be entitled to take the eggs you had gathered while you were sauteeing the mushrooms, and you would not be entitled to do anything to stop her. Your entitlement to set and pursue purposes would thus depend on the particular choices made by another. (91-92)

*Dependency arguments:*

Living wages are not net beneficial to ensure that people can be free. **BOWIE[[23]](#footnote-23):**

Condition 3 speaks to the issue of a minimum or living wage. In both of his major ethical works, *Foundations of the Metaphysics of Morals* and the second part of *Metaphysics of Morals*, popularly called *Metaphysical Principles of Virtue*, Kant argues that we have an obligation to beneficence, or a duty to aid others. This duty is an imperfect one in the sense that one does not have to help everyone all the time. That of course would be too demanding. But the obligation to help others must be taken seriously. When taken to the business context, the most obvious way to be beneficent is to pay a living wage. In line with Kant’s commitment to autonomy, a living wage is defined by its ability to allow a person to live independently. One cannot live independently if basic needs for food, clothing, shelter, and health care are not met. In addition to sufficient pay to cover these need, there should be a bit left over for discretionary items. A wage that provides for basic needs plus a bit of discretionary income could be classified as minimally adequate. In many cases business firms are clearly not providing living wages. It was recently pointed out that the $8 per hour earned by the average nonsupervisory employee at Wal-Mart would not meet the U.S. standard for a living wage—and the U.S. standard is below that required by Kantian ethics (Banco and Zellner, 2000). Given the competitive power of Wal-Mart, its wage policy tends to bring down wages in the entire retail sector. As premiums for health insurance rise, more and more companies are dropping health insurance for their employees or, like Wal-Mart, are asking employees to pay a large part of the premium. Prima facie, American companies adopting wage policies that move us away from what Kantian ethics requires rather than toward it. I say prima facie because U.S. companies argue that they cannot pay the kind of wages for low-skilled or entry-level jobs that Kantian morality requires. If they did, they argue, they would go out of business. They are constrained by low-wage competition, both domestically and internationally. After all, it is a fundamental principle of ethics that “ought” implies “can,” meaning that you can only be held responsible for events that are in your power. If so, then a business has an obligation to pay a living wage only if it has the capability to do so. Though the adherents to this argument have a point, their case is hardly airtight. Pleading poverty seems disingenuous given the recent trend in executive pay. The ratio of average executive pay to the pay of the average factory worker went from 40 to 1 in 1990 to 400 to 1 in 2002 before falling back to 200 to 1 in 2003. I know of no ethical theory that can justify the skyrocketing executive pay of the 1990s. I recognize that lowering executive pay will not solve the living wage problem for everyone. However, such overinflated ratios stand as an affront to the hard-working Americans who are one paycheck from the street or are without health insurance and hope that no one in their family becomes seriously ill. Suppose, however, that executive compensation was reasonable. What then? As I explained, Kantian morality requires that here is an imperfect obligation to help people attain a living wage. That obligation falls upon business, government, or both. It seems reasonable to hope that the economic system would enable businesses to pay living wages and that where they cannot, the government could serve a supplementary function. Business increasingly argues that competitive pressures prevent paying employees a living wage. I that is true, then it seems that business is morally required to urge government to take up the slack. Unfortunately, business owners often do just the opposite: they neither pay a living wage nor do they argue for the taxes on business that would provide for an adequate welfare policy. Such action, or inaction, runs contrary to Kantian ethics.

Beneficence is a duty – we must make the ends of others our ends as a constraint of universal law. **ENGSTROM[[24]](#footnote-24):** Let’s turn now to the fundamental imperfect duty to others. Here we may conveniently focus our attention on Kant’s own illustration of how the duty of beneficence derives from the formula of universal law. In contrast to perfect duties to others, which pertain to practical judgments concerning the exercise of outer freedom, the imperfect duty of beneficence bears on practical judgments concerning happiness, the object of such freedom. It will accordingly prove helpful if, before turning to Kant’s example, I mention a few points relating to the earlier discussion of happiness. Although self-sufficiency, as a necessary object of wish, belongs to the object of a human person’s generic conception of happiness, it does not, of course, exhaust it. The very fact that for human persons practical self-sufficiency is an object of wish rather than a wholly secure and certain possession is itself a reflection of the fact that the object of the generic conception of happiness includes in addition, under the general heading of agreeable activities, further elements (not yet specified) whose realization is recognized to be dependent on the presence of conditions that are external to such persons and hence not absolutely within their control. Such persons, therefore, can never rule out the possibility that they will find themselves in circumstances in which they are not capable of realizing their end of happiness on their own, yet they also recognize that this end is not something they can simply relinquish. With these considerations in mind, let’s turn to the maxim of the [hu]man in Kant’s example. Though willing to confine his pursuit of his own happiness to actions that don’t involve any assault on others’ freedom, this man, for whom “things are going well”, calculates that his pursuit of this end will be most effective if others’ ends are disregarded, and he accordingly specifies the good through the generic concept of [her] own happiness yet without including this specification in a general judgment deeming the happiness of others to be likewise good. He may indeed judge that others’ ends are good on the whole in circumstances where the attainment of those ends will ultimately redound to his own benefit. But such a judgment falls short of regarding others’ happiness in the way the practical law of beneficence requires, namely, as being simply good, and hence good regardless of whether their attainment of it contributes to the realization of his own end. In short, the man Kant places before us could be described as a “moral libertarian”, and the practice his maxim prescribes might be characterized as that of “egoism within the limits of mere justice”. Let’s now bring the formula of universal law to bear on this maxim, to determine whether it’s in agreement with the form of practical knowledge. When the man tries to suppose that everyone both follows his maxim and moreover agrees that everyone should do so, an obvious conflict results. In conceiving of the maxim as universally followed, [they] suppose that others judge their own happiness but not [hers] to be good, and in agreeing that they should follow this maxim, [she] agrees with their judgments and so likewise deems their happiness but not [hers] to be good. Thus he regards as good h[er] happiness but not theirs and also their happiness but not h[ers]. This way of understanding how the attempt to will this maxim as a universal law results in a contradiction differs from other familiar accounts, both sympathetic and critical, in that, being guided by the idea of the *form* of practical knowledge, it does not conceive of the attempt to will a maxim as a universal law as involving any instrumental (means–end) forms of reasoning at all. It does not, for instance, attempt to show that were everyone to follow the maxim of indifference, the result would thwart, hinder, or fail sufficiently to further the pursuit of some end the man actually has, such as happiness, or some end he must have, as a rational agent; nor does it rely on any calculation that individual or collective interests will be better served if persons help one another than if they don’t. These other accounts have been encouraged in part by the fact that Kant’s own discussion has seemed to many to indicate that he himself relies on instrumental forms of reasoning in describing how the contradiction arises, and this fact may therefore equally be a source of doubt concerning the interpretation I’ve just sketched. This doubt can be removed, however, since a closer look at the example will show that it need not be read as involving such reasoning. Kant explains how the conflict in the will arises by saying of the man that “many cases could occur in which [s]he would need the love and sympathy of others and in which, by such a law of nature sprung from h[er] own will, [s]he would rob h[er]self of all hope of the assistance he wishes for himself” (*G* 423). We can take Kant to be characterizing here the very contradiction I just now described, but in a vivid way that is suitable for someone such as the man in question, who, because “things are going well” for him, is particularly liable to have acquired an exaggerated sense of his own self-sufficiency and so to have lost clear sight of the fact that, as his own happiness is not a wholly secure possession, circumstances might arise in which he would rightly wish for help. Now on the interpretation I’m suggesting, such a wish is not merely a wish for some perhaps entirely fortuitous occurrence that the man thinks would enable him to achieve his end (like a wish for rain by someone thirsting in a drought, or a debtor’s hope for a lucky roll of the dice); the wish is an expression, in those circumstances of need, of the subjective universal validity of his own practical judgment of the goodness of his own happiness, a judgment that is contained in the maxim under consideration (cf. *MS* 393). That is to say, the wish in question is originally for help that springs from another person’s practical recognition of the goodness of the man’s happiness, and hence is a wish for help that has an immediacy and necessity that would be lacking were the assistance to be contingent upon its provider’s determination that it will in the end be personally advantageous. But since to will his maxim as a universal law the man must also not will that such help be provided, he must both will and not will to be helped. As is readily apparent, this contradiction is the same as the general contradiction described earlier, the difference being that it’s represented more concretely, through the man’s consideration of possible cases in which he would need assistance.

substantive frontlines:

**Monopsony explanation:**

If there is a monopsony, then an employer would be willing to pay a variety of wages to workers, because any wage in the set the employer is willing to pay would still make the employer a level of profits beyond the opportunity cost of engaging in another entrepreneurial activity. It is consistent with the rational desires of the employer to either pay the current going wage or the living wage. However, if there is asymmetry in bargaining power between the employer and employee, then the employer will use means inconsistent with the respect for rational agency, e.g. coercion in setting terms of a contract, to reap undeserved profits from the output of the employee. A living wage then is consistent with a system of equal freedom because it restores the employee as an equal party to the bargaining agreement while not infringing on the exercise of the employer's choice in what economic activities to engage in.

**AT not direct violation of freedom:**

Choices can be coerced – i.e. if you hold a gun to your head. They are punished for not working in some way which is bad. If there’s a gun to head – whatever they ask you to do is bad. Suppose they couldn’t put down the gun, they must ask you to do what you’re willing to do otherwise.

**AT uniqueness press:**

Even if the slavery relationship is inevitable, a system in which slave masters can demand a few things is better since more means of your choosing are available. Smaller set of things that can be demanded of you since less-than-a minimum wage cannot be demanded.

**AT how do you provide an equal bargaining position:**

**First**, it equalizes not by giving them employee more power, but my removing power from the employer; the employer can now no longer demand minimal wages, so an exploitative aspect of the relationship is removed. You can equalize power, either by increasing of one party or decreasing it from another.

**Second,** a living wage allows some degree of saving’ in theory they can save everything that they are currently not making, that gives a lot of possible future bargaining power that allow a greater degree of financial security.

**Third,** the formal legal entitlement created by living wage laws allows the state to alter power dynamics between employer and employee and this involves the government respecting the humanity of workers. **ROGERS**[[25]](#footnote-25)**:** 2. Formal Legal Entitlements and Self-Respect.—**Minimum wage laws** also enhance workers’ self-respect by **grant**ing them **formal legal entitlements vis-à-vis employers.** **This** is in part an expressive effect of minimum wage laws, which are an easily grasped policy “that **symbolizes the** political **system’s commitment to working people.”**165 Such laws signalthat **the state** and broader society **view workers as worthy of legal protection, even when doing so imposes costs upon more powerful** social groups, as captured well in the textile worker quote in this Article’s introduction. But the legal entitlements provided by minimum wage laws are not merely symbolic. Under such laws, **workers can hale employers into court to prevent enforcement of** labor **contracts that pay less** than the minimum, **employers owe workers correlative duties**, and **state agencies stand ready to intervene** on behalf of workers. The relationship between formal rights and self-respect is an enormous topic, but a few notes on that relationship within political and social theory should suffice to develop this point. Within liberalism, this idea seems to have animated Rawls’s argument that in a just society “self-respect is secured by the **public affirmation of the status of equal citizenship for all” through protection** **of** equal **liberties**,166 as well as through the fact that “everyone endorses the difference principle, itself a form of reciprocity.”167 **Public affirmation** of such rights **helps demonstrate** that **rights-**bearing individuals are moral equals of other citizens. Once that moral equality is clear, employers will not as readily subject such workers to abuses, and workers will more readily contest unfair treatment by employers and other private actors. The relationship between rights and self-respect is also clear in Pettit’s republicanism. An “employee who dare not raise a complaint against an employer,” Pettit writes, is in the sort of relationship of domination that neorepublicans condemn.168 While the most straightforward implication of Pettit’s argument may be that employees deserve general rights to contest employer decisions, or rights against arbitrary dismissal,169 substantive entitlements such as the minimum wage have a similar effect insofar as they enable employees to block employer efforts to pay below a certain point. This rights-granting aspect means that minimum wage laws are actually not equivalent to a wage subsidy funded by a tax on low-wage labor, because **this** **entitlement** and its accompanying private **right of action alter the power dynamics between employer and employee.** The literature on law and social movements also helps elucidate the relationship between legal rights and self-respect. Much of this literature explores the relationship between legal rights and collective mobilization, an issue less central to this Article.170 But the very existence of such a link demonstrates that legal rights, particularly rights against private parties, can be an important social basis of self-respect. Per Stuart Scheingold’s influential account of the “politics of rights,” for example, marginalized groups can “capitalize on the perceptions of entitlement associated with [legal][[26]](#footnote-26) rights to initiate and to nurture political mobilization.”171 This process can have effects on workers’ self-consciousness and self-respect that extend well beyond immediate campaigns. As two other sociologists argue in a leading study of social movements among the poor, after the assertion of legal rights as part of a demand for social change, “people who ordinarily consider themselves helpless come to believe that they have some capacity to alter their lot.”172 Similarly, I have argued elsewhere that the experience of contesting managerial decisions during union organizing can greatly enhance workers’ autonomy by giving them a concrete experience of agency.

AT money transfer CPs:

1) CP’s don’t solve since workers can still be exploited by employers – that relationship is coercive since they are still used as mere means for profit by employers rather than being valued as human agents. **ROGERS[[27]](#footnote-27): Transfers** simply have a different valence: they **alter power** relationships between workers and employers indirectly, if at all. While a robust basic income would enable workers to reject truly undignified work, it [but] **would not alter the legal rules that undergird the division of labor. Employers would still enjoy the legal right to issue orders and low-wage workers would still need to obey. Altering parties’ bilateral entitlements is therefore an appropriate policy response. Minimum wages are** also **far more salient to workers than transfers.** As noted above, **wages are paid** **weekly or biweekly** by the employer, **reflecting the employer’s reciprocal duties toward workers; in contrast** [whereas] **transfers** come **from the state**, an abstract entity that typically exerts power over workers only indirectly. Wage subsidies would avoid some of these difficulties since workers receive money directly from their employer, but wage subsidies have other drawbacks, as discussed below.

Employees are still exploited via their subordination in bilateral legal contracts. Coercion is not OK just because the governments makes up for it later, in the same way it is wrong to steal your money even if some third party pays you back.

2) Corporations do not treat their workers as intrinsically valuable – that’s the Bowie and Devereaux evidence. The aff uniquely solves because Ripstein says coercion is defined by formal inequality of bargaining power according to the law. **IMRAN[[28]](#footnote-28):**  Furthermore, Ernst et al argue that reasoning such as the above ‘...is based on an abstractly conceived theoretical labour market’ and that does not take into account the recognized inequality in bargaining power that prompted the creation of labour law.’ 112 **Labour law emanates from the employment relationship**, this relationship, as described by the Late Sir Otto Khan-Freund is one, ‘**between a bearer of power and one who is not** a bearer of power.’113 According to Vranken, ‘it is this **presumption of legal subordination** that **triggers the** **employee protective rules** of labour law.’ 114 Placing the concept of unequal bargaining power in this construct leads to some interesting preliminary conclusions; one being that **the existence minimum wage would support** the **vulnerable workers in Uganda** who are **not in a position to bargain for fair wages.** Secondly, it is foreseeable that the increase in demand for labour would not necessarily lead to an increase in wages for un-unionised workers who remain exposed to employers’ superior power. Therefore, the proposition that wage-fixing should be left to the dictation of market forces, though theoretically logical, in practice is likely to condemn workers’ livelihood to unspecified consequences including the possibility of labouring under perpetual exploitation.

3) reciprocity dictates that those who employ should pay as a form of restitution given the fact that *they use* employees *for their* personal purposes – it hinders a hindrance to freedom, which upholds the force of the original law. **ROGERS**[[29]](#footnote-29): The fact that **employment is a bilateral and reciprocal relationship justifies** the institutional form of **minimum wage laws**, i.e., the requirement that **employers themselves pay higher wages**. The harsh conditions and status harms of low-wage employment do not occur in a vacuum: **employers** and managers **enjoy individualized** and institutional **benefits from workers’ efforts**, benefits that are **not always shared with the rest of society**. **Those include profits** as well as the higher social esteem and **occupational autonomy** that accompany entrepreneurship and management. **Given such agent-specific benefits**, and given that such benefits occur within social structures that impose reciprocal harms on employees**, it seems entirely appropriate for employers to shoulder the bulk of the redistributive burdens** imposed by minimum wage laws, **rather than mediating all redistribution through the state.**

4) It’s the formal legal entitlement created by living wage laws allows the state to alter power dynamics between employer and employee – only the aff solves. **ROGERS**[[30]](#footnote-30)**:** 2. Formal Legal Entitlements and Self-Respect.—**Minimum wage laws** also enhance workers’ self-respect by **grant**ing them **formal legal entitlements vis-à-vis employers.** **This** is in part an expressive effect of minimum wage laws, which are an easily grasped policy “that **symbolizes the** political **system’s commitment to working people.”**165 Such laws signalthat **the state** and broader society **view workers as worthy of legal protection, even when doing so imposes costs upon more powerful** social groups, as captured well in the textile worker quote in this Article’s introduction. But the legal entitlements provided by minimum wage laws are not merely symbolic. Under such laws, **workers can hale employers into court to prevent enforcement of** labor **contracts that pay less** than the minimum, **employers owe workers correlative duties**, and **state agencies stand ready to intervene** on behalf of workers. The relationship between formal rights and self-respect is an enormous topic, but a few notes on that relationship within political and social theory should suffice to develop this point. Within liberalism, this idea seems to have animated Rawls’s argument that in a just society “self-respect is secured by the **public affirmation of the status of equal citizenship for all” through protection** **of** equal **liberties**,166 as well as through the fact that “everyone endorses the difference principle, itself a form of reciprocity.”167 **Public affirmation** of such rights **helps demonstrate** that **rights-**bearing individuals are moral equals of other citizens. Once that moral equality is clear, employers will not as readily subject such workers to abuses, and workers will more readily contest unfair treatment by employers and other private actors. The relationship between rights and self-respect is also clear in Pettit’s republicanism. An “employee who dare not raise a complaint against an employer,” Pettit writes, is in the sort of relationship of domination that neorepublicans condemn.168 While the most straightforward implication of Pettit’s argument may be that employees deserve general rights to contest employer decisions, or rights against arbitrary dismissal,169 substantive entitlements such as the minimum wage have a similar effect insofar as they enable employees to block employer efforts to pay below a certain point. This rights-granting aspect means that minimum wage laws are actually not equivalent to a wage subsidy funded by a tax on low-wage labor, because **this** **entitlement** and its accompanying private **right of action alter the power dynamics between employer and employee.** The literature on law and social movements also helps elucidate the relationship between legal rights and self-respect. Much of this literature explores the relationship between legal rights and collective mobilization, an issue less central to this Article.170 But the very existence of such a link demonstrates that legal rights, particularly rights against private parties, can be an important social basis of self-respect. Per Stuart Scheingold’s influential account of the “politics of rights,” for example, marginalized groups can “capitalize on the perceptions of entitlement associated with [legal][[31]](#footnote-31) rights to initiate and to nurture political mobilization.”171 This process can have effects on workers’ self-consciousness and self-respect that extend well beyond immediate campaigns. As two other sociologists argue in a leading study of social movements among the poor, after the assertion of legal rights as part of a demand for social change, “people who ordinarily consider themselves helpless come to believe that they have some capacity to alter their lot.”172 Similarly, I have argued elsewhere that the experience of contesting managerial decisions during union organizing can greatly enhance workers’ autonomy by giving them a concrete experience of agency.

**AT UBI:**

The CP rewards free riders who choose not to participate in the workforce since they receive public benefits without contributing significant tax revenue to a public purposes. Free riding uses those who choose to work and pay taxes to contribute to redistribution as mere means. **RIPSTEIN[[32]](#footnote-32): Violation of a public space consists in failing to do your part**, by failing to contribute, either **[not] positively** to **sustaining it, or negatively** by **taking** up part of **it for private purposes.** The basic terms of public provision are dictated by the fact that it is mandatory. We have seen that the Kantian answer to the question of when cooperation is mandatory focuses on the preconditions of sustaining a condition of equal private freedom, in which no person is subject to the choice of another. Roads are a central example of this, and everyone can be compelled to contribute to them. A further question asks: on what terms can a free person be compelled to contribute to those social projects to which he or she can be compelled to contribute? **The Kantian** answer to this second question **demands reciprocity**: in sustaining a condition of private freedom, **we are all in it together**. The Kantian answer to the first question does not yet tell us what the relevant principle of contribution is. Kant’s political philosophy has additional resources, however, that generate a principle of contribution. As we saw in Chapter 2, Kant identifies a basic “internal” duty of rightful honor, expressed by the saying “Do not make yourself a mere means for others but be at the same time an end for them.” This obligation follows from **the innate right** of humanity that each of us has in his or her own person, and **guarantees** that **you** can **have no** more specific **obligation** that presupposes that you can be bound **to act** exclusively **for the purposes of another. In** the context of mandatory **social cooperation**, **if you do your part but others do not** do theirs, **they** have **treated you as a mere means, because you** have **contributed to the achievement of their purposes. You [did]** set out to do **your part; rather than doing theirs, they took advantage of your efforts.**

**MAXSPEAK[[33]](#footnote-33): Universality may get more political credit than it deserves. Imagine a Social Security beneficiary** or modestly-paid worker. **On top of their earned benefit or their earned income they get a UBI** (at the cost of some taxes), **while somebody they know gets the same thing and declines to work, ever.** Would they be happy? I doubt it. **The political problem remains** if that problem stems from popular views of **just deserts**, rather than universality. People don’t resent their own free lunches (see tax deductions, above) because they think they are a just reward for work. Even if income does not come from work, any tax offset is seen as reasonable because all private sources of income are seen as legitimate. **It’s possible that people could** easily **resent equally-distributed benefits if they do not regard recipients as equally deserving**. Perhaps **Social Security is politically viable because of its contributory,** social insurance **nature, not its universality**. Historically, it began well short of universal, and to some extent it remains so today. If so, the principal political argument for the UBI collapses.

1ar versus nozick:

1) Absolute property constraints are absurd; not ever being subject to another’s purposes could be achieved by any restrictive state system, which means the violation is nonunique. **JULIUS[[34]](#footnote-34):** If there’s a compelling rationale for property, it’s that **property frees our pursuit of object-requiring ends from constraint by others’ choices.** I’ve just claimed that **this ideal** of independent purposiveness **is to be had by our all following laws that share out our access to resources on terms set independently of persons’ dispositions to grab or use those goods. When it comes to deciding which particular laws** to **follow** in **this spirit**, the imperative of **independence does not favor private property over any other detailed scheme of access to external means.**

2) Absolute property rights actually legitimize coercion. **JULIUS[[35]](#footnote-35):** **If property is to secure the right of strictly unilateral disposition over owned resources** that is now on offer as its distinctive rationale, then **your policy of refusing entry unless I work for you must constitute a determinate intention as to what will happen on this land that I’ve got** to take as given in deciding myself whether to go and what to do there. **Because you are bent on keeping me off the land unless I work it for you I can advance my own purpose if and only if I now resolve to grow your crop. Your settled action compels me to take up what had been**, before I faced this choice of yours, **an alien purpose.**

3) Absolutist conceptions of property are conceptually contradictory – any occupation of space would be a violation of “rights.” **JULIUS[[36]](#footnote-36):** Think of the kind *occupying a space*. I’ll define this so that, for any small space and span of time, a person’s filling the space with her body during that span is an instance. **By occupying a space I hinder your entering it, or I hinder your staying there. My occupation hinders yours. This kind of action can’t be right**, then, **and the wrongness of your invading a space that I occupy is not to be explained by the fact that your invasion hinders my occupation of it.**

4) I control the internal link – until you resolve injustice, you cannot condemn redistribution as unethical. Especially true in the context of the Uganda, which has a history of exploitation and violence. **NOZICK[[37]](#footnote-37):** According to the entitlement conception of justice in holdings that we have presented, there is no argument based upon the first two principles for distributive justice, the principles of acquisition and of transfer, for such a more extensive state. If the set of holdings is properly generated, there is no argument for a more extensive state based upon distributive justice. (Nor, we have claimed, will the Lockean proviso actually provide occasion for a more extensive state.) If, however, these principles are violated, the principle of rectification comes into play. Perhaps it is best to view some patterned principles of distributive justice as rough rules of thumb meant to approximate the general results of applying the principle of rectification of injustice. For example, lacking much historical information, and **assuming** (i) **that victims of injustice generally do worse** than they otherwise would **and** (2) that **those from the least well-off group** in the society **have the highest probabilities of being the (descendants of)** victims of the most **serious injustice** who are owed compensation by those who benefited from the injustices (assumed to be those better off, though sometimes the perpetrators will be others in the worst-off group), **then a rough rule of thumb for rectifying** injustices **might** seem to **be** the following: **organize society** so as **to maximize the position of** whatever group ends up **least well-off** in the society. This particular example may well be implausible, but **an important question for each society will be** the following: **given** **its** particular **history**, **what** operable **rule** of thumb **best approximates the results of a detailed application in** that society of the principle of **rectification?** These issues are very complex and are best left to a full treatment of the principle of rectification. **In the absence of such a treatment applied to a particular society, one cannot use the** analysis and **theory** presented here **to condemn a**ny particular **scheme of transfer payments, unless it is clear that no considerations of rectification of injustice could apply to justify it**. Although to introduce socialism as the punishment for our sins would be to go too far, past injustices might be so great as to make necessary in the short run a more extensive state in order to rectify them. (231

5) Extend Kant - state based claims control the internal link – ensuring everyone is not subject to the choice of another requires a state to make those rights conclusive since otherwise they’re conflicting innate right claims and a lack of public assurance of reciprocity; people would not be self-legislating but subject to coercion by the more powerful.

6) Turn – restrictions of freedom-violators who use others are obligatory as hindering a hindrance. You’ve conceded the coercion evidence from the AC underview. **RIPSTEIN[[38]](#footnote-38):** Kant does not conceive of coercion in terms of threats, but instead as the limitation of freedom. As we saw, freedom in turn is understood as in- dependence from being constrained by the choice of another person. His examples of coercively enforceable obligations are drawn from the juridi- cal categories of Roman private law, and he was presumably aware, as are all students of that legal system, that it existed without a centralized en- forcement mechanism for private actions.35 His initial, and indeed para- digmatic, example of coercion is the right of a creditor to demand pay- ment from a debtor, a right to compel payment, not a right to punish nonpayment.This way of setting up the idea of coercion differs from the sanction theory in two key respects: what coercion is, and what can make it legiti- mate. First, it supposes that although threats are coercive, actions that do not involve threats can also be coercive. **An act is coercive if it subjects one person to the choice of another**. One person can be subjected to the choice of another either directly, **through acts, or** indirectly, through **threats of such acts**. Kidnapping, for example, typically includes a threat addressed to the victim’s family or business associates, but the wrong of kidnapping is constraining—coercing—another person, quite apart from the further wrong of extortion, that is, using the kidnapping to shape the conduct of third parties through threats. It is both artificial and mislead- ing to suggest that only the family members or business associates are co- erced, and no less so to suggest that kidnapping is only coercive if the victim is threatened directly. A more plausible view is that both victim and those who pay ransom are coerced, though in different ways, and that the direct use of force is the basic case of coercion.Second, Kant’s conception of **coercion judges** the legitimacy of **any** particular coercive **act not in terms of its effects but against the back- ground idea of a system of equal freedom**. That is, unlike Bentham, he begins with the concept of a rule, but **the rules** in question **govern the legitimate use of force in terms of reciprocal limits on freedom.** **Coercion is** objectionable where it is a hindrance to a person’s right to freedom, but **legitimate when it takes the form of hindering a hindrance to freedom. To stop you from interfering** with another person **upholds the other’s free- dom**. Using force to get the victim out of the kidnapper’s clutches involves coercion against the kidnapper, because it touches or threatens to touch him in order to advance a purpose, the freeing of the victim, to which he has not agreed. The use of force is rightful because an incident of the vic- tim’s antecedent right to be free. The kidnapper hinders the victim’s free- dom; forcibly freeing the victim hinders that hindrance, and in so doing upholds the victim’s freedom. In so doing, it also makes the kidnapper do what he should have done, that is, let the victim go, but **its rationale is that it upholds the victim’s right to be free**, not that it enforces the kidnapper’s obligation to release the victim. **The use of force** in this instance **is an in- stance of the victim’s right to independence**, and so is a consistent appli- cation of a system of equal freedom.If coercion is understood as justified if and only if it restricts a restric- tion on freedom, it does not need to be identified with a sanction. Aggres- sion is coercive; defensive force is also coercive. The latter is not a further wrong that requires a special justification; it is just the protection of the defender’s freedom. The person using defensive force is neither sanction- ing the aggressor nor carrying out a threat that was supposed to deter ag- gression. Kant’s claim that it is legitimate to use force to hinder hindrances to freedom thus incorporates his more general idea of a system of equal free- dom. He does not start with the idea that it is always wrong to restrict the choice of another person, and then struggle to show that doing so is sometimes outweighed on balance, in the way that Bentham, for example, thinks that causing pain is always bad but legitimate when outweighed by a greater good produced. Instead, **the initial hindrance of freedom is wrongful because inconsistent with a system of equal freedom; the act that cancels it is not a second wrong that mysteriously makes a right, be- cause the use of force is only wrongful if inconsistent with reciprocal lim- its on freedom. So force that restores freedom is just the restoration of the original right.**

7) no freedom violation – it’s not as though a person must hire more employees at a higher minimum wage – that’s their choice. Means the coercion of demanding more money is conditional at worst – it’s not made necessary by affirming, so you have no offense.

8) libertarian conceptions of freedom ignore the fact that economic liberty is by definition permitting some to be subject to others since might makes right. corporate America proves. **SALON[[39]](#footnote-39):** We’re told that “big government” is bad for many reasons, not the least of which is that it is too large to be responsive. But **if big governments are bad, why are big corporations so acceptable**? What’s more, these **massive institutions have been conducting an assault on the individual and collective freedoms of the** American **people** [for decades.](http://www.alternet.org/civil-liberties/goodbye-liberty-10-ways-americans-are-no-longer-free) **Why isn’t it important to avoid the creation of monopolies, duopolies and syndicates that interfere with the free market**’s ability to function?Libertarians are right about one thing: **Unchecked and undemocratic force is totalitarian.** **A totalitarian corporation**, or a totalitarian government acting in concert with corporations, **is at least as effective at suppressing the “spontaneous order” as a non-corporate totalitarian government**. *Does our libertarian recognize that large corporations are a threat to our freedoms?*

9) Nozick is just concerned about the way we understand individuals as ends. The concept of a benefit and burden assumes a utilitarian concept of ‘good’ arbitrarily thrust into a Kantian conception of ‘right’. The benefit and burden logic of harm and rights violation neglects the fundamental component of end-in-itself logic. **RIPSTEIN[[40]](#footnote-40):** Even **contemporary “rights-based” accounts** of justice **frame their questions in terms of benefits in burdens in a way that Kant rejects**. For example, **after invoking Kant’s idea that people are never to be treated as mere means** in pursuit of the purposes of others, Robert **Nozick proceeds to frame his account of rights in terms of benefits and burdens**. **His theory of property rests on the claim that appropriation does not disadvantage others**, **and his theory** **of** the **state** rests **on** a theory of **compensation** which makes the negative experience of fear the basis of prohibition, and the disadvantage of being prohibited from doing as you wish as generating a basis of compensation. Each of these is **measured in terms of its welfare effects**. See Nozick, Anarchy, State and Utopia (New York: Basic Books, 1974), 32–33, 178–182, 71–87.

1ar versus pity turns:

If one has an obligation to provide a living wage for reasons other than pity one has an obligation to provide a living wage simpliciter as a component of that statement. You to have a really strong reason to think normal means of the plan is to act out of pity, and its not clear that that is the case given how hard it is to isolate intentionality in government action.

germany states kantian:

It’s definitely possible for a state to be Kantian. Germany proves. **RIPSTEIN:[[41]](#footnote-41)**

Strictly speaking, the right to dignity is not an enumerated right in the German Basic Law, but the organizing principle under which all enumerated rights—ranging from life and security of the person through freedom of expression, movement, association, and employ- ment and the right to a fair trial to equality before the law—are organized. It appears as Art. I.1: “Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.” Art. I.3 explains that the enumerated rights follow: “The following basic rights shall bind the legislature, the executive, and the judiciary as directly applicable law.” Other, enumerated rights are subject to proportionality analysis, through which they can be restricted in light of each other so as to give effect to a consistent system of rights. The right to dignity is the basis of the state’s power to legislate and so is not subject to any limitation, even in light of the enumerated rights falling under it, because—to put it in explicitly Kantian terms—citizens could not give themselves a law that turned them into mere objects.

NSD framework justifications:

Ethics must be a priori. **JOHNSON[[42]](#footnote-42):** Moral requirements present themselves as being *absolutely necessary*. But an *a posteriori* method seems ill-suited to discovering and establishing what we *must* do; surely it will only tell us what we *actually* do. So an *a posteriori* method of seeking out and establishing the principle that generates such requirements will not support the presentation of moral ‘ought’ as necessities. Kant argued that empirical observations could only deliver conclusions about, for instance, the relative advantages of moral behavior in various circumstances or how pleasing it might be in our own eyes or the eyes of others. Such findings clearly would not support the absolute necessity of moral requirements. To appeal to *a posteriori* considerations would thus result in a tainted conception of moral requirements. It would view them as demands for which compliance is not absolutely necessary, but rather necessary only if additional considerations show it to be advantageous, optimific or in some other way felicitous. Thus, Kant argued that if moral philosophy is to guard against undermining the absolute necessity of obligation in its analysis and defense of moral thought, it must be carried out entirely *a priori*.

Normative theories must flow from reasoning via a priori categories from the world; natural facts aren’t normative since they only show what is. **KANT:[[43]](#footnote-43)** We have therefore wanted to say that all our intuition is nothing but the representation of appearance; that the things that we intuit are not in themselves what we intuit them to be, nor are their relations so constituted in themselves as they appear to us; and that if we remove our own subject or even only the subjective constitution of the senses in general, then all constitution, all relations of objects in space and time, indeed space and time themselves would disappear, and as appearances they objects cannot exist in themselves, but only in us. What may be the case with objects in themselves and abstracted from all this receptivity of our sensibility remains entirely unknown to us. We are acquainted with nothing except our way of perceiving them, which is peculiar to us, and which therefore does not necessarily pertain to every being, though to be sure it pertains to every human being.

This takes out standards that claim the good is something analyzable as a material entity since we cannot know the world in itself. Optical illusions escape us because senses work on convenience, not accuracy. Morals must be a priori. Otherwise a) it can’t be prescriptive and b) is consistent with the structure of action. **KANT (2)**: 9 It is in this manner, undoubtedly, that we are to understand those passages of Scripture also in which we are commanded to love our neighbour, even our enemy. For love, as an affection, cannot be commanded, but beneficence for duty’s sake may; even though we are not impelled to it by any inclination- nay, are even repelled by a natural and unconquerable aversion. This is practical love and not pathological- a love which is seated in the will, and not in the propensions of sense- in principles of action and not of tender sympathy; and it is this love alone which can be commanded. 10 The second proposition is: That an action done from duty derives its moral worth, not from the purpose which is to be attained by it, but from the maxim by which it is determined, and therefore does not depend on the realization of the object of the action, but merely on the principle of volition by which the action has taken place, without regard to any object of desire. It is clear from what precedes that the purposes which we may have in view in our actions, or their effects regarded as ends and springs of the will, cannot give to actions any unconditional or moral worth. In what, then, can their worth lie, if it is not to consist in the will and in reference to its expected effect? It cannot lie anywhere but in the principle of the will without regard to the ends which can be attained by the action. For because the will stands between its a priori principle, which is formal, and its a posteriori spring, which is material, as between two roads, and could only as it must be determined by something, it must be determined by the formal principle of volition when an action is done from duty, in which case every material principle has been withdrawn from it.

Since the structure of reason exists independent of empirical circumstances, maxims must be universal since a reason for a rational agent is a reason for every rational agent.

A priori reason works – mathematical proofs and pure science shows it’s possible and creates certainty. A posteori concepts rely on assumptions like X is X, but that uses a priori reason. Free activity consists of choosing among possibilities through which I determine who I am. An individual can transition from who it might be to who it *is* by setting an end, acting upon a reason for making the transition, and actualizing the end. But reason cannot account for itself alone; having a concept of agency requires seeing it externally. **WOOD[[44]](#footnote-44):** The whole point of the summons, in fact, is that it is what first makes our individuality possible for us, through present[s] us with the concept of our own individual free action in the form of an object of our consciousness. I think Fichte chooses the term Aufforderung because its meaning is delicately balanced between the idea of something we merely can do and the idea of something we should do, or at least have some reason to do. What is clear, however, is that it cannot mean something we are compelled to do or have no choice about doing. Thus if the translation ‘summons’ suggests legal coercion, then that is positively misleading as to Fichte’s meaning. The decisive difference here is between an object that merely restricts our freedom and an object that makes freedom possible. This for Fichte is what is most basic to distinguishing the concept of another I from the concept of the mere not-I (the material world). The not-I resists our ends or may be brought into conformity with them. It may compel us to take one means to them rather than another, or it may make them impossible. But it cannot be the source from which we draw the concept of those ends. A summons, however, is precisely an object of consciousness which makes the concept of an end possible. How can a summons, in this sense, be considered a transcendental condition of free activity? We have seen that Fichte describes the summons as “contain[ing] within itself the real ground of a free decision” (GA 4:2:179). To act freely, on this conception, is to act in response to grounds or reasons. Reasons have the peculiarity that they are the only possible determinant of what we do that does not compel or causally necessitate what we do, or restrict in any way the possibilities we have open to us. A good reason explains why I do what I have reason to do, but never takes away from me the possibility of doing otherwise. In fact, it makes sense as a reason only as long as this possibility exists. Accordingly, there are two fundamentally different ways that facts in the world might be given to us as agents: first, there are facts that causally necessitate what we do, restricting our freedom to do otherwise; second, there are [or] facts that determine what we do by presenting themselves as reasons for acting. I think Fichte was struck by the fundamental importance of this difference, and inferred from it that there must be something quite distinctive about the way that facts are given to us as reasons. His bold thought is that such facts can be given to us only through a distinctive kind of not-I that we regard as containing within itself the understanding of a reason, and hence free activity – in other words, through a not-I that is itself an I, namely, an I other than my own I. Only another rational being would be capable of [have] the concept of a free action and a ground or reason for free action. This is in fact the claim through which Fichte establishes this part of his argument. “I could therefore find a certain self-determination only through ideal activity; through imitation of one that is present at hand, and present at hand without my doing (Zuthun)…I cannot comprehend this summons to self-activity without ascribing it to an actual being outside me that wills to communicate[s] a concept of the action demanded, and hence is capable of the concept of that concept; but such a being is a rational being, one that posits itself as an I, hence an I” (SW 4:220-221). At times Fichte gives this last point what we may call a genetic presentation: Being an individual I, placing before oneself an end, is something a rational being must be educated to do, through the influence of another rational being. “A human being becomes a human being only among human beings.” Freedom is possible only through upbringing (Erziehung) through the influence of other free beings (SW 3:39-40; cf. SW 4:221). The summons [is] should be understood as that kind of object through which something like a reason for a free action can first be given to us. Fichte’s argument is that application of the concept of another I is the transcendental condition for the possibility of our awareness of a reason for acting. “It follows that if there are to be human beings at all, there must be more than one…The concept of a human being is not the concept of an individual – for an individual human being is unthinkable – but rather the concept of a species” (SW 3:39). “Self-consciousness therefore originates with my act of selection from a general mass of rational beings as such…[A free individual] subsists only in the whole, and by means of the whole, as a portion of the whole” (GA 4:2:177). Acting rationally, even acting autonomously, in other words, is not something a human being could do alone. Autonomy thus consists not in rejecting the influence of others, but in being influenced by others in the right way. Education, and being given reasons for action constitute an essentially different way of being influenced by the world from any merely causal influence, through which one may be coerced, or manipulated, or conditioned to behave, but not enabled to act freely or autonomously. If we embrace some conception of mind and action that cannot distinguish what Fichte calls a ‘summons’ from being causally influenced in general, then we should not expect to understand human freedom or rational action at all. Fichte’s argument implies that those who think of human individuality and freedom as somehow distinct from, or even in opposition to, human community, understand neither the nature of individual freedom nor the nature of community. Fichte’s view here, if correct, would also have some important implications for our conceptions of reason and rationality. Giving oneself a reason for acting is derivative from being given a reason by others and from giving others a reason. Giving others a reason is the internalization of being given a reason by another, and giving oneself a reason is only an application to oneself of giving others a reason. Just as the nature of a mental state is not known exclusively by its owner, so a reason for me is not something answerable only to my perspective. Kant is right that rational thinking is thinking for yourself, but also from the standpoint of everyone else.5 It follows that there is something fundamentally wrongheaded about developing conceptions of rationality that are oriented exclusively to the agent’s standpoint (the agent’s desires, beliefs and preferences). The ideally rational person cannot therefore be conceived of (as often seems to happen in the theories of rational choice theorists, game theorists, and economists) as a calculating sociopath with a gambling addiction.

The conclusion is that ascribing agency involves ascribing the same capacity to other rational beings since intersubjectivity is a precondition to actualizing myself. There can be no objection to deny another’s freedom since they possess the same right and that would deny my worth. Since the structure of reason exists independent of particulars, maxims must be universal since a reason for a rational agent is a reason for every rational agent. I justify an action, I must justify someone doing that action towards me. **The standard is consistency with universal reason.**

Even if we have different roles, the identity can never shake is human identity. Rational willing is the ultimate end because no practical identity gets meaning but for the capacity for rational choice*.* Rational willing creates unconditional value, not aggregative. **HERMAN:[[45]](#footnote-45)** Two things follow from locating unconditioned goodness in the good will: (1) the goodness of the good will is in its willing, not in the effects it brings about, and (2) the goodness in willing derives from the relation of the will (through its principle) to practical reason. I take these claims to single the introduction of a set of distinctive assumptions about the nature of value. The domain of “the good” is rational activity and agency: that is, willing. Objects and events are not possible bearers and do not have value. They can be thought of as good only insofar as they are possible ends of rational willing. They are judged good just in case the determination to act for them (here and in this way and for this purpose) is good. Actions as events (as effects of willing) cannot be the object of moral or practical assessment. Actions are called good because of the manner in which they are willed. Faculties and states of character are said to be good just in case they are conducive to action or choice judged to be good as willed. Reflection on pretheoretical intuitions about standard examples is to confirm this. The two claims thus mark out a meta-physics of value. The activity of rational willing brings value into a world that, absent rational beings, could have none. Each agent, insofar as she is rational acts in ways she takes to be (in some sense) good. She acts with and from the belief that her choices and reasons for choosing are good. Choices and reasons for choosing are good if and only if they are justified. The analytic task of the metaphysics of value (and by inclusion the metaphysics of morals) is to provide the principles and standards of justification for willings. This is the program of the second chapter of the Groundwork, worked out in the apparatus of imperatives and principles of practical rationality.

Observations:

1. The only internal constraint on agency is a principle of non-contradiction—since what is contradictory, like a round triangle, cannot be thought. Also preempts aggregation since some action cannot result in *more* of a contradiction than any other since one cannot sum together logical inconsistency – it’s either coherent or incoherent. This non-contradiction is a universal character of anything conscious, so it’s the basic constraint on all actions. And action theory is the highest layer on the framework debate. Even if the NEG showed negating was good, you still could never take that action or even be coherent.

2. The only constraint on agency is non-contradiction—what is contradictory, like a round triangle, cannot be thought. Preempts aggregation since actions cannot result in more of a contradiction than other. Even if negating was good, you could never take that action coherently.

3. Solves skep. You can ask why into regress. But they can’t ask why reason because that’s a closed question. If I gave you a reason to act for reasons, I’d answer your question meaning you already do act for reasons. Means rational agency is transcendental condition for any moral justification.

4. The AC should be a normative default. If you’re unsure what the good is, preserve freedom since it permits everyone to pursue their own conception of the good.

5. Intent-based frameworks are the only way to unify action. If I’m baking cookies, mixing ingredients, rolling dough and baking them in the oven are separate actions that are given meaning by their relation to the end – otherwise our actions are meaningless and random. You must provide another account of action to make a comparative response.

6. Arguments that empirically agents will certain ends don’t matter because they don’t prove a contradiction, since the agent could avoid it by giving up that contingent end. Mindsets or states of affairs do not matter – considerations of whether people will implement in a certain way should not be relevant to how a state ought to or needs to form a conception of what is right. The state doesn’t need to use those mindsets to justify their course of action.

Without standards derived from action it would be impossible to explain how it could put the agent under obligation to act. Agents can ask why they should conform to reasons but an internal standard of action must be met. The agent must decide to pursue their end – otherwise they’d decide that they both should and shouldn’t do A, but this wouldn’t justify action. Willing compatible ends requires willing consistently with independence from others. In willing any end, you hold yourself capable of bringing about the end, so you will that you be able to pursue it free from others’ choice, which means equal freedom. This a) means that my conceptualization o/w on probability since other theories assume a will which already has certain ends attached b) otherwise every effect would be included in an action, practical reasoning would be impossible because its scope would extend to every occurrence ever.

Every individual has a unilateral will that desires certain ends. Agents must care that they have the means to achieve their ends because otherwise the notion of pursuing an end would be incoherent since agents would be indifferent to whether their ends are actually achieved. Since the ends of different agents will inevitably conflict and obstruct the means of others’, there must be a way to balance these ends. In so far as an agent has an end, they necessarily have an end to ensure a system of equal freedom because only in this way can everybody’s ends be fulfilled.

We must have an omnilateral will to prevent one person’s will from dominating another since it’s a contradiction by willing a world where the will is denied or clashing without resolution. All claims are provisional until brought under public right. Since no person would be allowed to willfully restrict their own ability to pursue purposes in entering a rightful condition, the state cannot violate anyone and must preserve equal freedom. **KANT (3):** When I declare (by word or deed), “I will that an external thing shall be mine,” I thereby declare it obligatory for everyone else to refrain from using the object of my will.  This is an obligation that no one would have apart from this juridical act of mine.  Included in this claim, however, is an acknowledgment of being and that I’m reciprocally bound to everyone else to exercise a similar and equal restraint with respect to what is theirs. The obligation involved here comes from a universal rule of the external juridical relationship that is, the civil society.  Consequently, I am not bound to leave what is another’s property untouched if everyone else does not in turn guarantee to me [they] with regard to what is mine that he will act in accordance with exactly the same principle. This guarantee does not require a special juridical act, but is already contained in the concept of being externally juridically bound to a duty Verpflichtung on account of the universality and hence also the reciprocity of an obligation coming from a universal rule. Now, with respect to an external and contingent possession, a unilateral Will cannot serve as a coercive law for everyone, since that would be a violation of freedom in accordance with universal laws.  Therefore, only a Will binding everyone else—that is, collective universal (common), and powerful Will—is the kind of Will that can provide the guarantee required.  The condition of being subject to general external (that is, public legislation that is backed by power is the civil society. Accordingly, a thing can be externally yours or mind only in a civil society.

The AC hijacks any NC framework and operates as offense under it because only an omnilateral will can protect rights. If we deviate from what an omnilateral will ought to do, we create infinite rights violations even under the NC's conception of what a right is. **RIPSTEIN**[[46]](#footnote-46)furthers on the obligation of states: Powers exercised within a rightful condition provide the omnilateral will required to repair each of the three defects in a state of nature. Public acts are omnilateral because they are not any particular person’s unilateral choice, but instead are exercised on behalf of the citizens considered as a collective body. They are also omnilateral in a further sense: a unilateral will always has some particular end, some matter of choice. The omnilateral will is different, because all that it provides is a form of choice, by providing procedures through which laws can be made, applied, and enforced. To return to Kant’s initial example, when the state authorizes the acquisition of private property, it does not make the having of property, or the accumulation of wealth, its purpose. Its purpose is to enable individual human beings to have things as their own as against each other, in accordance with the postulate of private right. When the state acts to sustain a rightful condition, in the ways to be discussed in Chapters 8 and 9, it does not have the happiness of its citizens or the gross national product as its end; it only acts to preserve the formal conditions through which people can rule themselves. And when the state punishes criminals, the topic of Chapter 10, it does not do so to prevent harm or to see to it that wrongdoers get what they deserve. It simply upholds the supremacy of its own law.

korsgaard specific justifications:

We need to unify ourselves according to principles. **KORGAARD[[47]](#footnote-47):** Still, Parfit might reply that all this concedes his point about the insignificance of personal identity. The idea that persons are unified as agents shares with Reductionism the implication that personal identity is not very deep. If personal identity is just a prerequisite for coordinating action and carrying out plans, individual human beings do not have to be its possessors. We could, for instance, always act in groups. The answer to this is surely that for many purposes we do; there are agents of different sizes in the world. Whenever some group wants or needs to act as a unit, it must form itself into a sort of person: a legal person, say, or a corporation. Parfit himself likes to compare the unity of persons to the unity of nations. A nation, like a person, exists, but it does not amount to anything more than "the existence of its citizens, living together in certain ways, on its territory." (211-212) In a similar way, he suggests, a person just amounts to "the existence of a brain and body, and the occurrence of a series of interrelated physical and mental events." (211) On the view I am advancing, a better comparison would be the state. I am using "nation" here, as Parfit does, for an historical or ethnic entity, naturalistically defined by shared history and traditions; a state, by contrast, is a moral or formal entity, defined by its constitution and deliberative procedures. A state is not merely a group of citizens living on a shared territory. We have a state only where these citizens have constituted themselves into a single agent. They have, that is, adopted a way of resolving conflicts, making decisions, interacting with other states, and planning together for an ongoing future. For a group of citizens to view themselves as a state, or for us to view them as one, we do not need to posit the state as a separately existing entity. All we need is to grant an authoritative status to certain choices and decisions made by certain citizens or bodies, as its legislative voice. Obviously, a state is not a deep metaphysical entity underlying a nation, but rather something a nation can make of itself. Yet the identity of states, for practical reasons, must be regarded and treated as more determinate than the identity of nations. But the pragmatic character of the reasons for agent unification does not show that the resulting agencies are not really necessary. Pragmatic necessity can be overwhelming. When a group of human beings occupy the same territory, for instance, we have an imperative need to form a unified state. And when a group of psychological functions occupy the same human body, they have an even more imperative need to become a unified person. This is why the human body must be conceived as a unified agent. As things stand, it is the basic kind of agent.

Humans have intrinsic worth; key to avoid relativism. **KORSGAARD[[48]](#footnote-48):** This is just a fancy new model of an argument that first appeared in a much simpler form, Kant’s argument for his Formula of Humanity. The form of relativism with which Kant began was the most elementary one we encounter - the relativity of value to human desires and interests. He started from the fact that when we make a choice we must regard its object as good. His point is the one I have been making - that being human we must endorse our impulses before we can act on them. Kant asked what it is that makes these objects good, and, rejecting one form of realism, he decided that the goodness was not in the objects themselves. Were it not for our desires and inclinations, we would not find their objects good. Kant saw that we take things to be important because they are important to us - and he concluded that we must therefore take ourselves to be important. In this way, the value of humanity itself is implicit in every human choice.15 If normative skepticism is to be avoided - if there is any such thing as a reason for action - then humanity as the source of all reasons and values must be valued for its own sake.16 The point I want to make now is the same. In this lecture I have offered an account of the source of normativity. I have argued that a human being is an animal who needs a practical conception of her own identity, a conception of who she is that is normative for her. Otherwise she could have no reasons to act, and since she is reflective she needs reasons to act. But you are a human being and so if you believe my argument you can now see that this is your identity. You are an animal of the sort I have just described. And that is not merely a contingent conception of your identity, which you have constructed or chosen for yourself or could conceivably reject. It is simply the truth. Now that you see that your need to have a normative conception of yourself comes from the sort of animal you are, you can ask whether it really matters whether animals of this kind conform to their normative practical identities. Does it really matter what human beings do? And here you have no option but to say yes. Since you are human you must take something to be normative, that is, some conception of practical identity must be normative for you. If you had no normative conception of your identity, you could have no reasons for action, and because your consciousness is reflective, you could then not act at all. Since you cannot act without reasons and your humanity is the source of your reasons, you must endorse your own humanity if you are to act at all. It follows from this argument that human beings are valuable. Enlightenment morality is true.

Any conception of epistemology assumes the force of public reasons. **KORSGAARD[[49]](#footnote-49):**

Unless we conform our beliefs to logical and rational principles, our minds themselves are a mere heap of unrelated ideas or theses. And a mere heap of unrelated ideas or theses is not about anything, and therefore cannot count itself as thinking about anything or knowing anything. So our conception of ourselves as possible knowers of a[n external] world independent of our minds, a world that we can think about, depends on our idea of [entails] the world itself as some-thing of which we might possibly form a unified conception [of]. This explains, to take one example, why we have to take theoretical reasons to be both universal and what I call “public,” or agent-neutral, in their normative force—why that is a rational requirement. If you are to think of your experience [is] as a perception [that lets you] of an object, and perception as a way of knowing that object, then you have to think that, suitably situated, another perceiver with the same sort of perceptual equipment would be having that experience too. Now you might ask, if I am constructing a conception of the world, couldn’t I just construct a world that was my world, which only existed for me and nobody else? But the answer is no, because if you are to think of your experience as perception of an object, and perception as a way of knowing that object, then you have to think that if you were to come back to the same place tomorrow, and nothing had changed in the meantime, you would have the same experience again. And that is the same thought as [would] the thought that if another perceiver were suitably situated, he would have the same experience: both scenarios, after all, just involve a change of position. If you cannot have that thought—that if you come back to the same place later, and nothing has changed, you will have the same experience again—then you cannot think of your experience as perception of an object, and of yourself as the knower of that object, and your mind shatters into a mere heap of unrelated experiences. It follows that if you are to take “I saw it” as a reason to believe it, you must take it as [having] a reason with universal and agent-neutral or “public” normative force. So it is not that we know in advance, somehow, that the world conforms to the principles of theoretical reason, and we should therefore expect true beliefs to do so as well. Rather, that the world conforms to the principles of theoretical reason is a presupposition of the world’s being the sort of place we can think about and know about at all.

The volitional nature of agency mandates that reason be universalized to other persons. **KORSGAARD[[50]](#footnote-50):** But what, if anything, compels us to view reasons as public and universal in this way?15 In my view, part of the answer lies in the role of universal principles in unifying and therefore constituting the will or the self, the role played in Frankfurt’s view by caring. And if the self is constituted by volition, it cannot be assumed to exist in advance of volition. When I will to go to the dentist on the day of my appointment, I cannot be willing a law that my future self should go to the dentist, for whether I have a future self depends on whether that law and others like it are obeyed. If that law and others like it are not obeyed, then my body is, in Frankfurt’s terms, not that of a person but that of a wanton without a self, and no person has disobeyed my law. So I must be willing that an agent characterized in some other way—perhaps as the future conscious subject of my body—should go to the dentist. Minimally, this shows that any maxim that I will must universalize over some group more inclusive than my present conscious self, and that the normative force of the reason I legislate should be public and shared between me (my present conscious self ) and the members of that group.16 Perhaps it is only all the future conscious subjects of my body, but we need some reason why that and only that should be the relevant group, and some of the possible answers to that question suggest that the group should be more inclusive still. For instance, one possible answer is that I must interact cooperatively with the future conscious subjects of my body if I am to carry any of my projects out. But of course it may also be argued that I must interact cooperatively with other rational agents as well, for unless others respect my reasons and I respect theirs, we are apt to get in each other’s way.17 So it begins to look as if I must will universally and publicly— that is, will reasons I can share, not only with the future conscious subjects of my body, but with all rational beings, or at least all with whom I must interact. In any case, I cannot coherently regard my reasons as applying merely to myself. And there may be the beginnings of a route to morality.

But human beings’ ability to rationally self-reflect is how we derive all forms of reason and value. **KORSGAARD:[[51]](#footnote-51)** And this sets us a problem no other animal has. It is the problem of the normative. For our capacity to turn our attention onto our own mental activities is also a capacity to distance ourselves from them and to call them into question. I perceive, and I find myself with a powerful impulse to believe. But I back up and bring that impulse into view and then I have a certain distance. Now the impulse doesn’t dominate me and now I have a problem. Shall I believe? Is this perception really a *reason* to believe? I desire and I find myself with a powerful impulse to act. But I back up and bring that impulse into view and then I have a certain distance. Now the impulse doesn’t dominate me and now I have a problem. Shall I act? Is this desire really a *reason* to act? The reflective mind cannot settle for perception and desire, not just as such. It needs a *reason.* Otherwise, at least as long as it reflects, it cannot commit itself or go forward. If the problem springs from reflection then the solution must do so as well. If the problem is that our perceptions and desires might not withstand reflective scrutiny, then the solution is that they might. We need reasons because our impulses must be able to withstand reflective scrutiny. We have reasons if they do. The normative word “reason” refers to a kind of reflective success. If “good” and “right” are also taken to be intrinsically normative words then they too must refer to reflective success. And they do. Think of what they mean when we use them as *exclamations:* “Good!” “Right!” There they mean: I’m satisfied, I’m happy, I’m committed, you’ve convinced me, let’s go. They mean the work of reflection is done.

And, proper understanding of the world around us first requires a unified conception of the world, which only practical reason allows. **KORSGAARD:[[52]](#footnote-52)** The parallel point about theoretical reason comes in two steps. First of all, unity is needed for our conception of the world, because the business, the function, of a conception of the world is to enable you to find your way around in it and to act effectively in it. In order to conceive the world as the sort of place in which you can find your way around and act effectively, you have to conceive of the world it as a unified place. What that means is that so that the relations between the various things in the world can be traced and established. If we can say nothing about how two things or events or regions of space-time are related to each other, we cannot think of them as parts of a single unified world. If we cannot trace causal relations, in particular, we cannot act effectively, since we cannot take means to our ends. So it is the business of a conception of the world to establish these various relations. Further argument is required, of course, but I suppose that we may think of the relations in question as logical, spatiotemporal, and causal. Speaking very roughly, these are the relations established by the principles of logic and what Kant thought of as the a priori principles of the understanding. But – and this is the second step - in unifying our conception of the world, we are also unifying our minds themselves, and unifying them in a way that makes us the agents of that conception – that is, in a way that makes us active knowers. This is because the unity of the mind and the unity of its object are interdependent. Unless we conform our beliefs to logical and rational principles, our minds themselves are a mere heap of unrelated ideas that cannot really qualify as beliefs. A mere heap of unrelated ideas is not about anything, and therefore cannot count itself as thinking about anything or knowing anything.

random framework justifications:

Principles of reason unify our personhood. **LEWIS[[53]](#footnote-53):** The relations which arise at that frontier are indeed of a most complicated and intimate sort. That spearhead of the Supernatural which I call my reason links up with all my natural contents—my sensations, emotions, and the like—so completely that I call the mixture by the single word ‘me’. Again, there is what I have called the unsymmetrical character of the frontier relations. When the physical state of the brain dominates my thinking, it produces only disorder. But my brain does not become any less a brain when it is dominated by Reason: nor do my emotions and sensations become any the less emotions and sensations. Reason saves and strengthens my whole system, psychological and physical, whereas that whole system, by rebelling against Reason, destroys both Reason and itself. The military metaphor of a spearhead was apparently ill-chosen. The supernatural Reason enters my natural being not like a weapon— more like a beam of light which illuminates or a principle of organisation which unifies and develops. Our whole picture of Nature being ‘invaded’ (as if by a foreign enemy) was wrong. When we actually examine one of these invasions it looks much more like the arrival of a king among his own subjects or a mahout visiting his own elephant. The elephant may run amuck, Nature may be rebellious. But from observing what happens when Nature obeys it is almost impossible not to conclude that it is her very ‘nature’ to be a subject. All happens as if she had been designed for that very role.

Duty and respect for moral law. **JOHNSON[[54]](#footnote-54):** According to Kant, what is singular about motivation by duty is that it consists of bare respect for lawfulness. What naturally comes to mind is this: Duties are created by rules or laws of some sort. For instance, the bylaws of a club lay down duties for its officers. City and state laws establish the duties of citizens. Thus, if we do something because it is our ‘civic’ duty, or our duty ‘as a boy scout’ or ‘a good American’, our motivation is respect for the code that makes it our duty. Thinking we are duty bound is simply respecting certain laws pertaining to us. However intuitive, this cannot be all of Kant's meaning. For one thing, as with the Jim Crow laws of the old South and the Nuremberg laws of Nazi Germany, the laws to which these types of ‘actions from duty’ conform may be morally despicable. Respect for such laws could hardly be thought valuable. For another, our motive in conforming our actions to civic and other laws is never unconditional respect. We also have an eye toward doing our part in maintaining civil or social order, toward punishments or loss of standing and reputation in violating such laws, and other outcomes of lawful behavior. Indeed, we respect these laws to the degree, but only to the degree, that they do not violate values, laws or principles we hold more dear. Yet Kant thinks in acting from duty that we are not at all motivated by a prospective outcome or some other extrinsic feature of our conduct. We are motivated by the mere conformity of our will to law as such. What, then, is the difference between being motivated by a sense of duty in the ordinary sense, and being motivated by duty in Kant's sense? It is, presumably, this: Motivation by duty is motivation by our respect for whatever law it is that makes our action a duty. But we can rationally ‘opt out’ of our membership in the city, state, club or any other social arrangement and its laws — for instance, by quitting the club or expatriating. Those laws only apply to us given we don't rationally decide to opt out, given the opportunity. Our respect for the laws guiding us is qualified, in the sense that the thought that the law gives us a duty is compelling only if there is no law we respect more that conflicts with it: My respect for the laws of my club guides my action only insofar as those laws do not require me to violate city ordinances. But my respect for city ordinance guides me only insofar as they do not require me to violate federal law. And so on. Eventually, however, we will come to laws that apply to us simply as members of the ‘club’ of rational agents, so to speak, as beings who are capable of guiding their own behavior on the basis of directives, principles and laws of rationality. We cannot choose to lay aside our ‘membership’ in the category of such beings, or at least it is unclear what the status of such a choice would be. So, suppose that there is some law prescribing what any rational agent must do. Then we have an idea of a duty that we cannot rationally opt out of. When we do something because it is our moral duty, Kant argued, we are motivated by the thought that, insofar as we are rational beings, we must act only as this fundamental law of (practical) reason prescribes, a law that would prescribe how any rational being in our circumstances should act. Whatever else such a law might be, it is, in virtue of being a principle of reason, true of all rational agents. My respect for such a law is thus not qualified: my respect for the laws of my club, city, constitution or religion guides me in practical affairs only insofar as they do not require me to violate laws laid down by my own practical reason, but my respect for the deliverances of my own reason does not depend on whether it requires me to violate the former sorts of laws. In this case, it is respect for (rational) lawfulness as such guides me. The forgoing line of argument reveals a distinctive aspect of Kant's approach: his account of the content of moral requirements and the nature of moral reasoning is based on his analysis of the unique force moral considerations have as reasons to act. The force of moral requirements as reasons is that we cannot ignore them no matter how circumstances might conspire against any other consideration. Since they retain their reason-giving force under any circumstance, they have universal validity. So, whatever else may be said of moral requirements, their content is universal. Only a universal law could be the content of a requirement that has the reason-giving force of morality. This brings Kant to a preliminary formulation of the CI: ‘I ought never to act except in such a way that I could also will that my maxim should become a universal law’ (4:402). This is the principle which motivates a good will, and which Kant holds to be the fundamental principle of all of morality.

Practical reason helps unify our conception of the world. **VELLEMAN[[55]](#footnote-55):** The value of being a person in the present context is precisely that of attaining a perspective that transcends that of your current, momentary self. Right now, you would rather sleep than swim, but you also know that if you roll over and sleep, you will wake up wishing that you had swum instead. Your impulse to decide on the basis of reasons is, at bottom, an impulse to transcend these momentary points-of-view, by attaining a single, constant perspective that can subsume both of them. It’s like the impulse to attain a higher vantage point that overlooks the restricted standpoints on the ground below. This higher vantage point is neither your current perspective of wanting to sleep, nor your later perspective of wishing you had swum, but a timeless perspective from which you can reflect on now-wanting-this and later-wishing-that, a perspective from which you can attach constant practical implications to these considerations and come to a stable, all-things-considered judgment. If you want to imagine what it would be like never to attain a continuing point-of-view, imagine being a cat. A cat feels like going out and meows to go out; feels like coming in and meows to come in; feels like going out again and meows to go out; and so on, all day long. The cat cannot think, “I have things to do outside and things to do inside, so how should I organize my day?” But when you, a person, find yourself to-ing and fro-ing in this manner, you feel an impulse to find a constant perspective on the question when you should “to” and when you should “fro.”

Practical reason helps unify our conception of the world – the human capacity for self-reflection makes us seek transcendental reasons. **VELLEMAN[[56]](#footnote-56):** The value of being a person in the present context is precisely that of attaining a perspective that transcends that of your current, momentary self. Right now, you would rather sleep than swim, but you also know that if you roll over and sleep, you will wake up wishing that you had swum instead. Your impulse to decide on the basis of reasons is, at bottom, an impulse to transcend these momentary points-of-view, by attaining a single, constant perspective that can subsume both of them. It’s like the impulse to attain a higher vantage point that overlooks the restricted standpoints on the ground below. This higher vantage point is neither your current perspective of wanting to sleep, nor your later perspective of wishing you had swum, but a timeless perspective from which you can reflect on now-wanting-this and later-wishing-that, a perspective from which you can attach constant practical implications to these considerations and come to a stable, all-things-considered judgment. If you want to imagine what it would be like never to attain a continuing point-of-view, imagine being a cat. A cat feels like going out and meows to go out; feels like coming in and meows to come in; feels like going out again and meows to go out; and so on, all day long. The cat cannot think, “I have things to do outside and things to do inside, so how should I organize my day?” But when you, a person, find yourself to-ing and fro-ing in this manner, you feel an impulse to find a constant perspective on the question when you should “to” and when you should “fro.”

This is also an independent warrant for Kantianism. If an agent regards their purpose as important, they must regard the means required to that purpose as important, one of which is freedom to act. To deny that freedom to act for purposes is important would be to deny the purpose was important. An agent must view themselves as having a right to freedom since one condition of maintaining one’s own freedom is that other agents do not violate your freedom. If one willed the right to freedom existed only under certain conditions, lacking those conditions would mean lacking the right to freedom but since any purposive agent must always view themselves as having freedom any restrictive condition on other people’s freedom is incoherent. Being an agent generates these rights rather than a particular agent.

Reason is a transcendental condition of all further argumentation – you can’t step outside of reason since it is the only thing that is not regressive. **LEWIS:[[57]](#footnote-57)** But the very attempt is absurd. This is best seen if we consider the humblest and almost the most despairing form in which it could be made. The Naturalist might say, “Well, perhaps we cannot exactly see – not yet – how natural selection would turn sub-rational mental behavior into inferences that reach truth. But we are certain this fact has happened. For natural selection is bound to preserve and increase useful behavior. And we also find that your habits of inference are in fact useful. And if they are useful they must reach truth.” But notice what we are doing. Inference itself is on trial: that is, the Naturalist an account of what we though to be our inferences which suggest they are not real insights at all. We, and he, want to be reassured. And the reassurance turns out to be one more inference (if useful, then true) – as if this inference were not, once we accept the evolutionary picture, under the same suspicion as all the rest. If value of our reasoning is in doubt, you cannot try to establish it by reasoning. If, as I said above, a proof that there are no proofs is nonsensical, so is a proof there are proofs. Reasons is our starting point. There can be no question of attacking or defending it. If by treating it as a mere phenomenon you put yourself outside it, there is then no way, except by begging the question, of getting inside again.

The principles of logic and reason are inescapable. **VELLEMAN[[58]](#footnote-58):** Consider the hypothetical requirement “If you want to punch someone in the nose, you have to make a fist.” One way in which you might escape the force of this requirement is by not wanting to punch anyone in the nose. But there is also another way. Even if you find yourself wanting to punch someone in the nose, you may regard that desire as nothing more than a passing fit of temper and hence as providing no reason for you to throw a punch. You will then regard your desire as lacking authority over you, in the sense that it shouldn’t influence your choice of what to do. The mere psychological fact that you want to punch someone in the nose doesn’t give application to the requirement that if you want to punch someone in the nose, you have to make a fist. You *do* want to punch someone in the nose, but you *don’t* have to make a fist, because the relevant desire has no authority. All of the requirements that Kant called hypothetical thus depend for their force on some external source of authority – on a desire to which they refer, for example, or an agency by which they have been issued. And these requirements lack the inescapability of morality because the authority behind them is always open to question. We can always ask why we should obey a particular source of authority, whether it be a desire, the U.S. Government, or even God. But the requirements of morality, being categorical, leave no room for questions about why we ought to obey them. Kant therefore concluded that moral requirements must not depend for their force on any external source of authority. Kant reasoned that if moral requirements don’t derive their force from any external authority, then they must carry their authority with them, simply by virtue of what they require. That’s why Kant thought that he could derive the content of our obligations from the very concept of an obligation. The concept of an obligation, he argued, is the concept of an intrinsically authoritative requirement – a requirement that, simply by virtue of what it requires, forestalls any question as to its authority. So if we want to know what we’re morally required to do, we must find something such that a requirement to do *it* would not be open to question. We must find something such that a requirement would carry authority simply by virtue of requiring that thing. Thus far I have followed Kant fairly closely, but now I am going to depart from his line of argument. When Kant derives what’s morally required of us from the authority that must inhere in that requirement, his deriva- tion depends on various technicalities that I would prefer to skip. I shall therefore take a shortcut to Kant’s ultimate conclusion. As we have seen, requirements that depend for their force on some external source of authority turn out to be escapable because the authority behind them can be questioned. We can ask, “Why should I?” act on this desire?” or “Why should I obey the U.S. Government?” or even “Why should I obey God ?” And as we observed in the case of the desire to punch someone in the nose, this question demands a reason for acting. The authority we are questioning would be vindicated, in each case, by the production of a sufficient reason. What this observation suggests is that any purported source of practical authority depends on reasons for obeying it – and hence on the authority of reasons. Suppose, then, that we attempted to question the authority of reasons themselves, as we earlier questioned other authorities. Where we previously asked “Why should I act on my desire?” let us now ask “Why should I act for reasons?” Shouldn’t this question open up a route of escape from *all* requirements? As soon as we ask why we should act for reasons, however, we can hear something odd in our question. To ask “Why should I?” is to demand a reason; and so to ask “Why should I act for reasons?” is to demand a reason for acting for reasons. This demand implicitly concedes the very authority that it purports to question – namely, the authority of reasons. Why would we demand a reason if we didn’t envision acting for it? If we really didn’t feel required to act for reasons, then a reason for doing so certainly wouldn’t help. So there is something self-defeating about asking for a reason to act for reasons.

Ethical theories only have force in obliging persons with control over their choices. Thus, to be defined as a moral agent you must have the ability to set the purposes your means will pursue.. Ans, denying the value of freedom is contradictory. If a theory obligated acting contrary to freedom, it would make us act contrary to the ability to act, denying the assumption needed to fulfill that theory.

Violations of freedom violate the principle of universal reason. **ENGSTROM[[59]](#footnote-59):** I’ll begin with the case of natural justice. Since this obligation is founded on the practical knowledge of self-sufficiency as an end, and since self-sufficiency, according to its very idea, can never be augmented, but only restricted, by the actions of others, the maxim we have to consider is one prescribing action that restricts others’ self-sufficiency. This restriction can be more precisely characterized, however, as the limitation of what Kant calls outer freedom. For as I’ll now try to explain, outer freedom is just what self- sufficiency requires, as a negative condition, in relation to others. Kant describes outer freedom as an “independence from the necessitating power of choice of another” (*MS* 237). In other words, outer freedom lies in the independence of one’s capacity to pursue one’s ends from hindrance to its exercise stemming from the power of choice of another. That one’s capacity to pursue one’s ends can be subject to such hindrance from another is, of course, clear. Where diverse persons share a practical world, where in other words they are present together in the world in such a way that it’s possible for any one of them both to know what action another of them intends and also to act in ways that prevent or hinder that action (or, as we might also say, where mutual recognition and mutual influence are possible), the outer freedom of one such person is limited to the extent that another chooses to prevent or to hinder the former’s action and succeeds in the attempt. Where a person’s actions constitute such hindrances they can accordingly be described—to borrow a phrase from Kant—as “assaults on the freedom . . . of others” *G* 430).19 Now since the material ends a person pursues in acting are all united in the fundamental end of happiness, generically conceived, outer freedom amounts to independence from hindrances by others to one’s pursuit of that basic end. Thus any assault on this freedom, to the extent that it’s successful, is a limitation of a person’s capacity to realize this end. And since this capacity is just what self-sufficiency consists in, this freedom is nothing other than the independence from other persons requisite for self-sufficiency, and it can therefore be regarded, in a negative sense, as self-sufficiency itself in relation to others. Given the preceding considerations, it’s a straightforward matter to see how a maxim of action that assaults the freedom of others with a view to furthering one’s own ends results in a contradiction when we attempt to will it as a universal law in accordance with the foregoing account of the formula of universal law. Such a maxim would lie in a practical judgment that deems it good on the whole to act to limit others’ outer freedom, and hence their self-sufficiency, their capacity to realize their ends, where doing so augments, or extends, one’s own outer freedom and so also one’s own self-sufficiency. Now on the interpretation we’ve been entertaining, applying the formula of universal law involves considering whether it’s possible for every person—every subject capable of practical judgment—to share the practical judgment asserting the goodness of every person’s acting according to the maxim in question. Thus in the present case the application of the formula involves considering whether it’s possible for every person to deem good every person’s acting to limit others’ freedom, where practicable, with a view to augmenting their own freedom. Since here all persons are on the one hand deeming good both the limitation of others’ freedom and the extension of their own freedom, while on the other hand, insofar as they agree with the similar judgments of others, also deeming good the limitation of their own freedom and the extension of others’ freedom, they are all deeming good both the extension and the limitation of both their own and others’ freedom. These judgments are inconsistent insofar as the extension of a person’s outer freedom is incompatible with the limitation of that same freedom.

random framework justifications:

Practical identities are the source of moral prohibitions. **KORSGAARD:**[[60]](#footnote-60): *The Solution:* Those who think that the human mind is internally luminous and transparent to itself think that the term “self-consciousness” is appropriate because what we get in human consciousness is a direct encounter with the self. Those who think that the human mind has a reflective structure use the term too, but for a different reason. The reflective structure of the mind is a source of “self-consciousness” because it forces us to have a *conception* of ourselves. As Kant argues, this is a fact about what it is *like* to be reflectively conscious and it does not prove the existence of a metaphysical self. From a third person point of view, outside of the deliberative standpoint, it may look as if what happens when someone makes a choice is that the strongest of his conflicting desires wins. But that isn’t the way it is *for you* when you deliberate. When you deliberate, it is as if there were something over and above all of your desires, something that is *you,* and that *chooses* which desire to act on. This means that the principle or law by which you determine your actions is one that you regard as being expressive of *yourself.* To identify with such a principle or law is to be, in St. Paul’s famous phrase, a law to yourself.6 An agent might think of herself as a Citizen in the Kingdom of Ends. Or she might think of herself as a member of a family or an ethnic group or a nation. She might think of herself as the steward of her own interests, and then she will be an egoist. Or she might think of herself as the slave of her passions, and then she will be a wanton. And how she thinks of herself will determine whether it is the law of the Kingdom of Ends, or the law of some smaller group, or the law of the egoist, or the law of the wanton that is the law that she is to herself. The conception of one’s identity in question here is not a theoretical one, a view about what as a matter of inescapable scientific fact you are. It is better understood as a description under which you value yourself, a description under which you find your life to be worth living and your actions to be worth undertaking. So I will call this a conception of your practical identity. Practical identity is a complex matter and for the average person there will be a jumble of such conceptions. You are a human being, a woman or a man, an adherent of a certain religion, a member of an ethnic group, someone’s friend, and so on. And all of these identities give rise to reasons and obligations. Your reasons express your identity, your nature; your obligations spring from what that identity forbids.

Action is the basis of moral responsibility. **KORSGAARD[[61]](#footnote-61):** The first aspect is that the agent’s activity or *efficacy* is supposed to be implicated in her agency. Agents are supposed to be efficacious: we *make* things happen. Attributing an action to someone is supposed to be different from attributing either a property or an involuntary movement to her in an important way. It is supposed to indicate that the agent’s capacity for being creative or originary in some way, spontaneous in the Kantian sense, has been at work. The efficacy of agency is the agent’s own efficacy, we might say, not just that of some chain of causes running through her. And the fact that it is the agent’s own efficacy has a normative implication: an agent, just as such, is the kind of thing that can succeed or fail. Agency cannot just be a particular form of causality, because causes, just as such, cannot succeed or fail. It is not immediately obvious how this feature of the concept of agency can be captured by the naturalistic conception of agency. The reason is familiar to us from the old debates about freedom of the will – the agent’s mental state *itself* presumably has prior causes, so it is not clear why *its* operation should especially represent the agent’s own spontaneous efficacy, any more than anything else. The second aspect looks even more frankly normative: to say that someone did something is to mention what is, in general, a proper ground for responses to her that are normative or at least personal. Characteristically, we hold adult human beings responsible for their actions; more generally, we take people’s actions to be legitimate or appropriate grounds for responses like love and hate, liking and disliking, gratitude and resentment: responses that are focused on the agent herself. These responses show that we take a person’s actions to reflect something really essential about *her*, to represent *her* in some way. As I will put it, a person’s *identity*, her essential self, seems to be evinced in some special way in her actions, so that when we respond to her actions, we are responding to *her*. Again, there is a question about how the legitimacy or appropriateness of these reactions can be explained by the idea of natural agency. We can certainly ask why exactly causation by a certain mental state should count as an expression of the agent’s essential identity.19 Our mental states might reflect deep and important things about our identities, but they might not.20

ripstein harm principle:

Notion of freedom in the context of Kant. **RIPSTEIN[[62]](#footnote-62):** The sovereignty principle conceives of freedom differently, in terms of the mutual independence of persons from each other. Such freedom cannot be defined, let alone secured, if it depends on the particular purposes that different people happen to have, because part of the reason freedom is important is that it allows each person to decide what purposes to pursue. Instead, equal freedom is understood as each person’s ability to set and pursue his or her own purposes, consistent with the freedom of others to do the same. You are independent if you are the one who decides what ends you will use your powers to pursue, as opposed to having someone else decide for you. You may still mess up, decide badly, or betray your true self. You may have limited options. You remain independent if nobody else gets to tell you what to do. Each of us is independent if neither of us gets to tell the other what to do. This interest in independence is not a special case of a more general interest in being able to set and pursue your purposes. Instead, it is a distinctive aspect of your status as a person, entitled to set your own purposes, and not required to act as an instrument for the pursuit of anyone else’s purposes. You are sovereign because nobody else gets to tell you what to do; you would be their subject if they did.Once freedom is understood in terms of people’s respective independence, one person’s freedom doesn’t conflict with another’s. Each person is free to use his or her own powers to set and pursue his or her own purposes, consistent with the freedom of others to use their powers to set their purposes. A system of equal freedom demands that nobody use their own powers in a way that will deprive another of theirs, or uses another person’s powers without their permission.

Not merely a wish. **RIPSTEIN[[63]](#footnote-63):** There is a different image of choice that is sometimes prominent in philosophy, according to which people simply have certain purposes, and then select means to achieve them.24 On this understanding, people choose means, not ends. This image is exactly backwards. Even if your wishes are fixed by your biology and upbringing, you can only *do* something if you set out to do it, and you can only set out to do what you take yourself to have the power to do it.25 Without the powers, you can wish for anything – to walk on the moon and be home in time for dinner – but it is not a choice you can make. Your wishes may all *come* true, but you only *do* things by exercising your powers.26

Notion of wrong. **RIPSTEIN[[64]](#footnote-64):** The sovereignty principle carries this same idea of independence further, to relations amongst citizens. It insists that everything that is wrong with being subject to the choice of a powerful ruler is also wrong with being subject to the choice of another private person. As a result, it can explain what is wrong with the sort of harmless wrongdoing we saw in our examples. One person is subject to another person's choice; I use your means to advance purposes you have not set for yourself. Most familiar crimes are examples of one person interfering with the freedom of another by interfering with either her exercise of her powers or her ability to exercise them. They are small-scale versions of despotism or abuse of office. Your powers can be interfered with two basic ways, by usurping them or by destroying them. I usurp your powers if I exercise them for my own purposes, or get you to exercise them for my purposes. If I use force or fraud to get you to do something for me that you would not otherwise do, I wrong you, even if the cost I impose on you is small. I have used you, and in so doing, made you choice subject to mine, and deprived you of the ability to decide what to do. If you did the same thing, even if I got the same benefit from it, but I had no role in making you do it, I haven’t wronged you; I just took advantage of the effects of something you were doing anyway.

Even if you benefit in some abstract sense, still being used. **RIPSTEIN[[65]](#footnote-65):** I can use you in other ways as well. Suppose that you are opposed to the fluoridation of teeth on what you believe to be health-related grounds. You are mistaken about this, but committed to campaigning against fluoridation. As your dentist, I use the opportunity created by filling one of your (many) cavities, to surreptitiously fluoridate your teeth, proud to have advanced the cause of dental health, and privately taking delight in doing so on you, the vocal opponent of fluoridation. In this example, I don’t harm you, and there is even a sense in which I benefit you. I still wrong you because I draw you into a purpose that you do did not choose. You remain free to use your other powers to pursue other purposes. But part of being free to use your powers to set and pursue your *own* purposes is having a veto on the purposes you will pursue. You need more than the ability to pursue purposes you have set; you also need to be able to *decline* to pursue purposes unless you have set them. When I usurp your powers, I violate your sovereignty precisely because I deprive you of that veto. I am like the despot who uses his office for personal gain.

Coercion. **RIPSTEIN[[66]](#footnote-66):** The other way that I can subject you to my choice is by injuring you, or in the limiting case, killing you, putting your powers to an end. If I break your arm, I destroy some of your powers, and in so doing limit the ends that you are able to set and pursue for yourself. The wrong does not consist in the fact that you no longer *have* those powers; I subject you to my choice because I take it upon myself to deprive you of them. I dominate you because I treat your powers as subject to my choice: I take it upon myself to decide whether you can keep them. If I usurp your powers, I decide what purposes you will pursue, and make you dependent on me in one way; if I destroy them, I may not set any particular purposes for you, but treat your means as though they were mine to dispose of.

Voluntary cooperation exception. **RIPSTEIN[[67]](#footnote-67):** The sovereignty principle’s focus on voluntary cooperation also explains why other harms fall outside its scope. Voluntary cooperation enables people to use their powers together to pursue purposes they share. It can be made to look as though potential co-operators are always subject to each other's choice: unless you agree to cooperate with me, I can’t use my powers in the way I want to. But this is an example of our respective independence. Cooperation only contrasts with domination when it is voluntary on both sides. You get to decide whether to cooperate with me because you get to decide how your powers will be used. I can no more demand that you make your powers available to accommodate my preferred use of my powers than you can make that demand of me. Each of us is sovereign over our powers, and the power to decide who to cooperate with is a basic expression of that sovereignty. That is why I wrong you when I use your powers for my purposes, even if it doesn’t cost you anything: in appropriating your powers as my own, I force you to cooperate with me.

Not providing the ability to pursue favored purposes isn’t coercion. **RIPSTEIN[[68]](#footnote-68):**

Each person's entitlement to decide how their powers will be used precludes prohibiting many of the setbacks people suffer as effects of other people’s nondominating conduct. People always exercise their powers in a particular context, but that context is normally the result of other people's exercises of their own freedom. To protect me against the harms that I suffer as you go about your legitimate business, perhaps because you set a bad example for others, or deprive me of their custom, would be inconsistent with your freedom, because it would require you to use your powers in the way that most suited my wishes or vulnerabilities. You do not dominate me if you fail to provide me with a suitable context in which to pursue my favoured purposes. To the contrary, I would dominate you if I could call upon the law to force you to provide me with my preferred context for those purposes. That would just be requiring you to act on my behalf, to advance purposes I had set. That is, it would empower me to use force to turn you into my means. Refusing to provide me with a favourable context to exercise my powers is an exercise of your freedom, not a violation of mine, however mean spirited you may be about that refusal.

Fair contest exception. **RIPSTEIN[[69]](#footnote-69):** In the same way, if you defeat me in a fair contest, you do not deprive me of any of my powers. I merely failed at something that I was trying to do. That failure may disappoint me, but it doesn’t deprive me of means that I already had, it only prevents me from acquiring further ones. My defeat may change the context in which I use those powers in future: if you win the championship, other people may no longer hire me to endorse their products. But I had no entitlement against you to a favourable context or to have those other people enter into cooperative arrangements with me. This remains the case even if I use up my means, and so have less after the contest than before: I haven’t been deprived of them. I have just used them in trying to acquire something I didn’t get. The fact that this happened in the context of a contest with other people doesn’t make this expenditure any different from any other case in which I might expend my means while trying unsuccessfully to get more. They are mine to use, and as long as nobody forces me to use them one way or another, I am free to use them as I see fit. Conversely, if I squander them, I can’t say that anyone else deprived me of them.

Harmless trespass. **RIPSTEIN[[70]](#footnote-70):** I now want to argue that the same ideas of independence and voluntary cooperation explain the example we began with of the harmless trespass. Prohibiting me from napping in your bed can be made to look like it interferes with my freedom, because it limits my ability to use my powers, including my body, as, and in this case, where, I see fit.

The sovereignty principle provides a different way of understanding the example. The basic idea is simple: I wrong you by using the powers that are external to your person – your property – without your permission. You neither wrong me nor limit my freedom by failing to make it available to me, because a system of equal freedom does not entitled me to demand that you provide me with a favourable context for my preferred purposes.

Property violation. **RIPSTEIN[[71]](#footnote-71):** Your property can be violated in two basic ways, parallel to the ways in which your powers in your own person can. It can be used for purposes you did not authorize, and you can be deprived of it. The most familiar crime against property, theft, combines these wrongs: the thief both deprives you of what is yours and makes it his own. The trespasser and vandal each do only one of these things, but all three violate your sovereignty over your external means. In doing those things, the violation of your freedom parallels the wrong of drawing you into their purposes without your consent, or injuring your person. In each case, someone else has either decided for you which purposes your powers will be used for or which of your powers will continue to be available to you to decide what purposes you will pursue. Your choices have been demoted to wishes. I wrong you if I nap in your bed even if I don’t harm you, because I deprive you of the veto that is essential to your ability to be the one who decides how your means will be used. It may be worse for you to have your person used without your permission than to have your property used. Both violate your sovereignty because your means are used for purposes you didn’t choose.

ripstein benefit burden breakdown:

*State defines property expansion.*

Conditions of self-ownership and transfer are determined by law like shaking hands, signing documents etc. Dying could in general be an act of property transfer since its up to the state to determine how to best ensure equal burdens. **RIPSTEIN:[[72]](#footnote-72)** The freedom-based strategy will seem to shunt many of the most difficult issues off to the third question: the people’s representatives must figure out what the burdens are, and what it would be for people to bear them equally. Having rejected the interest-based strategy, it cannot claim that those representatives are likely to need not weigh the interests more accurately, or balance them in a better way. It can claim only that a public authority is just that: it is public, constituted by the citizens as a collective body, and it is an authority; that is, within its mandate, its decision is binding apart from its merits, solely because it is the decision of a competent public authority. The department of transport can forbid you from driving uptown on Lexington Avenue or make you stop for a red light, neither because it has weighed all of the interests correctly, nor because it has better information than some other agent, but simply because the leg- islature has delegated those questions to it.

Most forms of the norms governing freedom are not wrong so long as they can be clearly navigated. **RIPSTEIN:[[73]](#footnote-73)** Kant’s understanding of the basic range of public powers is austere in one sense, yet permissive in another. The only powers a state may exercise are ones that fall under various aspects of its duty to create, maintain, and improve a rightful condition, and it may only do so in ways consistent with each citizen’s innate right of humanity. Yet the range of powers that can actually be exercised under that duty seems capacious and open- ended. The constraint that all powers be derived from the duty to create a rightful condition—parallel to the way that the power of a parent to “man- age and develop” the child is derived from the duty to raise the child into a responsible being—is a real constraint, but it does not preclude most of the familiar activities of modern states. Even substantial changes can be understood as falling under the duty: fundamental land reforms that abol- ish forms of slavery or serfdom are the creation of a rightful condition. Even things that seem less directly related seem easy to accommodate to the Kantian account. We shall see in Chapter 9 that preventing private de- pendence underwrites a variety of public activities, and also that nothing in Kant’s account precludes overinclusive implementation. Kant makes space for even more state activity when he includes the state’s right to “administer the state’s economy and finances,”67 and still more when he suggests in Theory and Practice that when the supreme power “gives laws that are directed chiefly to happiness (the prosperity of the citizens, in- creased population and the like), this is not done as the end for which a civil Constitution is established but merely as a means for securing a rightful condition, especially against a people’s external enemies.”68 The only thing that is ruled out is organizing the state around private purposes. The only test imposed by the idea of the original contract is that it be possible to give public grounds of justification for such activities, that is, to relate them to the maintenance of a rightful condition. The flexibility of the Kantian account on such issues reveals the un- derlying difference between it and both libertarian and utilitarian/egali- tarian accounts. From Kant’s perspective, the apparently intractable dis- agreement between the two extremes has the classic structure of an antinomy: the disagreements reflect a premise that both sides presup- pose. The premise in question is that the purpose of political and legal institutions is to approximate a moral result that is perfectly determinate, even if imperfectly known, independently of them. A version of the same antinomy lurks in disputes between libertarian and utilitarian/egalitarian theories of the morality of property. The Lockean libertarian supposes property rights to be morally complete and fully determinate without ref- erence to political institutions, and regards the state as a remedy to dis- agreements that, at least in principle, have complete answers. The utilitar- ian or egalitarian rejects the idea that anyone could have a morally basic right to property, and thinks that rules governing the dominion of partic- ular persons over particular objects can only be designed so as to bring about a morally desirable result that can be described without any refer- ence to anything like rules. As we saw in our discussion of private right, Kant conceives of private rights fundamentally differently. Their structure can be articulated without reference to legal institutions, but they do not apply to particulars outside of a rightful condition. Outside of legal insti- tutions, property cannot be acquired conclusively, property rights cannot be enforced coercively, and disputes about them have no resolution con- sistent with the equal freedom of the parties. Again, although it can be shown as a general principle of private right that a person who is not party to a contract is not entitled to sue on it, or that a person who was deprived of the use of something to which he or she has no proprietary or posses- sory right has no claim against the person who damages the thing, in most cases concepts alone will not decide a particular case. Both the Lockean libertarian and a utilitarian/egalitarian see legal rules as trying to match something that is completely determinate without any reference to legal institutions. The Kantian sees legal rules as making determinate something that is morally binding but by itself partially indeterminate.

Kantian systems are the internal link to determining the legitimacy of a system of benefits and burdens. **RIPSTEIN[[74]](#footnote-74):** The problem for the benefit/burden principle as a basis of political justification is not simply that people may not have freely accepted the goods and services provided by the state, given that they have no real opportunity to reject them. As Simmons points out, that only shows that actual states do not satisfy its requirements.10 The more significant problem is that it is the wrong test: others can only compel you to pay for or otherwise contribute to benefits you have freely accepted if we are already in a rightful condition in which people can be compelled to pay for or contribute to things, so any such obligation needs to be explained. In a private transaction, you can only make me pay for something from which you are entitled to exclude me. If the cooperators who create the benefit are not entitled to exclude me from the benefit, they cannot obligate me to contribute to it. The whole point of Kant’s argument is to explain how provisional rights can only be conclusive in a rightful condition. The right to exclude is the core of that very problem.

What constitutes a balance of benefit of burdens must be judged by an individual, not the state, which means a system of equal freedom is the internal link. **RIPSTEIN[[75]](#footnote-75):** Kant’s full explanation of what it is for each person to be his or her own master rather than the servant of another will take up most of this book. For now I merely want to indicate why this normative starting point leads Kant to reject anthropological and empirical factors in general, and benefits and burdens in particular. Both the empirical peculiarities of human inclinations and vulnerabilities and the consideration of where benefits or burdens fall can only be brought in insofar as they can be shown to be consistent with a condition in which every person is his or her own master as against each of the others. The systematic implications of that right have to be worked out first, before any “principle of politics” incorporating information based on experience can be introduced.11 This sequenced way of framing the issues limits the ways in which benefits and burdens can be relevant to either the formulation or the application of any basic normative principle. Your right to be your own master entails that no other person is entitled to decide for you that the benefits you will receive from some arrangement are sufficient to force you to participate in it. You alone are entitled to decide whether a benefit to you is worth the burdens it brings. Nor can others justify authority over you, or use force against you, on the ground that the restrictions thereby placed on you will generate greater benefits for others. The same fundamental idea blocks the appeal to the sort of value pluralism according to which competing political values rather than interests must be “balanced” against one an- other. The authority of any person or institution’s mandate to balance competing values must itself be reconciled with each person’s right to be his or her own master. That does not mean that political authority or justified coercion is impossible, or even that institutions are never competent to balance competing values, only that the authority to make or en- force decisions needs to be established by showing it to be consistent with each person’s right to freedom before competing interests or values can be considered.

reasons are universal:

Pure reasons, those that meet the constraints for a valid imperatives for action, are universally valid across all reasoners. **ENGSTROM[[76]](#footnote-76):** As I mentioned, however, there is another sense in which rational cognition can be said to be universal. All cognition, be it theoretical or practical, has what Kant calls *subjective* universal validity: if a certain judgment counts as knowledge, then it must be valid for every knowing subject, so that all such subjects could agree in the matter and share the same judgment, the same cognition. If I know that the next hurricane to hit Florida will rotate in a counterclockwise direction, then all subjects who share the cognitive capacity I exercise in this judgment will necessarily agree, provided, of course, that this capacity in them is not in some way defective, that they are exercising it properly, and that they are sufficiently acquainted with hurricanes, the location of Florida, and so forth, to form such a judgment. And since this judgment, as *rational* cognition, is cognition, not just of the particular, but of the particular *in* the universal and hence is a judgment that depends on a universal judgment, the possibility that all subjects capable of rational cognition can share this judgment about the next hurricane to hit Florida likewise depends on the possibility that they can all share the universal judgment about tropical storms in the northern hemisphere on which the particular judgment is based. In the case of practical cognition, however, these two sorts of universality are identical in respect of their extension. For unlike theoretical cognition, which is of independently existing objects distinct from the cognizing subject and given to it from elsewhere by means of the senses, practical cognition, as practical, works to bring its object into existence, or to make it actual, and therefore is essentially efficacious, indeed *self-consciously* so, hence always knowledge subjects have that *they themselves*, as practically cognizing subjects, should act in a certain way, and so always cognition of the very subjects who have such cognition.8 Therefore in the case of a principle of practical cognition the two sorts of universal validity necessarily coincide in the sense that the principle is valid *for* the very subjects *of* which it’s valid: the principle applies to the will of every practically cognizing rational being, and every such being can recognize this universal applicability. This is as much as to say that a principle of practical cognition is necessarily such that *every subject can agree to every subject’s acting on it*. Now such agreement would actually be achieved if all subjects were jointly to legislate this principle for themselves. Kant thus gives expression to this necessary feature of all principles of practical knowledge by speaking, in the *Critique of Practical Reason*, of “the mere form of a universal legislation”, the form that distinctively characterizes practical, as opposed to theoretical, laws (*KpV* 27). Such universal legislation must therefore be possible if, for example, the shopkeeper’s practical judgment that where there is much trade one should keep a fixed general price for everyone can rightly be said to be practical *knowledge*.

We are all equal in our autonomous ability to set ends for ourselves. All moral laws must respect this freedom. **WOOD**[[77]](#footnote-77): Those of us who are sympathetic to Kantian ethics usually are so because we regard it as an ethics of autonomy , based on rational self - esteem and respect for the human capacity to direct one’s own life according to rational principles. Kantian ethical theory i s grounded on the idea that the moral law is binding on me only because it is a law proceeding from my own will. The ground of a law of autonomy lies in the very will which is to be subject to the law, and this leaves no room for any issue about why this will should obey the law. The idea of autonomy also identifies the authority of the law with the value constituting the content of the law, in that it bases the law on our esteem for the dignity of rational nature in ourselves, which makes every rational being an end in itself. But the very feature which attracts us to Kant ’s principle of autonomy also raises troubling questions. A m oral law which proceeds from my w ill would seem to be a law valid only f or me, or even a law whose content appears to be subject to my whims and arbitrariness. How can a law bind me when I am its author, and therefore capable of changing or invalidating it at my own discretion? The self - esteem which grounds Kantian morality can therefore begin to seem (as it does to some of Kant’s critics), like a kind of arrogance or even a perverse self - deific ation, in which each person blasphemously usurps the traditional place of the Deity as the giver of moral laws. Kant emphasizes, however, that the law of autonomy is not subject to my whims; I cannot loose myself from it at will, since it is not up to me to make or unmake the idea of a rational will, nor is the law of autonomy even my particular l aw any more than anyone else’s, since I am the author of this law in exactly the same sense that every other rational being is. The moral law can be universally valid for all rational beings only because it proceeds from the will of every rational being, and in fact from this will in the form of an idea, from my will conceived in its rational perfection. With this clarification, however, the autonomy which attracted us so much to Kantian ethics begins to look like nothing but a euphemism, or even a deception. I f the will which gives the moral law is not my will, but an ideal rational will, then there seems no force left in the assertion that this will is mine . If the moral law is a law whose authority lies in the power of reason common to all people, then instead of saying that the authority of the law lies in my will, why shouldn’t we say instead that its authority lies simply i n the rationality of its content . Why shouldn’t we admit that when we are following the law, we aren’t following our own will at all, but merely doing what is rational (even if we really w ant to do something else)? But if we admit that, then we can still raise the question, which Kant’s notion of autonomy claimed to have put to rest, namely , why we should follow the rational course if some other happens to appeal to us, or (to put it more pointedly ) we can ask what interest binds us to follow principles of reason. Whatever answer we may give to this question, it will necessarily compromise the supposedly categorical nature of moral obligation, since a categorical obligation is one which must bind us independently of any interest. An obligation is categorical if it is something we rationally ought to do not because we will something else, but because the thing we ought to do is itself rationally required.

AT material/empirical concerns:

1. Basing knowledge solely on empirical character destroys free will. **KANT:[[78]](#footnote-78)** Because this empirical character itself must be drawn from appearances as effect, and from the rule which experience provides, all the actions of the human being in appearance are determined in accord with the order of nature by his empirical character and the other cooperating causes; and if we could investigate all the appearances of his power of choice down to their basis, then there would be no human action that we could not predict with certainty, and recognize as necessary given its preceding conditions. Thus in regard to this empirical character there is no freedom, and according to this character we can consider the human being solely by observing, and, as happens in anthropology, by trying to investigate the moving causes of his actions physiologically.

2) Getting knowledge from empirical events demands induction, but we can only justify induction through looking at empirical events. Induction relies on the fact that nature has a consistent pattern, but that assumption follows a consistent pattern can only be justified by induction.

3) Individual agents are incapable of securing the means to their willed ends, because both the empirical world can frustrate securing them and agents can set themselves in opposition to the ends you have willed. To will existing without a system of outer freedom is a contradiction in, because in willing any end you commit yourself to the willing the means to that end.

4) No material things have value – only we have unconditional value since we are the agents which confer value on the world. We confer value on chocolate, but a dog definitely would not. **KORSGAARD[[79]](#footnote-79):** Consider for instance chocolate. We could account for the value of chocolate in either of two ways. One is to say that its value is intrinsic, and the reason why we like it so much is because we recognize that fact. If we failed to like chocolate, we would have failed to appreciate something of value. The other is to say that eating chocolate is valuable to human beings *because* we like it so much. In the case of chocolate, that seems like a much more sensible thing to say. Chocolate is not an independent value which our taste buds recognize (as if they were an epistemological faculty, a way of knowing about values). Instead, chocolate gets its value *from* the way it affects us. We *confer value on* it by liking it.

The domain of rational willing is independent of particulars – we can shake every practical identity but our human one. **ENGSTROM[[80]](#footnote-80):** In addition to the idea of universal legislation as the form of practical cognition, there’s a related idea guiding Kant’s thinking about the constraints of pure practical reason that needs to be borne in mind when we consider how they apply in choice and action. Since the exercise of practical reason proceeds from the universal to the particular, the application of the formula of universal law should proceed in this direction as well. Thus in attempting to determine what obligations to other persons this principle of universality might support, we should first consider its application in the most primitive, or fundamental, exercise of the will, and to do this we will need to consider the most basic practical self-conception of a particular human person.11 It would be inappropriate, for example, to begin with duties that presuppose particular relations between the persons involved, such as the ties between citizens, family members, or friends. Such obligations, important though they are, depend upon specific, contingent conditions of action, whereas the cases we should consider first are those of duties that attach to us most fundamentally, merely in virtue of our standing as human persons, or subjects with wills, sharing the power of practical reason.

1ar agent neutral reasons:

1. Reasons are perceptions – if I view the world as a type of forum for giving me reasons then my reasons are reasons for you as well since they come from the same source.

2. Collective action requires both the publicity of reasons and respecting each as an end in themselves. This link turns all contract or governmental frameworks since it frame our ability to act together. **KORSGAARD[[81]](#footnote-81):** But on the public conception of reasons, we do not get this result. On the public conception I must take your reasons for my own. So if I am to think I have a reason to shoot you, I must be able to will that you should shoot me. Since presumably I can’t will that, I can’t think I have a reason to shoot you. So it is only on the public conception of reasons that a universalizability requirement is going to get us into moral territory. 9.4.6 I just claimed that if personal interaction is to be possible, we must reason together, and this means that I must treat your reasons, as I will put it, as reasons, that is, as considerations that have normative force for me as well as you, and therefore as public reasons. And to the extent that I must do that, I must also treat you as what Kant called an end in yourself—that is, as a source of reasons, as someone whose will is legislative for me. To see why, consider a simple coordination problem. Suppose you and I are related as student and teacher, and we are trying to schedule an appointment. ‘‘Stop by my office right after class,’’ I say, thinking that that will be convenient for me, and hoping that it will also be convenient for you. It isn’t, as it turns out. ‘‘I can’t,’’ you say, ‘‘I have another class right away.’’ So I have to make another proposal. It’s important to see why I do have to do this: it’s because having the meeting is something that we are going to do together. The time I suggested isn’t good for you, and therefore it isn’t good for us, and it follows from that that it isn’t after all good for me, and so I need to suggest another time. To perform a shared action, each of us has to adopt the other’s reasons as her own, that is, as normative considerations with a bearing on her own case. That’s why the fact that the time is not good for you means that it also is not good for me. So we both keep making suggestions and considering them until we find a time that’s good for both of us. The aim of the shared deliberation, the deliberation about when to meet, is to find (or construct) a shared good, the object of our unified will, which we then pursue by a shared action. And it follows from the fact that the action is shared that if either of us fails to show up, we will both have failed to do what we set out to do. Our autonomy and our efficacy stand or fall together.

3. Your framework collapses into mine – even agent relative reasons have agent neutral components. **KORSGAARD[[82]](#footnote-82):** But this way of describing the situation implies a strange description of my own attitude. It suggests that my desire to have my book required is a product of raw vanity, and that if I want to write a good book, this is merely as a means to getting it required. This does not correctly reflect the structure of my ambition. Part of the reason that I want to write a good book on Kant’s ethics is that I think that such a book would be a good thing, and my ambition is not conceivable without that thought. It is an ambition to do something good, and it would not be served by people’s requiring my book regardless of whether it was good. For now, let us describe this by saying that I think *someone* should write a book on Kant’s ethics good enough that it will be required reading. I think that this would have neutral value. This doesn’t, however, mean that my ambition is just a disinterested response to that neutral value. It is essential not to sanitize the phenomena here, or we shall go wrong. I may be interested in personal adulation, I may really like the idea of my book’s being required reading, and I may even harbor competitive feelings towards other engaged in similar projects. I don’t just want it to be the case that someone writes the book. I want to *be the someone* who writes that book. That element in my ambition is ineliminably agent-relative; no one else, except possibly my friends, has a reason to care whether I write the book or someone else does. So the structure of this ambition is not: i) I want my book to be required reading (where that’s an agent-relative end) ii) therefore: I shall write a good book (as a means to that end) but rather: i) Someone should write a book on Kant good enough that it will be required reading. (where that’s an agent-neutral end) ii) I want to be that someone (agent-relative motive) In other words, to have a personal project or ambition is not to desire a special object which you think is good for you subjectively, but rather to want to stand in a special relationship to something you think is good objectively. Ambition so characterized clearly does have an agent-relative component: you want to stand in a special relationship to what is good. Is this component the source of subjective normative reasons for action? On the one hand, the agent-relative component does seem to *motivate* me to do a lot of work I would not otherwise do. It is often true that without the personal element in ambition, people would not be able to bring themselves to carry out arduous tasks. There are therefore neutral reasons for encouraging the personal desires associated with ambitions. But should the agent herself treat these personal desires as the sources of reasons? If I took it seriously that my desire that *I* should be the one to write the book was a reason for action, then I would [forcibly] have a reason to prevent one of the other Kant scholars from writing *her* book. But in fact, neither I nor anybody else thinks I have a reason to do this, even if in competitive moments I am tempted to feel it. This is not an expression of ambition, but rather a very familiar perversion of it. It is important to see that reasons of personal obligation almost always have this form. Although I may not suppose that the happiness of my loved ones is objectively more important than that of anyone else, I certainly do suppose that their happiness is objectively good. The structure of reasons arising from love is similar to that of reasons of ambition. I think that someone should make my darling happy, and I want very much to *be that someone*. And others may have good reason to encourage me in this. But if I try to prevent someone else from making [her] my darling happy or if I suppose that [her] my darling’s happiness has no value unless it is produced by me, that is no longer an expression of love. Again, it is a very familiar perversion of it.

4. Almost everything we take part in assumes the publicity of reasons for action – that a reason for one agent is a reason for another. **KORSGAARD[[83]](#footnote-83):** Perhaps that does not seem quite right. But neither does it seem right to say that those who pursue such projects are in the grip of unmotivated desires, or view themselves as being so. There are reasons for caring about these things, reasons which are communicable and therefore at least potentially shareable. Ask a mountain climber why she climbs and she need not be mute: she may tell you things about the enlarged vistas, the struggle with the elements, the challenge of overcoming fears or surpassing physical limitations. She takes her desire to climb mountains to be a motivated desire, motivated by recognizably good features of the experience of climbing. She does not take the value of the climb to be conferred on it simply by her desire to do it. Someone who says “I *just* want to” isn’t offering you his reason; he is setting up a bulwark against incomprehension. You may be the problem or he may feel himself inarticulate: many people do. But listen to the articulate talk about their projects and you hear the familiar voice of humanity, not the voice of alien idiosyncrasies. Or if you don’t, perhaps you should. For it is at this point that the difference between Objective Realism and Intersubjectivism becomes important. An Objective Realist interpretation of the value of climbing mountains, or of collecting stamps or coins or barbed wire, or of excelling at bowling or billiards, is not very tempting. Neither, as I think, is an Objective Realist interpretation of the value of a good book on Kant’s ethics. These are not intrinsic values, already there in the universe, which we have discovered, but rather are expressions of our own distinctively human capacity to take an interest, and to find something interesting, in whatever we find around us. To share another’s ends, or at least to grant that they could be shared, is to see them as expressions of that capacity, and so as expressions of our common humanity. The Intersubjectivist sees the other as human, and *therefore* shares or tries to share the other’s ends. That is why she helps others to pursue their ambitions. But the Objective Realist sees no reason to help unless he *first* sees the other’s ends as ones that he can share. His relationship to others is mediated by his relationship to their ends. According to the Intersubjectivist this is not only a mistake in moral theory but a moral wrong. We should promote the ends of others not because we recognize the value of those *ends*, but rather out of respect for the humanity of those who have them.

5. Agent neutral reasons can be generated from agent-relative premises. **KORSGAARD[[84]](#footnote-84):** I am capable, however, of viewing myself from an impersonal point of view - as simply a person, one among others who are equally real. When I view myself this way, I still regard these considerations as having normative force. This is especially clear, Nagel argues, when I consider a situation in which someone else fails to respond to my reasons. This is why we ask “How would you like it if someone did that to you?” when we are trying to get someone to see the normative force of another’s reasons. If I am tormenting someone, say a stranger, the question invites me to consider the case where a stranger is tormenting me. According to Nagel I should see that I would not merely dislike this, I would also resent it, and my resentment carries with it the thought that my tormentor would have a reason to stop. That reason is the same as my reason for wanting it to stop: that I don’t like it. I would expect my tormentor to respond to *my* reason.(PA 82-85) And yet, to a stranger, I am just a person, some person or other. This shows that I view my reasons as having normative force simply insofar as they are a person’s reasons, and expect others to do so as well. And that commits me to the view that other people’s reasons have normative force for me. Where there is a subjective reason, then, there is also an objective one, to which everyone should respond.

We require public and universal reasons to unify our conception of the world. **KORSGAARD[[85]](#footnote-85):** To conceive yourself as a knower, in my view, is to conceive yourself as able to form a conception of the world that will enable you to find your way around in it and to act effectively in it. I include “act effectively” because I want to emphasize that I do not just mean a conception of the world that will enable us to predict and explain events. I also mean a way of conceptualizing the world that will answer to our needs as agents. As I have argued elsewhere, to conceive ourselves as agents is to conceive ourselves as the autonomous and efficacious sources of certain events in the world: that is, as the self-determining causes of certain effects in the world.25 However exactly we work the details out, if something along these lines is correct, the conception of the world as causally ordered in a general way is essential to our conception of ourselves as agents, a conception that I believe is forced upon us in the first person deliberative standpoint. If that is true, then that the world is, at least in a general way, causally ordered, cannot just be an empirical discovery. For these reasons, I think we are *rationally required* to conceive the world as causally ordered, at least in some general way.26 For the world to be the sort of place in which you can find your way around and act effectively, it must be a unified place. What that means is that the *relations* between the various things in the world can be traced and established. If we can say nothing about how two things or events or regions of space-time are related to each other, we cannot think of them as parts of a unified world. If we cannot trace causal relations, in particular, we cannot act effectively. So it is the business of a conception of the world to establish these various relations. Further argument is required, of course, but I suppose that we may think of the relations in question as logical, spatiotemporal, and causal. Now we may raise a question about why exactly we suppose that the world admits of a conceptualization that will unify it in these ways. Or, rather, since saying “the world” makes it sound as if we already know that what we are confronted with is one unified thing, I should say instead that we may raise a question about why exactly we suppose that what we find ourselves confronted with in experience admits of a conceptualization that will unify it in this way. One familiar form of philosophical argument reminds us that the unity of the mind and the unity of its object are interdependent. Unless we conform our beliefs to logical and rational principles, our minds themselves are a mere heap of unrelated ideas or theses. And a mere heap of unrelated ideas or theses is not *about* anything, and therefore cannot count itself as thinking about anything or knowing anything.27 So our conception of ourselves as possible knowers of a world independent of our minds, a world that we can think about, depends on our idea of the world itself as something of which we might possibly form a unified conception. This explains, to take one example, why we have to take theoretical reasons to be both universal and what I call “public,” or agent-neutral, in their normative force—why that is a rational requirement.28 *If you are to think of your experience as a perception of an object, and perception as a way of knowing that object, then you have to think that, suitably situated, another perceiver with the same sort of perceptual equipment would be having that experience too.* Now you might ask, if I am constructing a conception of the world, couldn’t I just construct a world that was my world, which only existed for me and nobody else? But the answer is no, because if you are to think of your experience as perception of an object, and perception as a way of knowing that object, then you have to think that if you were to come back to the same place tomorrow, and nothing had changed in the meantime, you would have the same experience again. And that is the same thought as the thought that if another perceiver were suitably situated, he would have the same experience: both scenarios, after all, just involve a change of position. *If you cannot have that thought*—that if you come back to the same place later, and nothing has changed, you will have the same experience again—then you cannot think of your experience as perception of an object, and of yourself as the knower of that object, and *your mind shatters into a mere heap of unrelated experiences. It follows that if you are to take “I saw it” as a reason to believe it, you must take it as a reason with universal and agent-neutral or “public” normative force.* So it is not that we know in advance, somehow, that the world conforms to the principles of theoretical reason, and we should therefore expect true beliefs to do so as well. Rather, *that the world conforms to the principles of theoretical reason is a presupposition of the world’s being the sort of place we can think about and know about at all*. And I think a similar argument could be given for the normativity of the principles of the other kinds of connectedness I just mentioned—causal relatedness in space and time, the kind of relatedness that connects one event to another. Causal relatedness in space and time is a presupposition of the world’s being the sort of place we can find our way around in and also act effectively in—that is, cause things to happen in—ourselves. And since we are faced with the task of constructing a conception of the world that makes that possible, we *must* suppose that the world can be conceptualized in that way.

determinism interaction:

1. We can be Kantian agents without free will. **VELLEMAN[[86]](#footnote-86):** Consider here our autonomy with respect to our beliefs. When we consider the sum of 2 and 2, we ourselves draw the conclusion that it is 4. The thought 2 + 2 = 4 is not dictated to us by anyone else; it is not due to an involuntary mental association, not forced on our minds by an obsession or fixed in our minds by a mental block; in short, it isn’t the intellectual equivalent of a sneeze or a hiccup. When we consider the sum of 2 and 2, we make our own way to the answer 4. And yet there is no other answer that we could arrive at, given that we are arithmetically competent and that, as any reasoner can see, the sum of 2 and 2 is 4. So when we consider the sum of 2 and 2, we are pre-determined to arrive at the answer 4, but to arrive there autonomously, under our own intellectual steam. We aren’t free to conclude that 2 + 2 is 5, and yet we are autonomous in concluding that it is 4. Perhaps, then, we can steer our behavior as we steer our thoughts, in directions that are pre-determined, not by exogenous forces, but by our rational ability to do what there is reason for doing, just as we think what there is reason for thinking. In that case, we could have autonomy without necessarily having free will.

2. A person has moral responsibility even if you couldn’t do otherwise. Even if there was no other option, if we endorse an action without being forced to do it, it’s still my moral responsibility.

3. You cannot believe determinism since that belief would also be determined and irrational, which means you have to believe that acting on reasons is a law given to yourself.

4. Determinism doesn’t mean Kantianism is impossible – we could believe our thoughts were truth conducive even if we didn’t have control over the will – for example a calculator comes up with true rational answers even though it’s determined. If we think we can reason freely, we are probably right since it seems that our ability to come up with truth about the world is pretty good.

5. Scientific arguments for why determinism is true aren’t normative – ethics aren’t absolute, but based on the way we posit ourselves. We believe we can freely will ends – a scientific worldview would imply that we’re comprised of photons or whatever, but it’s not normative. Free will and humanity as an end are ways of regarding ourselves. **KORSGAARD[[87]](#footnote-87):** At this point it will be useful to say something about why I take the view which I am advancing to be a Kantian one. Kant believed that as rational beings we may view ourselves from two different standpoints.31 We may regard ourselves as objects of theoretical understanding, natural phenomena whose behavior may be causally explained and predicted like any other. Or we may regard ourselves as agents, as the thinkers of our thoughts, and the originators of our actions. These two standpoints cannot be completely assimilated to each other, and the way we view ourselves when we occupy one can appear incongruous with the way we view ourselves when we occupy the other. As objects of theoretical study, we see ourselves as wholly determined by natural forces, the mere undergoers of our experiences. Yet as agents, we view ourselves as free and responsible, as the authors of our actions, and the leaders of our lives. This incongruity need not become contradiction, so long as we keep in mind that the two views of ourselves spring from two different relations in which we stand to our actions. When we look at our actions from the theoretical standpoint our concern is with their explanation and prediction. When we view them from the practical standpoint our concern is with their justification and choice. These two relations to our actions are equally legitimate, inescapable, and governed by reason, but they are separate. Kant does not assert that it is a matter of theoretical fact that we are agents, that we are free, and that we are responsible. Rather, we must view ourselves in these ways when we occupy the standpoint of practical reason - that is, when we are deciding what to do. This follows from the fact that we must regard ourselves as the causes - the first causes - of the things that we will. And this fundamental attitude is forced upon us by the necessity of making choices, regardless of the theoretical or metaphysical facts.3

We view ourselves as setting ends. **RIPSTEIN:**[[88]](#footnote-88): The idea that powers that you have are fundamental to your freedom is familiar, common to Rawls's emphasis on the moral power to "set and pursue a conception of the good," and the distinction, common to Aristotle and Kant, between choice and wish. The ability to choose in this sense doesn’t depend on the ability to stand outside the causal world, or even to abstract from your own purposes in making choices. Instead, it rests on the familiar observation that if you choose to do something, you must set about doing it, which requires that it be within your powers to pursue. There is a different image of choice that is sometimes prominent in philosophy, according to which people simply have certain purposes, and then select means to achieve them. On this understanding, people choose means, not ends. This image is exactly backwards. Even if your wishes are fixed by your biology and upbringing, you can only do something if you set out to do it, and you can only set out to do what you take yourself to have the power to do it. Without the powers, you can wish for anything – to walk on the moon and be home in time for dinner – but it is not a choice you can make. Your wishes may all come true, but you only do things by exercising your powers. The sovereignty principle says that each person is entitled to use his or her own powers as he or she sees fit, consistent with the ability of others to do the same. The consistency is achieved through the joint ideas of non-interference and voluntary cooperation. Nobody is allowed to use or damage another person's means without their permission. If everyone forebears from doing these things, each person is independent of all the others.

This free will must be entirely self determining, acting on principles that are internal. **KORSGAARD[[89]](#footnote-89):** Kant defines a free will as a rational causality that is effective without being determined by any alien cause. Anything outside of the will counts as an alien cause, including the desires and inclinations of the person. The free will must be entirely self- determining. Yet, because the will is a causality, it must act according to some law or other. Kant says, “Since the concept of a causality entails that of laws . . . it follows that freedom is by no means lawless . . .” 2 Alternatively, we may say that since the will is practical reason, it cannot be conceived as acting and choosing for no reason. Since reasons are derived from principles, the free will must have a principle. But because the will is free, no law or principle can be imposed on it from outside. Kant concludes that the will must be autonomous: that is, it must have its own law or principle. And here again we arrive at the problem. For where is this law to come from? If it is imposed on the will from outside then the will is not free. So the will must adopt the law for itself. But until the will has a law or principle, there is nothing from which it can derive a reason. So how can it have any reason for adopting one law rather than another?

kant is intuitive:

Kantian notions are deeply intuitive. **ENGSTROM[[90]](#footnote-90):** Yet it’s also true, on the other hand, that many, myself included, have thought it possible to hear[d] in the formula of universal law at least a faint ring of reason and truth, something reminiscent of the other commonplace maxims and expressions of ordinary morality with which it has often been compared, such as the golden rule, or the familiar question What if everyone did that? In view of the difficulty just mentioned, however, it’s incumbent on those who surmise that this formula may indeed express a fundamental and purely rational principle of morality to look for an explanation of how it can be based in practical reason yet also [be] substantive in its implications.

AT no a priori reason:

[short version] A priori reason works – mathematical proofs and pure science shows it creates certainty. A posteori concepts rely on assumptions like X is X, but that uses a priori reason. Platonic forms like geometric figures, perfect circles, platonic forms, also exist a priori – good examples of this fact. Notions like causality as well. If I see you throw a ball, the physical world can tell me only that the hand moved, then the ball moved. The causal connection is established by my brain.

Ethics require a priori reasoning. **RESTALL[[91]](#footnote-91):** Consider the judgment that making other people happy is, all things considered, a good thing to do. Perhaps when you consider this judgment you remember particular acts in which you have made others happy. But upon reflection, it seems that there’s no reason to appeal to this or that experience, or this or that evidence that happiness is a good thing. Perhaps it is bound up in the very notions of happiness, others, and goodness, and we reasonably could come to that conclusion on the basis of reflection on those notions. Many believe that our fundamental ethical principles are known prior to the evidence. Such statements certainly don’t look like they can be refuted (or proved) on purely empirically, and the fact that they concern what should happen seems to mean[s] that mere description of how the world is cannot count decisively against the kind of claim about how it should be.

Logic proves a priori reasoning exists. **RESTALL[[92]](#footnote-92):** I can know that if every student has either passed an exam or completed an assignment, then either every student has passed an exam, or some student has completed an assignment. I can know this without concerning myself with the details of which students have passed an exam or have completed an assignment, for I can reason as follows: Let’s suppose every student has either passed an exam or completed an assignment. We want to show that either every student has passed an exam or some student has completed an assignment. Suppose I choose a student. By hypothesis, he or she has either passed an exam or completed an assignment. If the assignment is completed, then I can conclude that some student has completed an assignment, which gives us what I wanted to show. If this piece of reasoning fails for every student, then we see that every student has completed an exam, which also gives us our desired conclusion. This piece of argumentation suffices to prove what we wished to show. It used no details of students, assignments or exams. The form of the reasoning would work for any claim of the structure: if every F is either G or H, then either every F is G or some F is H. Valid deductive reasoning seems to give[s] us a priori knowledge on the basis of logical structure.

Semantics require a priori reasoning as well. **RESTALL[[93]](#footnote-93):** It seems that I can know that all bachelors are unmarried, without going to the trouble of interviewing bachelors and checking their marital status. I know this because if I find out that someone is married, then this counts decisively against their being a bachelor. I know this because this is how I understand the terms ‘married’ and ‘bachelor.’ It seems that the meanings of the expressions I use governs how I treat the evidence I may find. I don’t wait to learn of the marital status of a number of bachelors to conclude a generalization on the basis of this evidence. I use this generalization to govern the evidence I encounter.

A priori reasoning is used in mathematics. **RESTALL**[[94]](#footnote-94): Take a case of mathematical reasoning. A salient example in the development of our understanding of the a priori and is relationship with logic and the analytic is the intermediate value theorem, which states that every continuous function f of real numbers, where the value f(–1) that it takes on the input –1 is smaller than 0, and whose value f(1) that it takes on the input 1 is greater than 0, has some input value x between –1 and 1 where the output f(x) is 0. A continuous function which is below the origin line at –1 and above the origin line at 1, must have crossed the line at some point between –1 and 1. In other words, any continuous path (a path without jumps or breaks) starting on one side of a line and ending up on another side of that line must have at least one point at which it crosses the line. This is obvious. We can see that it is true in many cases, and furthermore, we may find it very difficult to know what it would be for it to be false in any case at all. For many years, mathematicians claimed that they could see that the theorem is true in full generality, without being able to offer anything resembling a proof. The key is the notion of continuity. A function is continuous if it has no breaks or jumps — and making this notion precise, in the development of the Calculus in the work of Bolzano and Weierstrass (see Coffa (1993), Chapters 2 and 3) was required for this piece of a priori knowledge to make the transition from something which seems obvious but is hard to justify, to something which could be proved on the basis of an analysis of the concepts involved.

A priori reason card. **LEWIS[[95]](#footnote-95):** But if they did they are all invalid inferences. Such a process will no doubt produce expectation. It will train men to expect fire when they see smoke in just the same way as it trained them to expect that all swans would be white (until they saw a black one) or that water would always boil at 212° (until someone tried a picnic on a mountain). Such expectations are not inferences and need not be true. The assumption that things which have been conjoined in the past will always be conjoined in the future is the guiding principle not of rational but of animal behaviour. Reason comes in precisely when you make the inference ‘Since always conjoined, therefore probably connected’ and go on to attempt the discovery of the connection. When you have discovered what smoke is you may then be able to replace the mere expectation of fire by a genuine inference. Till this is done reason recognises the expectation as a mere expectation. Where this does not need to be done—that is, where the inference depends on an axiom—we do not appeal to past experience at all. My belief that things which are equal to the same thing are equal to one another is not at all based on the fact that I have never caught them behaving otherwise. I see that it ‘must’ be so. That some people nowadays call axioms tautologies seems to me irrelevant. It is by means of such ‘tautologies’ that we advance from knowing less to knowing more. And to call them tautologies is another way of saying that they are completely and certainly known. To see fully that A implies B does (once you have seen it) involve the admission that theimplies B does (once you have seen it) involve the admission that the assertion of A and the assertion of B are at bottom in the same assertion. The degree to which any true proportion is a tautology depends on the degree of your insight into it. 9 × 7 = 63 is a tautology to the perfect arithmetician, but not to the child learning its tables nor to the primitive calculator who reached it, perhaps, by adding seven nines together. If Nature is a totally interlocked system, then every true statement about her (e.g. there was a hot summer in 1959) would be a tautology to an intelligence that could grasp that system in its entirety. ‘God is love’ may be a tautology to the seraphim; not to men.‘But’, it will be said, ‘it is incontestable that we do in fact reach truths by inferences’. Certainly. The Naturalist and I both admit this. We could not discuss anything unless we did. The difference I am submitting is that he gives, and I do not, a history of the evolution of reason which is inconsistent with the claims that he and I both have to make for inference as we actually practise it. For his history is, and from the nature of the case can only be, an account, in Cause and Effect terms, of how people came to think the way they do. And this of course leaves in the air the quite different question of how they could possibly be justified in so thinking. This imposes on him the very embarrassing task of trying to show how the evolutionary product which he has described could also be a power of ‘seeing’ truths. But the very attempt is absurd. This is best seen if we consider the humblest and almost the most despairing form in which it could be made. The Naturalist might say, ‘Well, perhaps we cannot exactly see —not yet—how natural selection would turn sub-rational mental behaviour into inferences that reach truth. But we are certain that this in fact has happened. For natural selection is bound to preserve and increase useful behaviour. And we also find that our habits of inference are in fact useful. And if they are useful they must reach truth’. But notice what we are doing. Inference itself is on trial: that is, the Naturalist has given an account of what we thought to be our inferences which suggests that they are not real insights at all. We, and he, want to be reassured. And the reassurance turns out to be one more inference (if useful, then true)—as if this inference were not, once we accept his evolutionary picture, under the same suspicion as all the rest. If the value of our reasoning is in doubt, you cannot try to establish it by reasoning. If, as I said above, a proof that there are no proofs is nonsensical, so is a proof that there are proofs. Reason is our starting point. There can be no question either of attacking or defending it. If by treating it as a mere phenomenon you put yourself outside it, there is then no way, except by begging the question, of getting inside again.

A priori knowledge. **RUSSELL[[96]](#footnote-96):** A plausible positive account of *a priori* justification says that a person is *a priori* justified in believing some proposition if, and only if, that justification rests *solely* on her understanding the proposition which is the object of her belief. Then *a posteriori* justification would be justification that does *not* rest solely on understanding such a proposition. No one can be justified in believing (2b): all crows are black, without understanding that proposition, but any justification for believing that proposition would *not* rest *solely* on that understanding. The justification would have to come from testimony or seeing lots of black, and no non-black, crows. But someone could be *a priori*justified in believing (2a): all crows are birds, *solely* on the basis of understanding (2a). The same holds for all the other first members of the fourteen examples.

AT rational cognizing can be part of experience. **RUSSELL[[97]](#footnote-97):** The worry is that the best psychological theories might categorize experiences in such a way that what, intuitively, seem to be nonexperiential sources of justification (say, intellectual intuitions or rational insights; [see sec. 5, below](http://plato.stanford.edu/entries/apriori/#PriJusResSomNonSouEviIntRatIns)) will turn out not to be such sources and what, intuitively, seem to be experiential sources of justification will not turn out to be such sources (say, sense experience or introspection). That is because the best psychological theories will be concerned with categorizing experiences *causally*, that is, according to their role in causing beliefs and behavior. That focus ignores the *epistemic relevance* of experiences, that is, their relevance to justifying beliefs. Similar remarks apply to so-called nonexperiential sources of justification: because the best psychological theories might categorize them according their causal roles, they might not categorize them according to their epistemic relevance. Further, if the best psychological theories give a naturalistic account of *justifying* experiences (whether empirical or *a priori*), for all we know those theories will imply that sense experience and introspection do not provide justification and that hunches and guesses do. That is because the properties normally possessed by a kind of thing (say, water) may turn out not to be necessary properties of that kind of thing (e.g., being clear, odorless, colorless, thirst-quenching, etc.) if the term (“water”) that refers to that kind of thing is a natural kind term. So, if “*justifying* experience” is a natural kind expression, we cannot be certain that experiences that seem to provide justification for beliefs will really provide that justification, and vice versa. But it seems that we can be certain that sense experience and introspection had under certain conditions do provide justification (even if they do not guarantee that the corresponding beliefs are objectively likely to be true, as happens in demon world and Matrix-type situations) and that hunches and guesses do not (at least when there is no track record that would confirm their reliability). “Experience” cannot be a natural kind term whose essence must be discoverable empirically if we are taking it in a sense relevant to epistemic justification. If it were a natural kind term, we could not know before empirical investigation that some things don't justify and others do, but it seems we can (though those convinced, or even puzzled, by skeptical arguments would disagree).

What it means to be independent of experience. **RUSSELL[[98]](#footnote-98):** It seems impossible for there to be any justification completely independent of experience. We need to distinguish the experience needed to acquire the relevant concepts involved in (1a)–(14a) and any additional experience needed to determine whether the relevant propositions that contain those concepts are true or false. To say that a person could be justified in believing any of (1a)–(14a)independent of experience means that they could be justified independent of experience beyond that which is needed to acquire the relevant concepts needed to understand those propositions. For a person to be justified in believing any of (1b)–(14b), it is also true that she must have enough experience to acquire the relevant concepts expressed in those propositions. Having those concepts is necessary for her to understand the relevant propositions, and she cannot justifiedly believe a proposition that she does not understand. However, she must also have additional experience beyond that in order to determine whether the relevant proposition is true or false, or be aware of the testimony of someone who has had the requisite additional experience. That additional experience is not required for someone to tell whether (1a)–(14a) are true or false. For someone to be a priori justified in believing some proposition is for her to be justified absent experiences beyond those required for her to acquire the relevant concepts employed in the statement of that proposition. This is sometimes described as the view that a priori justification depends only one nabling experiences, that is, the experiences a person needs in order to understand the proposition at issue. There are two ways that someone could be justified in believing some proposition without having experiences beyond those required to acquire the relevant concepts: (1) being justified in believing the proposition on the basis of output (evidence) from a *nonexperiential* source (for example, on the basis of rational intuitions or insights) or (2) being entitled to accept that proposition without any output (evidence) from any source.

Distinction between a priori reason and a hunch. **RUSSELL[[99]](#footnote-99):** George Bealer characterizes a rational intuition as an intellectual seeming that some proposition is *necessarily*, or *possibly*, true (Bealer 1998: 207–08). He contrasts intuitions with “judgments, guesses, and hunches” (1998: 210–11), common sense, belief, and even an inclination to believe (1998: 208–09). The following example shows how something may *seem* true to someone even though he does not believe it, and how someone can believe something that *does not seem* true to him. Monty Hall was the host of the game show “Let's Make a Deal”. Contestants would choose one of three doors and behind one of them was a big prize; behind the others, some worthless joke prize (say, a hundred boxes of tissue to dry their tears). Monty would open one of the doors with a joke prize behind it and then ask the contestant whether he wanted to stick with the door he had chosen or switch to the other unopened door. It can be shown that the probability that the contestant will win the big prize if he switches is 2/3, but only 1/3 if he sticks. But it *seems* to many that the probability of his winning is 1/2 regardless of whether he sticks or switches since there are only two unopened doors left. Call that “seeming” an intuition. For some people, it still *seems* that the probability is 1/2 *even when they****do not believe****that it is*, say, because they have proven for themselves that the probability of winning by switching is 2/3 or because they trust the reliable testimony of someone who has. This example shows that someone can have an intuition that a proposition is true, but not believe it, and conversely, can believe some proposition (namely, that the probability is *not* 1/2) without having the corresponding intuition (see Russell 2010: 464, for the Monty Hall example). Another example from Brian Weatherson shows that a person may believe something that is even necessarily true where she does not have any intuition that it is true. She might believe, on the basis of calculation, that 643 × 721 = 463,603 yet have no intuition that it's true (Weatherson 2003: 3).

Another account. **RUSSELL[[100]](#footnote-100):** The most promising account of *a priori* justification in terms of a nonexperiential *source of evidence* is one that sees intellectual intuition, rational insight, or *apparent* rational insight, as providing the relevant *a priori* evidence with its source being reason, not some special faculty of intuition analogous, say, to sight, which is a source of empirical evidence. One function of reason involves “seeing” how evidence *supports* a conclusion, and in deductive reasoning, “seeing” how conclusions *follow from* premises. This same ability is exercised when reason “sees” that some proposition is true, or necessarily true, simply in virtue of the person's understanding the proposition. However, this intellectual “seeing” need not have qualia associated with it, unlike perceptual seeing, which does. *Apparent* rational insights need not be accompanied by appearances, if “appearances” necessarily involve qualia. The metaphor of “seeing” logical connections or that certain propositions are true should not mislead us into thinking that there is a special, quasi-perceptual faculty along with sight, touch, hearing, etc. Reason can “grasp” and “see” without there being any analogue to having certain feelings or having visual sensations.

We can trust a priori knowledge. **RUSSELL[[101]](#footnote-101):** There are four arguments for the view that intuitions can provide evidence. The first argument sounds circular because it starts with examples like *Sheep* and claims that it is *intuitively* obvious that the intuition that the person does not know there are sheep in the field *is evidence* that he does not know. Here a second-order intuition about the evidential weight of first-order intuitions is invoked. This approach goes on to defend the appeal to intuitions on the grounds that according to our standard justificatory practice intuitions as well as experiences (visual, tactile, auditory, olfactory, taste) provide evidence. It then challenges those who want to eliminate intuitions as a basic source of evidence to say why this is legitimate but, say, eliminating all but visual experiences as basic sources of evidence is not (Bealer 1996a,b, 1998, 1999). The second sort of argument rests on the idea of concept possession (Bealer 1999: 255–65). The basic idea is that if a person possesses a concept (or, perhaps, possesses it under certain ideal conditions and in a certain “determinate” way (Bealer 1999: 256)), then her intuitive judgments of actual, or hypothetical, cases where the concept is in play will be reliable, that is, for the most part will be true. For instance, if a person adequately grasps the concept “knowledge”, then, for the most part, her intuitive judgments about whether a person knows, or does not know, in various scenarios will be correct. Concept possession guarantees the reliability of concrete case intuitions. A person would not possess the concept of a square if he often applied the term to circles and ovals or did not apply it to squares whose sides were over three hundred feet long. In general, to have the concept of an *X*, a person must be reliable (though not infallible) in his application of the term *X* to, and only to, things that are *X*. (Bealer 1996b: 7, 11–12, 18 and 1999: 246 and Peacocke 2000 both appeal to concept possession to justify the evidential force of rational intuitions).

However, even if concept possession requires reliability, this does not show that concept possession guarantees justification since reliability does not. There are lots of cases where, intuitively, reliability is not sufficient for justification. Keith Lehrer's famous *Truetemp* case is one of them (Lehrer 1990: 163–64; 1996: 32–33), as is BonJour's case of Norman (BonJour 1985: 41–45) who has reliable clairvoyant powers but no confirmation of their reliability. On the basis of his first clairvoyant experience, Norman finds that he cannot help believing something (say, that the President is in New York), but, intuitively, he is not justified, and does not know, what he can't help believing. This example shows that reliability by itself is not sufficient for either justification or knowledge. So there is no reason to think that even if concept possession guarantees reliability, it guarantees justification. George Bealer thinks that a certain sort of concept possession (what he calls determinate possession) guarantees *necessary* reliability, and that, in turn, does guarantee justification. (Hence his view is called “*modal* reliabilism”.) Bealer thinks that the following is false: *necessarily,* if your belief is the result of a reliable belief producing mechanism (or process), you are justified in holding it. However, he thinks the following is true: if your belief is the result of a *necessarily* reliable mechanism (or process), you are justified in holding it. In addition, he thinks that a certain sort of concept possession *necessarily* makes our judgments about the applicability of concepts to concrete cases reliable. A third attempt to show that intuitions provide evidence relies on what we might call *an outside source of evidence*. We might rely on the standard five senses to confirm the reliability of some sixth sense (say, echo-location), and then later rely on that sixth sense alone to provide justification. Similarly, suppose the best explanation of my failures, and the failures of others, to find counterexamples to propositions that seem intuitively obvious is that those propositions are necessary truths. That could give me reason to believe that having an intuition that *P* is good evidence that *P* is necessarily true. In turn, that could justify me in later relying on intuition alone to provide justification for the proposition that is its object. A fourth approach offers *ideal conditions* under which rational insights, or intellectual intuitions, provide evidence (requiring ideal conditions is not unique to this approach as Bealer 1996b and 1999 and Peacocke 2000 also require them in their defense of intuition based on concept possession). BonJour argues that *a priori* justification that rests on rational intuitions, or insights,*does not require* what he calls a metajustification for those intuitions to provide justification, that is, does not require reasons, or an argument, to show that beliefs based on those intuitions are likely to be true. In this respect, intuition is like introspection and unlike perception, premonitions about the future, and clairvoyance (if it exists). BonJour seems to think that a principle something like the following is true: (*J*) if *S* has a rational intuition, or insight, that necessarily *p* after (i) considering *p*with a reasonable degree of care (which includes a clear and careful understanding of *p*), (ii) having at least “an approximate understanding of the concept of logical or metaphysical necessity” (BonJour 1998: 127 and 114), and (iii) *S* is neither dogmatic nor biased regarding *p* (BonJour 1998: sec. 5.3, 133–37), then *S*'s rational insight that *p* makes *p* likely to be true. Here (though not elsewhere) he seems to assume that beliefs that are likely to be true are justified, so (*J*) implies that subjects that meet the conditions specified in its antecedent are justified in believing *p*. Given BonJour's objections to reliability as being sufficient for justification, he probably means that a belief that satisfies conditions (i)–(iii) is *epistemically likely* to be true, where that sort of likelihood does not imply objective likelihood and can be present even in demon and Matrix worlds. However, BonJour does not believe that a person must be *justified in believing* (*J*) (or some similar principle) in order to be justified in believing some proposition on the basis of an intuition that, as a matter of fact, satisfies conditions (i)–(iii). He seems to think that if (*J*) could be justified, it would be either by empirical evidence or by intuition. If empirically justified, he thinks that rational intuition would not then provide *a priori* evidence. On the other hand, justification by intuition would be circular since (*J*) is supposed to give the conditions for intuitive justification. So it seems that there is no way to justify a principle that states the conditions sufficient for *a priori*justification: an attempt at empirical justification would turn rational intuitions into empirical evidence and an attempt at intuitive justification would be circular. So if justification via rational intuitions is possible, it cannot require a metajustification of some principle like (*J*). Still, according to BonJour, if (*J*) is in fact true and rational intuitions satisfy the antecedent conditions of it, they will provide *a priori* justification.

Given the above discussion of the “outside source” approach, BonJour seems mistaken in thinking that an empirical justification of (*J*) would mean that intuitions at most provide empirical evidence. After all, (*J*)'s truth is not affected by any sort of justification, and it is a statement of when intuitions provide *a priori* justification. All that an empirical justification will provide are reasons to think (*J*) true, not reason to think intuitions do not provide *a priori* justification. Of course, if you thought that empirical justification presupposes *a priori* justification, and that that sort of justification presupposes (*J*), there could be no non-circular justification of (*J*).

lewis on desires:

Can call desires into question. **LEWIS[[102]](#footnote-102):** At that frontier we find a great deal of traffic but it is all one-way traffic. It is a matter of daily experience that rational thoughts induce and enable us to alter the course of Nature—of physical nature when we use mathematics to build bridges, or of psychological nature when we apply arguments to alter our own emotions. We succeed in modifying physical nature more often and more completely than we succeed in modifying psychological nature, but we do at least a little to both. On the other hand, Nature is quite powerless to produce rational thought: not that she never modifies our thinking but that the moment she does so, it ceases (for that very reason) to be rational. For, as we have seen, a train of thought loses all rational credentials as soon as it can be shown to be wholly the result of non-rational causes. When Nature, so to speak, attempts to do things to rational thoughts she only succeeds in killing them. That is the peculiar state of affairs at the frontier. Nature can only raid Reason to kill; but Reason can invade Nature to take prisoners and even to colonise. Every object you see before you at this moment—the walls, ceiling, and furniture, the book, your own washed hands and cut fingernails, bears witness to the colonisation of Nature by Reason: for none of this matter would have been in these states if Nature had had her way. And if you are attending to my argument as closely as I hope, that attention also results from habits which Reason has imposed on the natural ramblings of consciousness. If, on the other hand, a toothache or an anxiety is at this very moment preventing you from attending, then Nature is indeed interfering with your consciousness: but not to produce some new variety of reasoning, only (as far as in her lies) to suspend Reason altogether.

Naturalism denies moral culpability. **LEWIS[[103]](#footnote-103):** But this is by the way. For our present purpose it does not matter which of these two views you adopt. The important point is to notice that moral judgements raise the same sort of difficulty for Naturalism as any other thoughts. We always assume in discussions about morality, as in all other discussions, that the other man’s views are worthless if they can be fully accounted for by some non-moral and non-rational cause. When two men differ about good and evil we soon hear this principle being brought into play. ‘He believes in the sanctity of property because he’s a millionaire’—‘He believes in Pacifism because he’s a coward’—‘He approves of corporal punishment because he’s a sadist.’ Such taunts may often be untrue: but the mere fact that they are made by the one side, and hotly rebutted by the other, shows clearly what principle is being used. Neither side doubts that if they were true they would be decisive. No one (in real life) pays attention to any moral judgement which can be shown to spring from non-moral and non-rational causes. The Freudian and the Marxist attack traditional morality precisely on this ground—and with wide success. All men accept the principle. But, of course, what discredits particular moral judgements must equally discredit moral judgement as a whole. If the fact that men have such ideas as ought and ought not at all can be fully explained by irrational and non-moral causes, then those ideas are an illusion. The Naturalist is ready to explain how the illusion arose. Chemical conditions produce life. Life, under the influence of natural selection, produces consciousness. Conscious organisms which behave in one way live longer than those which behave in another. Living longer, they are more likely to have offspring. Inheritance, and sometimes teaching as well, pass on their mode of behaviour to their young. Thus in every species a pattern of behaviour is built up. In the human species conscious teaching plays a larger part in building it up, and the tribe further strengthens it by killing individuals who don’t conform. They also invent gods who are said to punish departures from it. Thus, in time, there comes to exist a strong human impulse to conform. But since this impulse is often at variance with the other impulses, a mental conflict arises, and the man expresses it by saying ‘I want to do A but I ought to do B.’ This account may (or may not) explain why men do in fact make moral judgements. It does not explain how they could be right in making them. It excludes, indeed, the very possibility of their being right. For when men say ‘I ought’ they certainly think they are saying something, and something true, about the nature of the proposed action, and not merely about their own feelings. But if Naturalism is true, ‘I ought’ is the same sort of statement as ‘I itch’ or ‘I’m going to be sick.’ In real life when a man says ‘I ought’ we may reply, ‘Yes. You’re right. That is what you ought to do,’ or else, ‘No. I think you’re mistaken.’ But in a world of Naturalists (if Naturalists really remembered their philosophy out of school) the only sensible reply would be, ‘Oh, are you?’ All moral judgements would be statements about the speaker’s feelings, mistaken by him for statements about something else (the real moral quality of actions) which does not exist.

AT hume/instinct/desire:

1. Desirability conceptions of morality are circular. **PARFIT**[[104]](#footnote-104):

According to desire-based theories, such reasons would have to be provided by facts about what would fulfill our present desires. If, after informed deliberation, we want future happiness as an end, this fact could give us instrumental reasons to have certain other desires, since it would give us reasons to want whatever would make us happy. But the fact that we had this desire could not be truly claimed to give us a reason to have it. Desires cannot be self-supporting. Our wanting happiness as an end could not give us a reason to want happiness.

2. Desires must ultimately be taken as reasons to act. **KORSGAARD[[105]](#footnote-105):** The second element in this pragmatic unity is the unity implicit in the standpoint from which you deliberate and choose. It may be that what actually happens when you make a choice is that the strongest of your conflicting desires wins. But that isn't the way you think of it when you deliberate. When you deliberate, it is as if there were something over and above all of your desires, something that is you, and that chooses which one to act on. The idea that you choose among your conflicting desires, rather than just waiting to see which one wins, suggests that you have reasons for or against acting on them. And it is these reasons, rather than the desires themselves, which are expressive of your will. The strength of a desire may be counted by you as a reason for acting on it; but this is different from its simply winning. This means that there is some principle or way of choosing that you regard as being expressive of yourself, and which provides reasons that regulate your choices among your desires.

3. Instincts could never be morally justifiable. **CS LEWIS:[[106]](#footnote-106)** Telling us to obey Instinct is like telling us to obey 'people'. People say different things: so do instincts. Our instincts are at war. If it is held that the instinct for preserving the species should always be obeyed at the expense of other instincts, whence do we derive this rule of precedence? To listen to that instinct speaking in its own cause and deciding it in its own favor would be rather simple-minded. Each instinct, if you listen to it, will claim to be gratified at the expense of all the rest. By the very act of listening to one rather than to others we have already prejudged the case. If we did not bring to the examination of our instincts a knowledge of their comparative dignity we could never learn it from them. And that knowledge cannot itself be instinctive: the judge cannot be one of the parties judged; or, if he is, the decision is worthless and there is no ground for placing the preservation of the species above self-preservation or sexual appetite. The idea that, without appealing to any court higher than the instincts themselves, we can yet find grounds for preferring one instinct above its fellows dies very hard. We grasp at useless words: we call it the 'basic', or 'fundamental', or 'primal', or 'deepest' instinct. It is of no avail. Either these words conceal a value judgment passed *upon* the instinct and therefore not derivable *from* it, or else they merely record its felt intensity, the frequency of its operation and its wide distribution. If the former, the whole attempt to base value upon instinct has been abandoned: if the latter, these observations about the quantitative aspects of a psychological event lead to no practical conclusion. It is the old dilemma. Either the premises already concealed an imperative or the conclusion remains merely in the indicative.

4. Moral laws can be understood as the tiebreaker between pure intuitions, and that must come from an external source. **CS LEWIS:[[107]](#footnote-107)** For example, some people wrote to me saying, "Isn't what you call the Moral Law simply our herd instinct and hasn't it been developed just like all our other instincts?" Now I do not deny that we may have a herd instinct: but that is not what I mean by the Moral Law. We all know what it feels like to be prompted by instinct-by mother love, or sexual instinct, or the instinct for food. It means that you feel a strong want or desire to act in a certain way. And, of course, we sometimes do feel just that sort of desire to help another person: and no doubt that desire is due to the herd instinct. But feeling a desire to help is quite different from feeling that you ought to help whether you want to or not. Supposing you hear a cry for help from a man in danger. You will probably feel two desires-one a desire to give help [and] (due to your herd instinct), the other a desire to keep out of danger (due to the instinct for self-preservation). But you will find inside you, in addition to these two impulses, a third thing which tells you that you ought to follow the impulse to help, and suppress the impulse to run away. Now this thing that judges between two instincts, that decides which should be encouraged, cannot itself be either of them. You might as well say that the sheet of music which tells you, at a given moment, to play one note on the piano and not another, is itself one of the notes on the keyboard. The Moral Law tells us the tune we have to play: our instincts are merely the keys. Another way of seeing that the Moral Law is not simply one of our instincts is this. If two instincts are in conflict, and there is nothing in a creature's mind except those two instincts, obviously the stronger of the two must win. But at those moments when we are most conscious of the Moral Law, it usually seems to be telling us to side with the weaker of the two impulses. You probably want to be safe much more than you want to help the man who is drowning: but the Moral Law tells you to help him all the same. And surely it often tells us to try to make the right impulse stronger than it naturally is? I mean, we often feel it our duty to stimulate the herd instinct, by waking up our imaginations and arousing our pity and so on, so as to get up enough steam for doing the right thing. But clearly we are not acting from instinct when we set about making an instinct stronger than it is. The thing that says to you, "Your herd instinct is asleep. Wake it up," cannot itself be the herd instinct. The thing that tells you which note on the piano needs to be played louder cannot itself be that note.

7. Desire implies determinism – they are not a law given to ourselves and do not define free action. [which means you negate]. **FURROW:[[108]](#footnote-108)** This is because the source of human dignity is our capacity for freedom. We are distinguished from all other beings by our capacity to rationally choose our actions. If God, nature or other persons imposed moral requirements on us, against our will, our freedom would be fatally compromised. What is more, if our moral decisions were not free but imposed on us, we would not be morally responsible for them, thus undermining the system of praise and blame that is central to our moral framework. Thus, according to Kant, the basic condition for moral agency is moral autonomy – the capacity that each of us has to impose moral constraints on ourselves. Thus far, Kant’s thrilling praise of moral freedom seems compatible with ethical egoism. If moral decisions are up to me then it would seem that I am free to choose in accordance with my self-interest. However, Kant goes on to argue that I cannot achieve moral autonomy if desires, emotions and inclinations govern my moral judgments. Kant was convinced that nature is a mechanical system governed by deterministic, physical laws – causal relationships determine the behavior of plants, animals and inanimate objects. They have no capacity to choose. But human desires, emotions and inclinations are also part of that deterministic universe, since they are a function of our bodily nature. When we act in accordance with desires, emotions and inclinations, we are simply responding to physical urges much as an animal does. How can human beings escape this deterministic physical world? The only way we can exercise our freedom and autonomy is to rationally assess our actions independently of our desires. Moral reasoning will set us free – free from desires and emotions that chain us to nature. In contexts where moral judgment is required, by reasoning independently of desires, I am imposing moral principles on myself. My actions are self-directed rather than caused by external forces. Kant is not arguing that we should never act on our desires or inclinations. In fact, most of the time we act on what he calls hypothetical imperatives, which involve desires. ‘If you want to earn money, go to work.’ ‘If you are afraid of tigers, then stay out of the jungle.’ These are perfectly acceptable as a basis for action. Actions based on these hypothetical imperatives have instrumental value – they get us something we want. But such actions have no moral value. When our actions reflect only our desires and inclinations, and not our capacity for moral reason, they are not free and thus they have no moral worth, since morality requires freedom.

8. if wanting an end was a reason, it would be possible for absurd desires to generate decisive reason – if you had the desire to drink sulfuric acid and didn’t care about how much shorter it would make your life, a desire-based theory would say you ought to. Objecting that the desire is impossible proves my argument – you have presupposed that there is something about pain that intrinsically makes it undesirable, which is value-based.

9. Desire-based theories confuse our sentiments now with meta-hedonistic judgments about acting on our sentiments. **PARFIT[[109]](#footnote-109):** Since these claims are controversial, we can return to those non- aesthetic sensations that people like or dislike. Though these sensations are not in themselves good or bad, they are parts of complex mental states that are good or bad. When we are in pain, what is bad is not our sensation but our conscious state of having a sensation that we dislike. If we didn’t dislike this sensation, our conscious state would not be bad. What these sensations feel like may in part depend on whether we dislike them. Such sensations might be claimed to be in themselves bad when their quality is affected in certain ways by our disliking them. On this view, it would still be true that, if we didn’t dislike these sensations, neither they nor our conscious state would be bad, nor would we be failing to respond to some reason. When we are having some sensation that we intensely like or dislike, most of us also strongly want to be, or not to be, in this conscious state. Such desires about such conscious states we can call meta-hedonic. Many people fail to distinguish between hedonic likings or dislikings and such meta-hedonic desires. But these mental states differ in several ways. What we dislike is some sensation. What we want is not to be having a sensation that we dislike. Our desire could be fulfilled either by our ceasing to have this sensation, or by our continuing to have it but ceasing to dislike it. No such claims apply to dislikes, which, unlike desires, cannot be fulfilled or unfulfilled. Another difference involves time. Suppose that some flame is moving towards our hand, threatening us with great pain in the near future. Most of us would strongly want to avoid this future pain. But we cannot now dislike this future pain. Nor can we now like some future pleasure. Unlike our meta-hedonic desires, our hedonic likings or dislikings cannot be aimed at the future, or at what is merely possible. That is another reason why I do not call these mental states desires. If we call these states desires, we should remember that, given the differences between these states and our other desires, true claims about these states may not apply to our other desires. There are some other important and often [These] ignored differences between these states and our meta-hedonic desires. First, [cause] many people [to falsely] believe that our desires can create or confer value or disvalue. Korsgaard, for example, writes that something can be ‘objectively good as an end because it is desired for its own sake’. On this view, we create value by valuing things, and things matter by mattering to us. This view may seem to be supported by the examples of pleasure and pain. Our hedonic likings and dislikings do, as I have said, make some of our conscious states good or bad. If we fail to distinguish between these likings or dislikings and our meta-hedonic desires, we may believe that these desires make their objects good or bad. That may seem to support the general view that our desires can create value. Korsgaard’s remarks provide one example. To illustrate her claim that something can be good ‘because it is desired for its own sake’, Korsgaard writes: [that] ‘chocolate gets its value from the way it affects us. We confer value on it by liking it.’ Such examples do not, I believe, show that our desires can create or confer value, or disvalue, by making what we want to have, or to avoid, good or bad. Our future pleasures or pains are not made to be good or bad by our present desires to have these pleasures, and to avoid these pains. And when we are in great pain, by having some sensation that we intensely dislike, what makes our conscious state bad is our intense dislike, not our present desire not to be having the sensation that we dislike. Since our meta-hedonic desires do not make their objects good or bad, the examples of pleasure and pain do not decisively, or even, I believe, strongly support the view that our other desires have such value-creating power. Though it is good to have sensations that we like, nothing is good merely because we want this thing.¶

10. self-interest makes for desirability, but it’s not cogent to claim you wish the maximum satisfaction of them – we need to choose through reason which to follow **KORSGAARD:**[[110]](#footnote-110) The first is that the satisfaction of each of her desires is a good thing for her, so that by maximizing her satisfactions she is maximizing good things. The second is that her happiness is good because she in fact desires it, and so good for her for the same reason that each of the objects of her particular desires is good for her. In which ever of these ways we establish the goodness of happiness, we get the result that each of the person's particular desires has the same kind of normative claim on her that her happiness does. So if the aim of maximizing satisfaction comes into conflict with the aim of satisfying one of her desires, she now has a normative reason to do each of these things, and she needs some further reason to prefer the maximum satisfaction to the particular satisfaction. The problem of why she should be prudent, which before seemed to be a problem about whether there is a normative principle of prudence, has simply reappeared in the guise of a conflict among a plurality of normative principles. Now perhaps you will agree that this problem does arise for someone who claims that happiness is good because we desire it, and therefore places happiness exactly on a footing with the other objects of desire.

AT egoism:

1.Patently absurd – does that mean a good argument is one that makes me happy rather than one based in reason and logic.

2. It is never clear what is actually in a person’s self-interest – doesn’t guide action. **KORSGAARD[[111]](#footnote-111):** With that idea in mind, the instrumental egoist treats the possibility that someone might desire something inconsistent with her happiness as if it were exactly on a par with the possibility that she might miscalculate or simply make a factual error. Suppose someone mistakes white vinegar for vodka. "You do not *really want* to drink *that,"* we say to her; and she does not; we are absolutely right. The instrumental egoist must suppose that it is true in *just that way* that the addict does not *really want* the heroin, or that the angry person does nor *really want* to break the window, or that the adulterer does not *really want* to have the affair that will destroy his marriage. In these cases, the instrumental egoist must say, the person's mind is so clouded by addiction, rage, or lust that he is unable to identify what he really wants. But considered as a psychological hypothesis, the idea that human beings "really" have all and only these domesticated desires seems not only false but hilarious. As Bishop Butler wrote in his Sermons: Men daily, hourly sacrifice the greatest known interest to fancy, inquisitiveness, love, or hatred, or any vagrant inclination. Someone who says the addict does not "really want" the heroin must be using "want" in some specialized sense, for in one familiar sense he very obviously does want it.

3. Egoism isn’t normative. **KORSGAARD[[112]](#footnote-112):** The trouble with this conception of rationality is that it cannot support the normative use of "ought." For according to this view, if l say to you "you really ought to see a dentist about that tooth" all that I mean -all- is that if you came to understand that a visit to the dentist is essential to the achievement of an end requisite for your happiness, you would in fact be motivated to go. The rational judgment is not really a recommendation, but rather a sort of hypothetical prediction. And it is not that I predict you would be motivated to go if you understood that going would promote your happiness because you would then see that you have a reason to go. It is not that, for on this view the claim that you have a reason to go just amounts to the claim that if you made the judgment you would in fact be motivated to go.

4. Each desire listened to alone will impel its own fulfillment – means that aggregating them is not coherent since the maximization of my desires is not good for any particular desire. **KORSGAARD[[113]](#footnote-113):** I think that there is a mistake here like the one that john Stuart Mill makes in his proof of the principle of utility. Mill says that the only thing that 'proves' that anything is desirable and therefore good is that it is desired. Each person desires his own happiness, so the sum of everyone's happiness is desirable and therefore good.11 But, we may object, at least for all we know, no one desires the sum of everyone's happiness, so if only desire makes for desirability, what makes the sum desirable? Mill wants to mean that each *part* of it is desired, by the per- son whose happiness it is. But of course a maximum does not include its parts in *that* way: maximizing happiness is not like adding one acre of ground to another that adjoins it. Conflicts are possible, and if the calculation turns out so, I may have to sacrifice my happiness in order to maximize the total, and then where is my part? In the same way, if my happiness consists in the maximum satisfaction of my desires, it is unlikely to include the satisfaction of each of my desires. And just as the individual person whose happiness is sacrificed for the sake of over - all utility seems to have some right to protest, so also the individual desire whose satisfaction is sacrificed for the sake of overall happiness seems to have some right to protest. There are moments when the question "why should I be prudent?" is as much in need of an answer as its more famous cousin.

5. Happiness cannot be an end in itself – it is a simply an attitude we hold toward the success of our ends. Happiness only matters because you matter. **ENGSTROM[[114]](#footnote-114):**As representations of the agreeable (pleasing) activities in which the experience of these objects consists, sensible desires furnish the materials requisite for the exercise of the free power of choice—or for the application of the will—in the framing of an end. A person’s conception of the single end accordingly includes the general representation of such agreeable activities— activities that are in fact good to the extent that the practical judgment through which they are included in the end has the form of practical cognition. The attainment of this end would thus amount to the consciousness of the uninterrupted agreeableness of life, or the satisfaction of all the person’s inclinations. And this, Kant says, is what we understand happiness to be. What can make the idea that a person’s various actions all have a common end seem questionable is the failure to separate it from certain gratuitous additional suppositions. There is no need to suppose that this end must be articulated and specified in sufficient detail to provide a “goal in life” or a “plan for living”; nor must we suppose that persons are always effectively guided in their conduct by this end.13 All that need be involved in the conception of this end is a certain recognition that the agreeable activities deemed good in the person’s practical judgments all belong to a single practical life and so are subject to the condition—a condition of their very possibility—that they can be somehow included in that life as modes of the basic activity of living in which it consists. Having this conception does not imply that one has determined what exactly those activities are, or how, specifically, they can be integrated and jointly realized; on the contrary, these questions cannot even be raised unless the conception is already in place. Since this representation is one the possession of which is implied by the very concept of a person, and since it furnishes the genus in any specification of what one’s happiness consists in, we may characterize it as the *formal, generic conception of happiness* and so distinguish it from whatever substantive conception may be worked out through its specification. On the strength of these considerations, we may, I think, conclude with Kant that happiness, generically conceived, is an end attributable to all persons. We may also conclude that the act of setting this end for oneself is the first and fundamental exercise of the power of choice, the act in which particular persons first constitute themselves as such. And from this we may draw the further conclusion that the first application of the formula of universal law to this power should take place in this act of framing happiness as an end.

And, this means that end states aren’t inherently good. There is no function of an end to evaluate its goodness. Only rationality can solve this, meaning util devolves into Kantianism. **KORSGAARD[[115]](#footnote-115):**  The idea of something’s being rational to want is helpful in this context because when we are using the term “good” in the evaluative way, it captures the same content that the idea of something’s role or function does. Since knives are ordinarily wanted for cutting, a good knife is a sharp one, and if you want a knife for the usual reasons, sharpness is a property it is rational to want in your knife. So instrumental or functional properties, broadly speaking, coincide with the properties it is rational to want. But, with Rawls’s idea of the life plan in hand, we can extend the idea of “rational to want” to a person’s ends. Earlier, when I asked what the notion of “good end” might [refer to] mean, I asked whether ends have a role or a function, and I denied that they did. But in effect, Rawls’s move does assign our ends a kind of role or function. Their role or function is to serve as an element in a person’s rational plan; some of them are better than others at playing that role. But there’s another way to characterize Rawls’s move here that I think is even more important. I have now described the evaluative notion of the good in two different ways: first, as invoking the plain, descriptive idea that something has the properties that enable it to serve its function well; second, as invoking the slightly more normative idea that something has the properties it is rational to want in that kind of thing. The difference between these two ways of thinking of evaluative goodness is that when we think of the object in the slightly more normative sense of being rational to want, we consider its functional properties from the point of view of someone who wants that sort of thing.[it] This enables Rawls to establish[es] a continuity between the evaluative and the final good, since the final good as Rawls conceives it is also characterized from the point of view of the one whose good it is. That is, it is characterized as what it is rational for that person to want, given his rational plan. So both evaluative and final goodness are relational; they are goodness relative to someone’s plan, and therefore goodness for that person. Even the most general evaluative use of ‘good,’ when it is not relativized to the point of view of any particular person, evokes a relation to a point of view. If I just say, for instance, “the Honda is good car,” without any qualification, I mean, “rational for pretty much anyone in want of a car to want, given what such things are generally used for.” That ties the goodness of the car to “pretty-much anyone- in-want-of-a-car’s” point of view. In my view this is no accident, for the concept of the good always makes an essential reference to someone’s point of view. In fact, that is putting it too mildly, for as we will see there is only such a thing as the final good because there are beings who have points of view. That is why the final good is a relational concept, as I will now try to show.

6. Nothing like happiness or health can be an intrinsic good – things are related to an agent’s purpose, which means my freedom-based framework is the internal link. **KORSGAARD:[[116]](#footnote-116)**

Suppose that Alfred’s lover has left him to take up with Bertrand, and Alfred is feeling suicidal. ‘Eat your broccoli,’ his mother urges. ‘It’s good for you.’ According to the theory on offer, Alfred should say, ‘No, it isn’t. Since all I want to do is die, the benefits of eating broccoli are completely irrelevant to me, or maybe they are even bad, since they will tend to keep me alive.’ But of course, that’s not what Alfred actually going to say. What he actually is going to say is, ‘Yes, but I don’t care.’ Perhaps you think this is just because Alfred is not sufficiently reflective, and the use of the phrase ‘good for you’ to mean something like ‘promotes your health’ is so well established, idiomatically, that he fails to question the suitability of the claim to his own case. A more philosophical Alfred *would* say the first thing: that his mother has made a wrong calculation about what will benefit him. But in my view the second Alfred, the more likely Alfred, has got it right. Alfred is not explaining to his mother that she has made an error in calculation. He is declaring that, being in despair, he does not care about himself, and so does not care about what is good for him. ‘Good for you’ in the motherly sense of ‘Broccoli is good for you’ *does* mean something like ‘promotes your health,’ not something like ‘indirectly promotes your final good.’

7. Experiencing something like pleasure cannot ground what is the good. **KORSGAARD:[[117]](#footnote-117)** But we do not need to enter this familiar debate, for everything I said before about happiness can be said about pleasure. We can claim that what makes something good for you is that it provides you with pleasant experiences. But that cannot be what makes pleasant experiences *themselves* good for you. That little conundrum may drive us into an ownership theory of pleasure: pleasure is a good thing, and what makes it good for you is that it is yours. But then again, we have to ask what the ownership consists in. Here the tempting answer will be that you are the one who experiences it. But again, it is not as if there is some un-experienced pleasure lying around, and being the one who experiences it is laying some sort of a claim to it. All pleasure is someone’s pleasure: the idea of pleasure is an inherently relational idea. To say that your pleasure is yours is not to say that you stand in a special relation to some piece of pleasure. If pleasure were the good, that would mean that to say that something is good for you is not to say that you stand in a special relationship to something good. And while we are at it, experience is relational too: so to say that you are the one who has a certain experience is not to say that there is some experience to which you stand in a special relation. So what makes something your good cannot be that you are the one who experiences it.

8. Our own value logically precede the value of any contingent ends. **KORSGAARD:**[[118]](#footnote-118) This is just a fancy new model of an argument that first appeared in a much simpler form, Kant’s argument for his Formula of Humanity. The form of relativism with which Kant began was the most elementary one we encounter - the relativity of value to human desires and interests. He started from the fact that when we make a choice we must regard its object as good. His point is the one I have been making - that being human we must endorse our impulses before we can act on them. Kant asked what it is that makes these objects good, and, rejecting one form of realism, he decided that the goodness wa[i]s not in the objects themselves. Were it not for our desires and inclinations, we would not find their objects good. Kant saw that we take things to be important because they are important to us - and he concluded that we must therefore take ourselves to be important. In this way, the value of humanity itself is implicit in every human choice. If normative skepticism is to be avoided - if there is any such thing as a reason for action - then humanity as the source of all reasons and values must be valued for its own sake.

pallikkathayil cards:

Internal versus external freedom. **PALLIKKATHAYIL**[[119]](#footnote-119) As I mentioned above, I claim that the foundational elements of Kant’s political philosophy are justified by the Formula of Humanity. In order to see how this is so, we need to spend a little more time considering what Kant has in mind when he refers to ‘humanity’. As we have already seen, by ‘humanity’, Kant means our capacity to set and pursue ends, that is, our capacity to act. Action is free when it is self-directed. Kant uses the distinction between ‘internal’ and ‘external’ freedom to capture two respects in which action can be self-directed. On the one hand, if your actions are simply the product of the push and pull of inclinations operating within you, your actions are directed by these forces rather than by you. Internal freedom consists in directing yourself rather than being directed by your inclinations. On the other hand, if your actions are simply the product of other agents pushing you around, there is a different but equally real sense in which your actions are not self-directed. External freedom consists in directing yourself rather than being directed by other agents. In his moral philosophy, one of the things that Kant is most concerned to argue is that internal freedom—that is, autonomy—is achieved through following the Categorical Imperative.

AT occupying space is a violation of freedom. **PALLIKKATHAYIL**[[120]](#footnote-120) So, we need a way of understanding one’s relationship to others such that their mere existence need not pose a threat to one’s ability to engage in self-directed action. If we think of each person as having rights to control certain features of the world, then each person has a sphere of discretionary space, that is, a domain within which she is entitled to control what happens. Within this sphere, one’s choices could be insulated from the choices of others, and in that sense one would be able to engage in self-directed action. With this understanding of external freedom as consisting in the space for self-directed action secured by a bundle of rights, we can turn to the second step in the argument. Here the value of humanity, that is, of each person’s capacity for self-directed action, justifies the foundational claim of Kant’s political philosophy. That claim is that each person is entitled to an equal sphere of discretionary space in virtue of her capacity for self-directed action. That is, each person has an innate right to equal external freedom in virtue of her humanity.

Defense of a right. **PALLIKKATHAYIL**[[121]](#footnote-121) The first step toward a specification of rights involves observing a fundamental feature of having a right. Kant claims that having a right necessarily involves the authority to limit the freedom of others in defense of that right. The argument for this claim proceeds as follows. First, we suppose that we may identify some action or another as violating a right. Now we can ask what responses to an attempt at violating this right are consistent with the equal external freedom of all, that is, with maintaining the integrity of the would-be violator’s discretionary sphere. In attempting to violate another’s right, the vi- olator attempts to take control of a feature of the world that another is entitled to control. In other words, the violator leaves her discre- tionary sphere and encroaches on the discretionary sphere of an- other. If the victim acts to thwart the violator’s action, this only in- volves limiting her freedom to do something she has no claim to be permitted to do. In other words, actions needed to thwart a rights violation only prevent the would-be violator from performing an ac- tion that is not in her discretionary sphere. Hence such defensive actions are consistent with the violator’s equal external freedom.

Origin of a right to property. **PALLIKKATHAYIL**[[122]](#footnote-122) With this conception of a property right in mind, we can return to the question of why we should understand people’s discretionary spheres as involving a right to acquire property. Why not instead re- gard people’s discretionary spheres as encompassing only their bodies and whatever they can physically possess? The answer, I think, involves considering the possible grounds for drawing the boundaries of peo- ple’s discretionary spheres in one way rather than another. The only reason for limiting a person’s right to engage in a certain kind of activity is the need to preserve the equal external freedom of others. Kant’s claim is that there is no reason based on equal external free- dom for limiting rights to objects to those objects that one physically possesses. In order to see why, notice that uses of objects that require or are consistent with continuous physical possession do not exhaust the ways in which an object might be used. The purpose of establish- ing equal discretionary spheres does not in itself provide reason for privileging the protection of one kind of use over others. In other words, limiting possible rights against others with respect to objects only to objects in one’s physical possession would be arbitrary, on a par with a limitation of rights against others with respect to objects only to objects that one physically possesses while, say, one is whistling. It seems, then, that we should conclude that the right to acquire prop- erty is a component of each person’s discretionary sphere.

motive from duty:

Partial interests could never be a moral motive for action – only acting from duty reflects the actual choice to be a moral person. **HERMAN[[123]](#footnote-123):** In acting from immediate inclination, the agent is not concerned with whether his action is morally correct or required. That is why he acts no differently, and, in a sense, no better, when he saves a drowning child than when he helps the art thief. Of course we are happier to see the child saved, and indeed, might well prefer to live in a community of sympathetic persons to most others, but the issue remains. The man of sympathetic temper, while concerned with others, is indifferent to morality. In Kant's language, the maxim of his action-the subjective principle on which the agent acts-has no moral content. If we suppose that the only motive the agent has is the desire to help others, then we are imagining someone who [they] would not be concerned with or deterred by the fact that his action is morally wrong. And correspondingly, the moral rightness of an action is no part of what brings him to act. On this reading of the sympathy example it would seem that Kant did not reject such emotions as moral motives because they could not be steady and strong, or because they were essentially partial.6 Even if, for example, sympathy could be strengthened to the force of habit, and trained (as Hume suggests) toward impartial response, it would still generate morally correct actions only by accident. For while sympathy can give an interest in an action that is (as it happens) right, it cannot give an interest in its being right.' We said of the shopkeeper example that the person's motive was to make a profit, and so his hitting upon a right action was also, in this way, a matter of luck. The economic circumstances that happened to prevail required honest actions as the necessary means to business ends. So in this example, too, the denial of moral worth to an action is intended to mark the absence of interest in the morality of the action: that the shopkeeper's action was morally correct and required was not a matter of concern to him. This suggests a more general thesis. Even if social institutions were arranged to guarantee that profit and honesty went together (through penalties, social sanctions, etc.), the performance of honest actions, so motivated, would still be no more than "fortunate": that is, dependent on external and contingent circumstances. Maximizing the number of honest transactions is not what moral worth looks to. And a concern with moral worth will not encourage the social manipulation of circumstances so that people just find themselves doing what is right. What can we conclude? This reading of the two examples does not (and is not intended to) give us an account of what moral worth is, or a clear idea of the conditions for its correct attribution. It does suggest why Kant thought that there was something the matter with a dutiful action performed from a non-moral motive: Non-moral motives may well lead to dutiful actions, and may do this with any degree of regularity desired. The problem is that the dutiful actions are the product of a fortuitous alignment of motives and circumstances. People who act according to duty from such motives may nonetheless remain morally indifferent. Taking the limits of non-moral motives as a guide, we can intro- duce a minimal claim. For a motive to be a moral motive, it must provide the agent with an interest in the moral rightness of his actions. And when we say that an action has moral worth, we mean to indicate (at the very least) that the agent acted dutifully from an interest in the rightness of his action: an interest that therefore makes its being a right action the non-accidental effect of the agent's concern.

Desires do motivate you to reason – it’s not that they aren’t important, just that they do not actually determine the moral decision. **HERMAN[[124]](#footnote-124):** When the motive of duty functions as a limiting condition, there is no lessening of the agent's moral commitment if he acts from the motive of duty and nonmoral motives, so long as the motive of duty is effective: its satisfaction is decisive in the agent's going on with his proposed action. Rather than posing a moral obstacle, the nonmoral motive is in most cases necessary if the motive of duty (as a limiting condition) is to have an object of interest. As Kant sees it, moral deliberation characteristically begins with a nonmoral interest or motive that prompts consideration of an appropriate course of action. 15 Ordinary moral life is embedded in desires for ordinary things, desires that lead to different kinds of action in different circumstances. My need for money may send me to the bank, to work, or to a deceitful promise, depending on the situation in which I must act to meet my need. Whether I will be tempted to act in a morally impermissible way will likewise depend on contingent and variable circumstances. If we follow Kant, it is what happens next that is the crucial moment for the moral agent. Once I am aware of what I want to do, I must consider whether it is morally permissible. If I have an effective motive of duty, I will act only when I deter- mine that it is. I then act in the presence of more than one motive, satisfying both my nonmoral desire and the motive of duty. This is the normal state of affairs for someone with a sincere interest in doing what is right.

Moral imperatives must be acted upon from duty. **VELLEMAN[[125]](#footnote-125):** A duty, to begin with, is a practical requirement – a requirement to do something or not to do something. But there are many practical requirements that aren’t duties. If you want to read Kant in the original, you have to learn German: there’s a practical requirement. Federal law requires you to make yourself available to serve on a jury: there’s another practical requirement. But these two requirements have features that clearly distinguish them from moral obligations or duties. The first requires you to learn German only if you want to read Kant in the original. This requirement is consequently escapable: you can gain exemption from [them] by giving up the relevant desire. Give up wanting to read Kant in the original and you can forget about this requirement, since it will no longer apply to you. The second requirement is also escapable, but it doesn’t point to an escape hatch so clearly, since it doesn’t contain an “if” clause stating a condition by which its application is limited. Nevertheless, its force as a requirement depends on the authority of a particular body – namely, the U.S. Government. Only if you are subject to the authority of the U.S. Government does this requirement apply to you. Hence you can escape the force of this requirement by escaping the authority of the Government: immunity to the authority of the body entails immunity to its requirements. Now, Kant claimed – plausibly, I think – that our moral duties are inescapable in both of these senses. If we are morally obligated to do something, then we are obligated to do it no matter what our desires, interests, or aims may be. We cannot escape the force of the obligation by giving up some particular desires, interests, or aims. Nor can we escape the force of an obligation by escaping from the jurisdiction of some authority such as the Government. Kant expressed the inescapability of our duties by calling them categorical as opposed to hypothetical.

Only acting from duty can be commanded – I cannot freely choose my inclinations, but I can choose to act because I know I ought to. **KORSGAARD[[126]](#footnote-126):** And now we have arrived at the place where the argument of the first section of Kant’s *Groundwork* begins, specifically with the contrast between the person who acts from what Kant calls natural sympathy and the person who acts from duty. (G 4:398-399). Kant will go on to argue that these two characters have the same purpose or final intention – say, that of giving you a sandwich in order to relieve your hunger – but that they adopt the maxim of acting on that intention on different grounds, the first person being moved by the maxim’s content, while the second is moved by its universal form, that is, by the fact that it must be willed as a universal law. (G 4:399-401)9 On Kant’s view, the difference between the person who acts from natural benevolence or sympathy and the person who acts from duty does not rest in different final intentions, but in the principle that governs the adoption of their final intentions.

A good will is one that acts according to moral duty. **JOHNSON[[127]](#footnote-127):** Kant's analysis of commonsense ideas begins with the thought that the only thing good without qualification is a ‘good will’. While the phrases ‘he's good hearted’, ‘she's good natured’ and ‘she means well’ are common, ‘the good will’ as Kant thinks of it is not the same as any of these ordinary notions. The idea of a good will is closer to the idea of a ‘good person’, or, more archaically, a ‘person of good will’. This use of the term ‘will’ early on in analyzing ordinary moral thought in fact prefigures later and more technical discussions concerning the nature of rational agency. Nevertheless, this idea of a good will is an important commonsense touchstone to which he returns throughout his works. The basic idea is that what makes a good person good is his possession of a will that is in a certain way ‘determined’ by, or makes its decisions on the basis of, the moral law. The idea of a good will is supposed to be the idea of one who only makes decisions that she holds to be morally worthy, taking moral considerations in themselves to be conclusive reasons for guiding her behavior. This sort of disposition or character is something we all highly value. Kant believes we value it without limitation or qualification. By this, I believe, he means primarily two things. First, unlike anything else, there is no conceivable circumstance in which we regard our own moral goodness as worth forfeiting simply in order to obtain some desirable object. By contrast, the value of all other desirable qualities, such as courage or cleverness, can be diminished, forgone, or sacrificed under certain circumstances: Courage may be laid aside if it requires injustice, and it is better not to be witty if it requires cruelty. There is no implicit restriction or qualification to the effect that a determination to give moral considerations decisive weight is worth honoring, *but only under such and such circumstances*. Second, possessing and maintaining one's moral goodness is the very condition under which anything else is worth having or pursuing. Intelligence and even pleasure are worth having only on the condition that they do not require giving up one's fundamental moral convictions. The value of a good will thus cannot be that it secures certain valuable ends, whether of our own or of others, since their value is entirely conditional on our possessing and maintaining a good will. Indeed, since it is good under any condition, its goodness must not depend on any particular conditions obtaining. Thus, Kant points out that a good will must then also be good *in itself* and not in virtue of its relationship to other things such as the agent's own happiness or overall welfare. In Kant's terms, a good will is a will whose decisions are wholly determined by moral demands or as he often refers to this, by the Moral Law. Human beings view this Law as a constraint on their desires, and hence a will in which the Moral Law is decisive is motivated by the thought of *duty*. A *holy* or *divine* will, if it exists, though good, would not be good because it is motivated by thoughts of duty. A holy will would be entirely free from desires that might operate independently of morality. It is the presence of desires that *could* operate independently of moral demands that makes goodness in human beings a constraint, an essential element of the idea of ‘duty’. So in analyzing unqualified goodness as it occurs in imperfectly rational creatures such as ourselves, we are investigating the idea of being motivated by the thought that we are constrained to act in certain ways that we *might* not want to, or the thought that we have moral duties. Kant confirms this by comparing motivation by duty with other sorts of motives, in particular, with motives of self-interest, self-preservation, sympathy and happiness. He argues that a dutiful action from any of these motives, however praiseworthy it may be, does not express a good will. Assuming an action has moral worth only if it expresses a good will, such actions have no genuine ‘moral worth’. The conformity of one's action to duty in such cases is only related by accident to content of one's will. For instance, if one is motivated by happiness alone, then had conditions not conspired to align one's duty with one's own happiness one would not have done one's duty. By contrast, were one to supplant any of these motivations with the motive of duty, the morality of the action would then express one's determination to act dutifully under any circumstances. Only then would the action have moral worth.

rodl intent expansion:

We can only be acting in accordance with ethical law given conscious capacity of it. **RODL[[128]](#footnote-128):**

We developed the idea of a thought that is the causality of a representtion according to which its subject acts from the case of action according to the representation of an end. Exploiting the analogy noted above, we can apply this idea to action according to a law and specifically the moral law. In order for someone to act according to her representation cause her doing something that accords with the law in any old way. Rather, she must recognize that her action accords with the law. And this recognition cannot be conceived as a further cause, which then would again be operating independently of the subject’s consciousness of it. Rather her recognition of her action as conforming to the moral law must be a causality of her representation of the law. So someone acts according to the moral law only if “she is acting in this way because the moral law requires it” and “she knows that she should act in this way because the moral law requires it describe the same reality. By implication, so do, in this case, the statements “She is acting in this way” and “She knows that she should.” That is, her acting in this way is the conclusion of her practical reasoning. We inquire after the chracter of the thought that represents acting in a certain way as required by the moral law, with a view to understanding how thinking it manifests a power to act according to the law. Now, action according to a representation involves an act of deriving the action from the representation, which act is the causality of the representation. The derivation concludes in a thought that represents the action as necessary, which thought, if the subject acts as represented, is identical with the action it represents. This applies to acting according the moral law: it involves an act of deriving an action from the moral law, the conclusion of which derivation, representing the action as necessary, is acting according to the law. It follows that the power to act according to the representation of the moral law is exercised in thoughts representing acting in a certin way as required by the moral law. Consciousness of the moral law is an act of the power to act according to the moral law.

This implies intention is most relevant in ethical action. **RODL[[129]](#footnote-129):** Acting according to a law is not acting according to an end. In respect of an end, there is a distinction of pursuing and reaching it, expressed in language by the contrast of progressive and perfective aspect: I am doing it, I have done it. I may have been pursuing an end I did not reach. With respect to a law, there is no such distinction: when I am acting according to the law, then I have acted according to the law. In Aristotle’s own terminology, action according to an end is kinesis, or poiesis, action according to a law is energeia, or praxis. The schematic expressions doing something, acting, action must be interpreted according to context as signifying either the one or the other. Acting according to the moral law is not poiesis. Therefore, powers to achieve ends, poietic power, do not provide the space of reasoning that derives an action from the moral law. Of course, acting according to the moral law will be pursuing certain ends because doing so is exemplifying the moral law. Hence, my power to act according to the moral law includes my being a subject of poietic powers, that is, my being a subject capable of pursuing ends. But it is not the office of moral reasoning – reasoning that derives an action from a law – to represent any end as something I can achieve. What I know from thinking I should do something, when this is my recognition that doing it exemplifies the moral law, is not that I can achieve a certain end, but that I can act according to the moral law. It is possible that I fail in exercising this power, but then the failure is one of failing to reach an end I have been pursuing, but not a failure to be determined by the moral law.

more intention foresight stuff:

The same action changes in its moral significance based on the intent. **MACINTYRE[[130]](#footnote-130):**

It is a conceptual commonplace, both for philosophers and for ordinary agents, that one andthe same segment of human behavior may be correctly characterized in a number of different ways. To the question 'What is he doing?' the answers may with equal truth and appropriateness be 'Digging', 'Gardening, 'Taking exercise', 'Preparing for winter' or 'Pleasing his wife'. Some of these answers will characterize the agent's intentions, other unintended consequences of his actions, and of these unintended consequences some may be such that the agent is aware of them and others not. What is important to notice immediately is that any answer to the questions of how we are to understand or to explain a given segment of behavior will presuppose some prior answer to the question of how these different correct answers to the question 'What is he doing?' are related to each other. For if someone's primary intention is to put the garden in order before the winter and it is only incidentally the case that in so doing he is taking exercise and pleasing his wife, we have one type of behavior to be explained; but if the agent's primary intention is to please his wife by taking exercise, we have quite another type of behavior to be explained and we will have to look in a different direction for understanding and explanation.

[This outweighs since action theory comes first – if morality was not based in action, it could never claim anyone ought to *do* anything at all. Also means you don’t account for the complexity of moral language.]

d) The difference between intention and foresight is your personal violation of another. **KORSGAARD[[131]](#footnote-131):** In cases where a deontological restriction is at issue, doing the *action* puts you into a direct relationship with another human being - your “victim” as Nagel puts it. In performing the action, you will have to aim directly at evil for your victim, even if your larger purpose is good. Nozick, in his remarks on the apparent paradox of deontology, puts the point in more Kantian language. In violating a deontological requirement, you will have to treat your victim as a mere means. I will come back to the question of what there is to choose between these two formulations. In any case, the force of deontological restrictions, according to Nagel, rests in the immediate badness of victimizing someone. Nagel illustrates his point with an example.(VFN 176) You need the cooperation of a reluctant elderly woman in order to save someone’s life, and you find that you can only secure it by twisting the arm of her grandchild so that his screams will induce her to act. You are faced with using the child as a means to saving a life, and in this case, that involves hurting the child. If the grandmother doesn’t give in, you have to try and hurt the child more. You have to *will* to hurt the child more, and so, in a sense to want to.(VFN 182) The louder the child screams, the better for you. But there he is, a child, a vulnerable human being to whom everyone owes protection. From your point of view, this is a terrible thing to *do*. You might think that this analysis doesn’t apply in some of the other cases I’ve mentioned. Consider Williams’s Indians. The one you kill is going to die anyway, whether he is shot by you all alone or along with his compatriots by Pedro. So you are not bringing about an evil for him which he would not have endured otherwise. But there is still a sense in which *you* are aiming directly at his evil. You must pick up a rifle, aim it at his heart, and fire. You must be gratified if the bullet kills him, just as you must be gratified if the child screams louder. And, despite appearances, there is also a sense in which you are treating him as a mere means. You are killing him in order to save the others. The fact that he is going to die anyway doesn’t really change the fact that this is what *you* are doing.

fichte intersubjectivity:

All action results from our ability to reflect; recognizing self-awareness is the basis of all philosophy. **WOOD:[[132]](#footnote-132)** Fichte's *Wissenschaftslehre* is a "science of science as such" (GA I/2:117-118, EW 105-106). It is grounded on a principle which is claimed to be absolutely certain, and to convey the same certainty to the propositions grounded on it (GA I/2:116, EW 104). The absolutely first principle of the *Wissenschaftslehre* is the 'I'. It is chosen for its simplicity as well as its certainty, but it turns out to be more complex than it seems. Every act of awareness, Fichte maintains, involves an awareness of the I. "No object comes to consciousness except under the condition that I am aware of myself, the conscious subject" (GA I/4:274-275). Fichte seems to have in mind here what Sartre was later to call the "pre-reflective" or "non-positional" self-consciousness we have even when our attention is focused on objects entirely distinct from the self. If I am reading a novel, for example, my attention is not on myself (or my reading activity) but on the characters in the story, and what they are doing. But if my reading is interrupted by someone ask[s]ing me what I am doing, I reply immediately that I am (and have for some time been) reading; and the self-awareness on the basis of which I answer the question is not something acquired at just that moment but a consciousness of myself which has been present to me all along. For Fichte what is crucial about this awareness is not only its ubiquity and certainty, but equally the fact that it is an awareness of *activity*, which is present in our most passive states of perception. In every thought you directly note activity and freedom in this thinking, in this transition from thinking the I to thinking the table, the walls, etc. Your thinking is for you an *acting*" (GA I/4:271-272). What Fichte means by the 'I', regarded as the absolute principle of all philosophy, is nothing but this awareness of our own activity, which is an inevitable ingredient in any awareness and provides us with an ineluctable consciousness of our freedom. The 'I', then, is for Fichte the absolute foundation of philosophy because it is simultaneously the transcendental unity of apperception on which Kant based the possibility of theoretical cognition and the postulate of freedom which was the foundation of practical philosophy. If Fichte derives the ubiquitous certainty of the I from pre-reflective self-awareness, that does not mean that he intends to exclude reflective self-awareness from the first principle. For one of the most characteristic activities of a free I is that of reflecting on itself, and we will see that Fichte uses this feature of self-awareness to derive some of his most ambitious conclusions. In pre-reflective activity the I "posits itself absolutely"; but in reflection it "reiterates this positing" or "reverts into itself" (GA I/2:408, SK 243; GA I/4:212-213). Reflection is not a feature of the I at all times, but the I's free activity essentially involves a "capacity for reflection" (GA I/2:423, SK 258), and it is essential to being an I that the I should (sometimes) exercise this capacity: "If it is to be an I, it must also posit itself as self-posited" (GA I/2:408, SK 241). In reflecting on itself, the I forms a *concept* of itself (GA I/4:213, I/3:329). Every act of conceptualization involves distinguishing the item brought under a given concept from those excluded from it. Therefore, reflective self-awareness involves the I's self-limitation: the I must distinguish itself from what it is not. From this Fichte infers that the very possibility of the I requires its limitation by a "not-I": "The following is implicit in our principle: *The I posits itself as limited by the not-I*" (GA I/2:285, SK 122). To posit the I is at the same time to "counterposit" a not I (GA I/2:268, SK 105; I/3:330). This means that the activity of the I must be twofold: that of the I, directed toward a not-I and that of a not-I, directed back against the I as a "collision" or "check" (*Anstoss*) of the I's activity (GA I/2:354-362, SK 189-196). Since both are conditions of the I's existence, Fichte regards both as activities of the I: the former is "ideal" activity, the latter "real" activity (GA I/2:402-404. SK 236-238).

**WOOD[[133]](#footnote-133):**Fichte himself realizes that this argument taken by itself is too short to be convincing: “From this alone, however, the positing of individuality would not follow, for it would indeed be possible that the I should posit that free activity outside its own solely through ideal activity, as a merely possible one – possible to it itself, if it contained something perhaps beneficial, or also to other free beings” (SW 4:219). I can sufficiently individuate my individual I, in other words, without supposing actual rational beings outside myself, by thinking of alternative possibilities to my individual agency, adopted either by other possible beings or even by myself. But he does not find this reply decisive 18 either, since it ignores the fact that what I must account for is not merely thinking of my I as an individual, but finding myself as an individual, as a determinate object. This finding, Fichte claims, is possible only through an experience as an object of the free activity constituting my individual I; and this experience is possible only through the instantiation in my consciousness of a distinctive concept, which Fichte calls the concept of a ‘summons’ (Aufforderung). And this is a concept, he argues, that requires for its explanation an origin in a rational being other than myself. Here it is important to realize that what I have to be aware of in order to be aware of my individual I is not so much activity in which I have already engaged as possible activity in which I might engage. For me, my individuality consists not merely, and not fundamentally, in facts that distinguish me from others but in possibilities of acting through which I actively determine who I am. In other words, the awareness of my individuality must be fundamentally normative. This is so even if, as Fichte believes, the fundamental norms of rational agency are every bit as objective or universally binding as the objective truths about the material world. For what makes me an individual is the specific way I apply these universal norms to my actions, in my unique situation and from my unique perspective. Thus Fichte connects the concept of my individual I with the concept of a determinate end or goal (Zweck) of activity, and he regards the concept of an end as that through which an individual I can make a transition from (as he puts it) “determinability to determination” (GA 4:2: 47, 57-58, 175-176) – that is, from the plural possibilities of what I might be to the free decision that determines who I am. This transition involves setting an end for myself, constituting my reason for making this transition, and then actualizing that end. The concept of an end, therefore, involves that of a possible way of acting that I have a rational ground for making actual. It is this concept, Fichte argues, that can present itself to me only in the form of a ‘summons’; and the concept of a summons is something that requires the actual existence of another rational being as its explanation. “The summons would thus contain within itself the real ground of a free decision; i.e. it would be the determining agency that intervenes between that is determinable and what is determinate” (GA 4:2:179). “How is the concept of an end possible?” (GA 4:2:173). “The end is given to us along with the summons… From this it follows that individual reason cannot account for itself on the basis of itself alone” (GA 4:2:177). “I never find myself except insofar as I find myself summoned to act freely” (GA 4:2:184). Therefore, “consciousness begins with consciousness of a summons” (GA 4:2:189). In other words, my own self-consciousness begins with my consciousness of another’s consciousness as addressing me (“summoning” me). This means that the mental states of others, as perceived by someone other than the I whose states they are, are as transcendentally necessary to the self-consciousness of an I as are its own states. Fichte’s argument is that transcendentally, the nature of mind is constituted as much by my awareness of the mentality of others as by my awareness of my own mentality.

**WOOD[[134]](#footnote-134):** The condition for reflective self-awareness, or forming a conception of oneself as an I is that the I as activity is opposed and limited by the not-I. In part this means: opposed and limited by a material world, but it also means: opposed and limited by other I's. An I cannot conceive itself at all unless it conceives itself as one of a plurality: "The consciousness of individuality is necessarily accompanied by another consciousness, that of a *thou*, and is possible only on this condition" (GA I/4:229, SK 49). "No thou, no I" (GA I/2:337, SK 172). Fichte's argument for this in the *Foundations of Natural Right* is based on the idea that the I must act on a not-I and be checked by that same not-I in one and the same moment. From this he derives the conclusion that the I must *itself* limit its own action based on a *concept* of limitation from outside: this concept he calls a "demand" (*Aufforderung*). But the external source of a *concept* of action can be thought only as another I who makes the demand. Therefore, the I is possible only on the condition that it conceives of another I, which demands that it limit its action in certain ways (GA I/3:342-347). To understand another as a rational being making such a demand, and to display such understanding in action is to "recognize" (*anerkennen*) the other (GA I/3:353). Since every free being necessarily wills to make use of its freedom, the basic demand I necessarily make on every other free being is that it should limit its action in such a way that I am allowed a sphere for the exercise of my freedom (GA I/3:357-358). Fichte argues that for this reason I must assume that others will recognize me, but since I cannot expect others to do so unless I treat them as rational beings, I am bound by mere logical consistency (and prior to any moral requirement) to recognize all others and treat them accordingly (GA I/3:349-356). Recognition must be presupposed as the condition of all interactions between free beings, and it must be presupposed as a reciprocal relation, which Fichte calls the "relation of right". It grounds the "principle of right": "I must in all cases recognize the free being outside me as such, i.e. limit my freedom through the concept of the possibility of its freedom" (GA I/3:358). By the principle of right each free being is to have an external sphere for the exercise of its freedom, and others are to limit their freedom accordingly. This external sphere begins at the point of origin of one's action on the external world itself. We have seen that the I must be limited by a not-I. Fichte interprets as saying that the I and an external, material world must exercise a mutual causal influence on one another. But since only matter can act on matter, the I too must be matter – or at least it must have a material vehicle for its relations of activity and passivity to the not-I. To be an I therefore, one must be *embodied*, and the starting point of the external sphere recognized by others must be its body (GA I/3:361-365). But because human beings are free, their modes of activity are endlessly perfectible and adaptable (GA I/3:377-379). Hence the sphere of a rational being's activity may be extended indefinitely, which is the eventual foundation of all rights of property (GA I/3:415-423). More immediately, it is the foundation of "original rights" (*Urrechte*), that is, those not based on any positive laws, but serve as the basis of any conceivable community of free beings (GA I/3:390, 403-410). Original rights are fundamentally only two: the inviolability of the body, and the right to act freely on the external world (GA I/3:409).

I value morality. The basis of any action is founded upon a right to determine one’s own activity. **NEUHOUSER**[[135]](#footnote-135):The main steps of Fichte's deduction are easy to trace — they are set out as three separate "theorems" — but reconstructing the arguments they rely on is considerably more difficult. In the first step (§i) he argues that a subject could not be self-conscious without ascribing to itself "a free efficacy," or "an activity whose ultimate ground lies purely . . . within itself." Fichte's claim, in other words, is that self-consciousness is possible only if the subject thinks of itself as having the capacity for a certain kind of free activity. This claim is easily recognized as a version of the thesis that practical reason has primacy over theoretical, and Fichte explicitly formulates his view in these terms in the first Corollary to §i: "the practical I is the I of original self-consciousness; . . . a rational being perceives itself immediately only in willing and would not perceive itself, and thus would also not perceive the world . . . , if it were not a practical being. Willing is the genuine and essential character of reason." It is important to look more closely at how Fichte characterizes the activity that the practical subject is supposed to ascribe to itself in order to be self-conscious, namely, as "the act of forming the concept of an intended efficacy outside us, or the concept of an end." (It is worth noting here that Fichte focuses on the same capacity of the subject that Kant will single out in the Metaphysics of Morals as the defining feature of moral personhood: the ability to set practical ends for oneself.) Although this free activity is originally characterized as one that is wholly internal to consciousness — the mere forming of an end — it is an activity of consciousness that also makes implicit reference to a world outside itself: forming an end includes a determination to act in the world. This reference to an external world is crucial to Fichte's argument. Its importance is reflected in the fact that the Foundations expressly sets out to investigate the conditions of self-consciousness for finite subjects (that is, for subjects who are always necessarily related to an objective world and hence "limited" that is, not fully selfdetermined in the sense that they are bound, both theoretically and practically, by a world that is neither themselves nor entirely of their own making). The text's founding idea that political rights are among the necessary conditions of self-consciousness — is predicated on the view that finite subjects can become conscious of themselves as selfdetermining only when the objective world to which they are necessarily related mirrors that picture of themselves. Thus, it is only by seeing the results of its free agency in an independently existing world (or, more precisely, in what ordinary consciousness takes to be an independent world) that [can] a finite subject can intuit its own self-determining character; it is only in acting on objects that a finite subject can be aware of itself as self-determining. From here it is only a short step to the inference drawn in §2 that for a finite being self-consciousness requires positing an independent, sensible world as the sphere within which its free agency can be realized.

The self-awareness that gives us the freedom to act also demands that we recognize others’ freedom in the form of intersubjective rights. **NEUHOUSER:**[[136]](#footnote-136)The deduction's second theorem (§3) makes one of the Foundations's most original and exciting claims, and it is essential to Fichte's project of showing that rights are necessary conditions of self-consciousness. Its claim is that ascribing to oneself free efficacy (or agency) in the sensible world requires ascribing the same capacity to other rational beings. Fichte argues here that in order for a subject to be conscious of its own agency, it must first find that agency, as an object for its consciousness, in the external world. The thought here appears to be that the subject cannot come to an awareness of itself as practically free simply by seeing the results of its agency in the world, for in order to act freely, it would first have to know itself as free. The subject, then, must learn about its freedom in some other manner; it must somehow experience itself as free prior to any actual instances of its agency. Fichte's claim in §3 is that the only possible solution to this problem is to suppose that external evidence of one subject's agency is provided by another free subject. This occurs through a "summons" that one already formed subject makes to another. The summons is a call to act, a call to realize one's free efficacy, which takes the form of an imperative: You ought to "resolve to exercise [your] agency" (§3, III). Fichte concludes from this that the freedom of one subject (which includes consciousness of its freedom) requires the existence of others; free individuality is possible only in relation to other subjects, and so intersubjectivity is a necessary condition of self-consciousness. As Fichte sums up his result in the first Corollary to §3: "The human being . . . becomes a human being only among human beings;... it follows that if there are to be human beings, at all, there must be more than one." From here Fichte moves to the final step of the deduction of the concept of right (§4). Its claim is that positing the existence of other rational beings requires thinking of oneself as standing in a particular relation to them, a relation that turns out to be the "relation of right." The argument behind this claim is that in order to be conscious of myself as a free individual, I must be able to distinguish my own free agency from that of the other subjects whose existence I necessarily posit (as established in §3). According to Fichte, this requires "ascribing exclusively to myself a sphere for my free choice" (§4, II), a sphere to which other free beings have no access. But, given that I share the external world with other free beings, this is possible only if my individuality is recognized by those beings as setting limits to their own free agency. (And the same, of course, is required of me in relation to them if they are to attain consciousness of themselves as free individuals.) This recognition is more than just a theoretical acknowledgment of my status as a free being; it also requires that I be treated as such by other subjects or, in other words, that my free agency acquire a real and protected existence in the external world. But this is nothing more than the requirement that I possess a set of rights that are respected by others, which is what Fichte means by "standing in a relation of right" to other rational beings.

AT infinite specific maxims:

**AT all maxims are universal:**

- No, but agent specific perspectives are incoherent since they are not grounded in a priori facts but the agent or action in a particular case – they are not related to our rational agency which is the moral category – every other empirical fact is just the conditions under which I act.

- Even if I could will a private exception, it still contradicts the structure of reason since it does not acknowledge the equality of rational agents by applying an exception that we could not apply universality.

- Fichte takes out the warrant – recognizing inter-subjective freedom doesn’t depend on the idea of universal maxims, but the ability to have rational agency to begin with.

1. Very specific maxims ignore the concept of moral salience – there must be some relevant reason for exceptionally situational rules in the categorical imperative. **HERMAN[[137]](#footnote-137):**

Now, in order to use the CI as a principle of judgment or assessment, the agent must first produce his maxim. That is, he must formulate a (subjective) principle that correctly describes what he is intending to do and why (for what end and in response to what motive).3Since a maxim is a subjective principle of action, it contains as much of the particulars of person and circumstance as the agent judges are necessary to describe and account for his proposed action. Rules of relevance will be necessary to determine which facts it is legitimate to include in a maxim, but these are not them- selves moral rules. They will require, for example, that the agent include in his action description only those features of the circumstances of action which are conditions of his acting as he proposes. So the fact that an action is to be performed on a Tuesday is rarely a condition of anyone's acting, and so will rarely have a legitimate place in any maxim. In short, what I have argued here is that, because the CI procedure assesses maxims of action and because maxims contain only those descriptive elements which belong to an agent's conception of his action and circumstances the CI cannot be an effective practical principle of judgment unless agents have some moral under- standing of their actions before they use the CI procedure. I believe there is support for this view in Kant's own examples and in his account of moral education.' But the claim that such prior moral knowledge is necessary follows from the structure of the CI as a practical principle of judgment and not from the correctness of my textual interpretation. In addition to picking out the morally significant features of actions, then, the rules of moral salience (RMS) indicate a burden of justification. The agent in the deceitful-promise example understands that normal prudential or instrumental justifications of actions will not do in the case of deceit. This is the mark of his "con- science." It seems he already knows that deceit in the pursuit of (mere) self-interest is usually not permissible.[He asks "Is it not unlawful and contrary to duty to get out of difficulties in this way?"(G 89/90;422).]So he comes to the CI knowing that, unless his situation is morally exceptional, it will not be judged permissible. Issues of excuse and justification do not enter moral thought only after an action has been done; they are part of the way a nor- mal moral agent explains the permissibility of his actions to himself.

2. Moreover, the means you take to achieve the maxim are irrelevant. It is a question of the content of the maxim. **ENGSTROM[[138]](#footnote-138):** What can make the idea that a person’s various actions all have a common end seem questionable is the failure to separate it from certain gratuitous additional suppositions. There is no need to suppose that this end must be articulated and specified in sufficient detail to provide a “goal in life” or a “plan for living”; nor must we suppose that persons are always effectively guided in their conduct by this end.13 All that need be involved in the conception of this end is a certain recognition that the agreeable activities deemed good in the person’s practical judgments all belong to a single practical life and so are subject to the condition—a condition of their very possibility—that they can be somehow included in that life as modes of the basic activity of living in which it consists. Having this conception does not imply that one has determined what exactly those activities are, or how, specifically, they can be integrated and jointly realized; on the contrary, these questions cannot even be raised unless the conception is already in place. Since this representation is one the possession of which is implied by the very concept of a person, and since it furnishes the genus in any specification of what one’s happiness consists in, we may characterize it as the formal, generic conception of happiness and so distinguish it from whatever substantive conception may be worked out through its specification.

AT kant is too abstract:

We need a lot of knowledge about the world to formulate maxims. **HERMAN[[139]](#footnote-139):**

But if actions are to be assessed(directly)by the CI through their maxims, there is a need in the Kantian system for some kind of in- dependent moral knowledge. An agent who came to the CI procedure with no knowledge of the moral characteristics of actions would be very unlikely to describe his action in a morally appropriate way. Kant's moral agents are not morally naive. In the examples Kant gives of the employment of the CI procedure(G 422/3), the agents know the features of their proposed actions that raise moral questions before they use the CI to determine their permissibility. It is because they already realize that the actions they want to do are morally questionable that they test their permissibility. It is hard to see how any system of moral judgment that assessed maxims of action could work. We might think of the problem this way. Indefinitely many descriptions of an action are possible, most of which omit the aspects of the action that raise moral questions. Suppose you wanted to construct a machine capable of rendering the most primitive moral judgments using a system that required maxims as the objects of assessment. Let us suppose the machine already has a natural descriptive language. Just to recognize that it should present the event "A punching B in the nose" for moral judgment, the machine would also have to know, for example, that such actions involve injuries and that injuries are morally salient features of human events. (Imagine how much more complex its information would have to be to pick up the harm of an insult or demeaning remark.)So we must imagine the machine equipped with a list of morally salient characteristics and some kind of mapping instructions that indicate appropriate correlations between moral features and the terms of natural descriptions. In general, judgment is possible only when the material to be judged is presented in a manner that fits the form of judgment. Moral judgment is not the first step in moral deliberation.

desert fwks collapse to mine:

Moreover, desert implies that we must base moral accountability on the force of reasons. **KORSGAARD**[[140]](#footnote-140): But in a broader sense it is not possible for us to avoid holding one another responsible.6 For holding one another responsible is the distinctive element in the relation of adult human beings. To hold someone responsible is to regard her as a person-that is to say, as a free and equal person, capable of acting both rationally and morally. It is therefore to regard her as someone with whom you can enter the kind of relation that is possible only among free and equal rational people: a relation of reciprocity. When you hold someone responsible, you are prepared to exchange lawless individual activity for reciprocity in some or all of its forms. You are prepared to accept promises, offer confidences, exchange vows, cooperate on a project, enter a social contract, have a conversation, make love, be friends, or get married. You are willing to deal with her on the basis of the expectation that each of you will act from a certain view of the other: that you each have your reasons which are to be respected, and your ends which are to be valued. Abandoning the state of nature and so relinquishing force and guile, you are ready to share, to trust, and generally speaking to risk your happiness or success on the hope that she will turn out to be human.

deont is intersubjective:

Deontological reasons are intersubjective. **KORSGAARD[[141]](#footnote-141):** But the violation of a deontological constraint *always* involves an agent and a victim, and so if this account is correct, deontological reasons are always shared reasons. They cannot be the personal property of individual agents. Instead, they supervene on the relationships of people who interact with one another. They are intersubjective reasons. In fact, Nagel’s primal scene, the confrontation of agent and victim, shows us how agent-neutral reasons are *created* in personal interaction. My victim complains; he says: “How would you like it if someone did that to you?” I see not merely that I wouldn’t like it, but that I would resent it. I am treating my victim as a means, and it is the essence of treating another as a means that his consent is dispensed with. It would be impossible for me to consent to be so treated and so I would have to rebel. That is why I would feel resentment. “How would you like it if someone did that to you?” In asking me this question my victim demands that I either cease using him as a means, or give up my own claim not to be so used by others. But the latter is impossible: one cannot consent to be used as a means. And so *he obligates me* to desist, and to treat him instead as an end in himself. xlv This of course is a variant of Nagel’s own argument in *The Possibility of Altruism*.(PA 82ff) And as his arguments there show, my recognition that others must be treated as ends in themselves explains altruistic reasons as well. We resent those who regard our plight with indifference, in much the same way that we resent those who use us as means. But now we have arrived at a picture of neutral or objective value that is different from the one Nagel had intended to give us. According to this account *all* neutral reasons for action arise from a category which Nagel had thought of as a source of relative reasons - the category of personal relationships. But this is no special category: for *all* human interaction is personal. It is because or to the extent that we regard one another as *persons* that we acknowledge the force of deontological reasons. As persons, others demand that we treat them in ways to which they can consent; as persons, we find we must respond to that demand. But we also express our respect for one another’s humanity by sharing in each other’s ends. As persons, we have a claim on one another’s help when it can readily be given or is desperately needed. It is the status of humanity, as the source of normative claims, that is the source of all value. The argument, in other words, has brought us back to Kant.

exp of kant violations:

The notion of a Kantian violation. **KORSGAARD[[142]](#footnote-142):** According to Kant, you treat someone as a mere means whenever you treat him in a way to which he could not possibly consent. Kant’s criterion most obviously rules out actions which depend upon force, coercion, or deception for their nature, for it is of the essence of such actions that they make it impossible for their victims to consent. If I am forced I have no chance to consent. If I am deceived I don’t know what I am consenting to. If I am coerced my consent itself is forced by means I would reject. So if an action depends upon force or deception or coercion it is impossible for me to consent to *it*. To treat someone as an end, by contrast, is to respect his right to use his own reason to determine whether and how he will contribute to what happens.

Contradictions in willing. **KORSGAARD:[[143]](#footnote-143)** The argument is based on an idea that plays a central role in Kant's ethics generally, namely that willing is regarding yourself as a cause: that the will is, as Kant says in the opening argument of Section Three of the Foundations , "a causality of living beings insofar as they are rational". (G 446/64) It is because we must regard ourselves not only as a cause but as a free cause or a first cause that it turns out rationality requires autonomy, and this is the basis of moral obligation. In the argument above, Kant's point is this: Willing is regarding yourself as the cause of the end in question - as the one who will bring it about. This distinguishes willing from mere wanting or wishing or desiring. Conceiving yourself as a cause of the end is conceiving yourself as setting off a causal chain that will result in the production of the end. It is conceiving yourself as using the available causal connections. But the available causal connections are, by definition, "means". So, willing the end contains, or insofar as you are rational is already, willing the means. It is because this is a "containment" relation - in the logic of practical reason - that acting against the hypothetical imperative is contradictory. This gives us a sense of practical contradiction - of contradiction in the will - which is different from but not weaker than "theoretical" contradiction

Contradictions in conception; the contradiction arises because the agent wills to engage in action, but also wills a state of affairs in which that action will no longer exist. **KORSGAARD:[[144]](#footnote-144)** The difference between the two tests will not lie in the use of a different kind of contradiction, as it does in the Logical Contradiction Interpretation. And yet there will be a difference. The purpose thwarted in the case of a maxim that fails the contradiction in the conception test is the one in the maxim itself, and so the contradiction can be said to be in the universalized maxim. The purpose thwarted in the case of the contradiction in the will test is not one that is in the maxim, but one that is essential to the will.

Can decide for ourselves but not for others. **KORSGAARD[[145]](#footnote-145):** Nagel believes that it is appropriate to give the individual the authority to confer objective value on her own inner states and the conditions that determine what living her life is like, but that it is not appropriate to give an agent the authority to confer objective value on things that are completely outside of herself.(VFN 169-171) Suppose, for example, that it is my ambition that my statue should stand on campus. It seems very odd to say that everyone has a reason to work to bring this about merely because I desire it. Why should I be the right person to determine what state of the campus is objectively good? On the other hand, I seem to be exactly the right person to determine what state of *me* is objectively good. If I’m not the person to determine this, who could possibly be? This is why everyone has a reason to help me to achieve things like pleasure and freedom, but no one has a reason to help me get my statue put up on campus.

You cannot violate a perfect duty even if you promote the further following of a perfect duty. **KORSGAARD[[146]](#footnote-146):** Surprisingly, the fact that you are treating someone as a mere means operates even in the peculiar cases of breaking a promise so that other people will keep theirs, or telling a lie so that others will tell the truth. You can see this by imaging the kind of case in which you could be faced with such a decision. If I tell the truth, I predict, three of you will tell lies that you should not tell. On what basis could I make this prediction? Perhaps I think that if I tell the truth I will reveal information which will show you that it is in your interest to lie, and I also think that you are unscrupulous people who will lie if it is in your interest. Or perhaps I believe that the truth will confuse you, and that you will tell the lies as a result of the muddle. Or perhaps I think you have a wrongheaded moral system, and knowing this particular truth will make you wrongly conclude that you ought to lie. However it goes, if I tell a lie in order to *get you* to tell the truth, I am treating you as somehow inferior creatures whose tendency to go wrong must be controlled by my superior wisdom. Since this is a way of being treated to which you could not possibly consent, I am treating you as a mere means. Here I am not necessarily aiming at anything evil for you: I may be paternalistic, protecting you from going wrong. This shows, I think, that Nagel is mistaken when he emphasizes that you are aiming at your victim’s *evil*. The problem is that you are treating your victim as a mere means. But suppose that with this revision we accept Nagel’s account. It is the particular badness of treating someone as a means that explains deontological reasons. It is the horribleness of looking right into a pair of human eyes, while treating their owner like an piece of furniture or a tool. And yet by violating the restriction you may be doing what is best. So the badness of violating it is a badness that is for you. The reason is agent-relative. Now this doesn’t seem right at all. Surely when you violate a deontological restriction, it is bad for your victim as well as for you. Your victim may surely object to being treated as a mere means, even when he understands the larger good which is thereby produced. And his objection is not only to being harmed; it is to being *used*. Nagel believes that his theory can accommodate the victim’s right to complain. He says: The deontological constraint permits a victim always to object to those who aim at his harm, and this relation has the same special character of normative magnification when seen from the personal perspective of the victim that it has when seen from the personal perspective of the agent. Such a constraint expresses the direct view of the person on whom he is acting. *It operates through that relation.* The victim feels outrage when he is deliberately harmed even for the greater good of others, not simply because of the quantity of the harm but because of the assault on *his value* of having my actions guided by his evil.(VFN 184; my emphases)

derivation of kantian state:

This authority also enforces claims. **PALLIKKATHAYIL**[[147]](#footnote-147) The institutional apparatus that resolves the indeterminacy prob- lem is both entitled and required to solve the enforcement problem.41 The argument for this claim is as follows. First, recall that having a right implies the authorization to compel others to respect that right. So, an institution with the right to determine the scope of the discre- tionary spheres of individuals has the right to compel individuals to respect that determination. Thus, in enforcing its right to determine the scope of discretionary spheres, the institution thereby also en- forces the rights of individuals. Next, recall that the problem of enforcement is only solved when each person’s rights are protected. Given the structural features of rights I discussed earlier, although each person has the right to enforce her own rights, she does not necessarily have the right to enforce others’ rights. Only the afore- mentioned institution has the right to enforce everyone’s rights be- cause doing so amounts to enforcing its own right to determine the scope of rights. Hence only this institution could solve the enforce- ment problem. And since the resolution of this problem is needed for the establishment of equal external freedom, this institution is required to solve the enforcement problem. What we end up with, then, in order to establish equal external freedom is an institution that defines the scope of our rights and enforces those rights. In other words, what we need is the establish- ment of the state. So, now we are in a position to appreciate the overall structure of Kant’s political philosophy. Kant’s argument is that the innate right to freedom requires that we have rights to our bodies and the possibility of acquiring property rights. But these rights are merely provisional in the state of nature. That is, although we can make claims on one another to abide by our respective rights, the definitive shape of these rights remains unsettled and the assur- ance that they will be respected is absent. Provisional rights can therefore only be made conclusive through the establishment of the state. Hence each of us has the right to have our interactions with others governed by a state and, given the indi- vidual right of enforcement, each of us may therefore compel others to enter into a state. Although there is much more in Kant’s political philosophy that is worth exploring, this much suffices to set up my conclusion re- garding the relationship between Kant’s moral and political philoso- phy. Before turning to that conclusion, however, I want to make good on a promissory note from Section I.*A*. There I indicated that, although Kant is regarded as working in the social contract tradition, I do not think that the idea of consent is playing a foundational role in his political philosophy. Now we are in a position to see this. Moving from the state of nature into the state involves establish- ing an impartial decision procedure backed with the power to enforce its conclusions. And it is just at this point that one might think that the idea of consent is doing some work. Indeed Kant sometimes refers to the establishment of the state as taking place through an original contract.42 But in the account I just sketched, the legitimacy of the state stems directly from its ability to solve the indeterminacy prob- lems and the enforcement problem. It needs no authorization from its citizens to do this. I suggest, then, that the idea of a contract is best understood not as a justificatory device but rather as a heuristic device that enables us to vividly appreciate the requirement of equal external freedom.

Solution to property indeterminacy claims is a rightful condition. **PALLIKKATHAYIL**[[148]](#footnote-148)

The solution to all of these indeterminacy problems lies in the establishment of an impartial decision procedure for adjudicating dis- putes over rights. Only this kind of decision procedure will be able to resolve disputes in a way that preserves our equal external freedom because only this kind of procedure can represent both of our claims to external freedom without deferring to either of our individual judgments about our respective rights. Notice that although social practices can do some work establish- ing expectations in the state of nature such that the state of nature need not be a complete mess, these social practices are not sufficient to establish conclusive rights. As Kant puts it: “It is true that the state of nature need not, just because it is natural, be a state of *injustice* (*iniustus*), of dealing with one another only in terms of the degree of force each has. But it would still be a state *devoid of justice* (*status iustitia vacuus*) in which when rights are *in dispute* (*ius controversum*), there would be no judge competent to render a verdict having right- ful force.”39 The trouble with mere social practices is that, although they may establish expectations that prevent constant fighting, they lack the impartiality needed to establish a rightful condition. There is no mechanism for challenging informal social norms as inconsistent with equal external freedom or for challenging the view another person has about the proper application of a norm in a given case. Only an impartial decision-making procedure for settling disputes over rights can address these problems in a way that is consistent with equal ex- ternal freedom. Just what kind of decision procedure would suffice is, I think, a difficult question and one that goes beyond the scope of this essay. Kant himself held the position that, although institutions embodying a decision procedure can be more or less just, any such institution will do to solve the indeterminacy problem. I disagree. I think that the requirement of impartiality and the need to maintain equal dis- cretionary spheres place constraints on the kind of institutions that will count as solving the indeterminacy problem. But as I said, I will not be able to pursue this issue further here.40 Notice, though, that even robust standards for the structure of the political institutions in a just state would not resolve all of the indeterminacy problems. Ac- tual political decision making will be needed to settle at least the fine- grained details of our rights. It is, for example, unlikely that the dis- putes described above about rights to one’s daffodils would be settled by the constitution of a just state.

System of equal freedom and sovereignty principle. **RIPSTEIN[[149]](#footnote-149):** The sovereignty principle is also consistent with a variety of views about the claims of the state to tax and redistribute property, even as it forbids private parties from taking it upon themselves to redistribute other people’s property. As a principle governing *private* interactions, it does not need to be hostile to *public* purposes. 37 If those activities were nothing more than cases of some people using the law to force others to advance their purposes, they would be objectionable. But that isn’t the right way to think about them. The sovereignty principle articulates the idea of a *system* of equal freedom, in which no person is subject to another person’s choice. In so doing, it makes room for an account of distinctively public purposes, that is, those essential to the creation and maintenance of that system as a whole. It is not my purpose here to develop a full catalogue of just which purposes are properly public in this sense. It is clear, however, that the application of the sovereignty principle requires at least some public institutions. Consider the power to articulate, apply, and enforce laws, including the sovereignty principle itself. Private enforcement is sometimes said to be unreliable or harmful. These difficulties may be sufficient to underwrite public institutions, but from the perspective of the sovereignty principle there is another, even more serious problem: private enforcement is always a form of despotism. Whether someone can be forcibly prevented from interfering with another person’s freedom, or punished for having done so, depends on the enforcer’s strength and private judgment about such things as what actually happened, the precise contours of people’s respective rights, and the relevant standards of conduct and proof. Institutions and officials charged with articulating, applying and enforcing the law impartially preserve independence. 38 You can *describe* the principles of a system of equal freedom without saying anything about institutions, but a group of people can’t live in equal freedom unless institutions to demarcate and guarantee that freedom is in place. Public taxation to support them provides the basic background condition for a system of equal freedom. The sovereignty principle is also consistent with the broader republican idea that institutions can only avoid despotism – can only preserve their public character – by securing the basic conditions of citizenship for all who are bound by them. It is also open to the Rousseauian idea that laws and institutions are only properly public, and so only serve to create a system of equal freedom, if they guarantee that each citizen is able to engage in genuinely voluntary cooperation, and none is so desperate to be utterly dependent on the grace of the more fortunate.39 Insofar as public institutions require the provision of opportunities and resources to preserve their public character in either of these resects, the sovereignty principle is not only consistent with, but requires taxation to guarantee and them to all citizens. If such provision, in turn, requires public works – roads, parks, dams, government offices – the state will be entitled to exclude trespassers who seek to use them for unauthorized private purposes, and set rules that enable effective provision. 40

Kingdom of Ends. **JOHNSON[[150]](#footnote-150)** explains: This formulation has gained favor among Kantians in recent years (see Rawls, 1972; Hill, 1992). Many see in it as introducing more of a social dimension to Kantian morality. Kant states that the above concept of every rational will as a will that must regard itself as enacting laws binding all rational wills is closely connected to another concept, that of a “systematic union of different rational beings under common laws” or a “Kingdom of Ends”. (4:433) The formulation of the CI states that we must “act in accordance with the maxims of a member giving universal laws for a merely possible kingdom of ends” (4:439). It combines the others in that (i) it requires that we conform our actions to the maxims of a legislator of laws (ii) that this lawgiver lays down universal laws, binding all rational wills including our own, and (iii) that those laws are of ‘a merely possible kingdom’ each of whose members equally possesses this status as legislator of universal laws, and hence must be treated always as an end in itself. The intuitive idea behind this formulation is that our fundamental moral obligation is to act only on principles that could earn acceptance by a community of fully rational agents each of whom have an equal share in legislating these principles for their community.

Deriving the truth of state obligation analytically precedes other theories since they already presume the content of the will, this is the basis for a political and social will at all – means I outweigh on probability of my ethic being true. **GUYER[[151]](#footnote-151):**  On this account, principles of right are analytic because they simply state the conditions under which freedom can be used in accordance with universal law—that is, the conditions under which multiple persons can exercise their individual freedom of choice consistently with each other—while principles of ethics are synthetic because they assume that human beings have necessary ends and state the conditions under which the use of our power of choice is consistent with the realization of those ends. The proof of a principle of ethics must therefore appeal beyond the concept of freedom itself to a necessary end of mankind, while the proof of a principle of right need demonstrate only that a relationship among persons is one that is consistent with the concept of freedom itself. Of course, to say the latter is to say precisely that a principle of right is derived from the concept of freedom and expresses the conditions necessary for the instantiation of the concept of freedom in relations among persons. Thus Kant’s claim that principles of right are analytic is itself a claim that such principles ‘proceed from’ and therefore can be proven by appeal to the concept of freedom.

This means that my conceptualization comes before other theories, such as util or contractarianism, since they assume a will that already has certain ends attached.  Other frameworks presume what a good end is and then seek to achieve it – the AC elucidates what ends are good and what ends are bad.

We need a law whose application creates a space in which people can be free. **JULIUS[[152]](#footnote-152):**

It might yet turn out that people living together can be independent people. That will not happen when everyone has managed to exclude all the others from her portion of external means. For a better example of how to do it I propose the law of the street. To escape constraint by others’ choices we should share out the space for and means to our independently adopted ends through a law that binds us independently of those choices. This is a law that everyone will uphold, not because she must limit her activity to what can sustained on her lot, but because like Bjartur she is after freedom and so is trying to do what leaves the others free. The law will set us free by giving us this chance to act for freedom’s sake.

A system in which everyone acts for the purpose of consistency with other people’s freedom is the only way to solve dilemmas of conflicting claims, like traffic right of way or occupation of space. **JULIUS[[153]](#footnote-153):** A great accomplishment of *Force and freedom* is to have isolated a genuine problem raised by the potential collision of bodily actions that only rights to freedom seem poised to solve. This is the problem of extending to every person a right to set ends that holds independently of others’ choices even as every person depends for the power to accomplish her ends on others’ omitting to choose what’s incompatible with the action through which she pursues them. I’ve argued that we can have this independence if every person, whatever her particular ends, sets out to [work for those ends consistently with others’ freedom]. We do this by disposing of the space and the objects that our purposes demand through decisions to occupy and use them in profiles that these freedom-minded ends make rationally appropriate. Where we all follow this law of the street no one is compelled to go along with what what the others were already doing.

The rightful condition is key to reciprocity. **RIPSTEIN:[[154]](#footnote-154)** Kant sees the state of nature as lack[s] in this sort of reciprocity for two distinct reasons. The first is a problem about determinacy: even if everyone recognizes the fundamental principles of right, and the limits on freedom that they demand, and also agrees about every situation where rights are in dispute, there is, Kant contends, no basis to expect unforced agreement on the application of the general principles to particular facts. The problem is not just that the principles are too general—though that, too, is a problem—but rather, that the application of interpersonal norms to facts always generates problems of determinacy, for reasons that we will explore. When different people apply the same standards differently, people are not subject to reciprocal limits on their freedom. As reciprocal limits on freedom, those rights are enforceable even if people do not agree about them. But they must be made reciprocal in order to be enforceable. The second is a problem about assurance, which Kant makes in the Hobbesian-sounding passage to which I referred earlier: I do not need to refrain from interfering with the possessions of others unless I can be assured that they in turn will refrain from interfering with my possessions. That is because, for Kant, right requires a reciprocal authorization to coerce, and where an authorization to coerce is not reciprocal it is not a matter of right. If the ability to secure compliance from others depends upon the incidental features of my strength, we are not subject to a universal law after all. The two problems, taken together, require a single solution, that is, a state that will render the demands of right determinate, through legislation and adjudication, and will render the enforceability of those demands reciprocal through an enforcement mechanism, so that the enforceability of rights is not a reflection of the strength of the particular parties to a dispute.

Your innate right must also be independence as a condition of the state of nature since there are by no restrictions on freedom and every action is permissible. But this is contradictory and unworkable since my right not to be subject to another conflicts with others’ pursuit of their purposes. **WEINRIB[[155]](#footnote-155):** “Kant develops his conception of right in three stages: innate right, private right and public right. Innate right establishes that purposive beings have a duty to assert their worth in relation to others and a right to pursue their purposes without interference from others. But pursuing our purposes often requires adopting means external to our bodies. Thus, Kant’s theory of private law explains how persons acquire rights to things (property), rights to another’s performance (contract) and rights to persons akin to right to rights to things (status). Property must be acquirable without the consent [otherwise] of another, because if consent was required then one would be subject to the private will of another, which would be inconsistent with one’s innate equality. But if external things can be acquired unilaterally, then disputes about rights to external things may arise. In the event of a dispute, the duty of rightful honor, which consists in asserting one’s own innate equality, requires that each party affirm their right and refuse to capitulate to another person’s contrary claim. As innate right authorizes the acquisition of external things and demands that people stand up for their rights, a stalemate arises between private parties with conflicting claims. In the absen[t] of an impartial authority to resolve disputes about rights, no resolution can be consistent with the innate equality of each party because one violates one’s own rightful honor by dropping one’ claim and the other’s innate equality by forcing [them] him or her to capitulate. Although persons in a state of nature need not wrong one another, they do injustice by failing to live in a condition in which disputes can be resolved rightfully.

This necessitates entering a rightful condition wherein the STATE guarantees a system of equal freedom. **WEINRIB (2):** The solution to this stalemate between equal but conflicting private wills is to find an impartial and common authority to adjudicate disputes. Just as innate right entails private right, insofar as persons must be permitted to acquire external things in order to pursue their purposes, so private right entails public right, insofar as persons must be able to both acquire external things and to resolve conflicts about rights in a manner that is itself consistent with innate right. Persons who associate with others are under a duty to enter into a rightful condition and to maintain that rightful condition, in which the rights of all are secured: When you cannot avoid living side by side with others, you ought to leave the state of nature and proceed with them into a rightful condition in which what belongs to each can be secured to them against everyone else. The duty to enter into a rightful condition does not depend on the state of nature being as horrific [but] as Hobbes imagined, nor would it be rendered unnecessary if the state of nature were as idyllic as Rousseau conjectured. Although the state of nature need not be a state of violence, it is necessarily a condition devoid of justice insofar as there is no authority that can *rightfully* resolve disputes between private wills. [In] the state of nature itself is a condition in which one’s rights are insecure because each has its own right to do what seems good and right to it and not be dependent upon another’s opinion about this. In the rightful condition private wills remain, but the omnilateral will prevails by providing binding resolutions to disputes about rights that are consistent with the innate right of the conflicting parties. As the state consists of a legislative branch that makes law, and executive branch that implements the law, and a judicial branch that adjudicates disputes in accordance with the law, the state reconciles the entitlements of innate right and resolves conflicts without subjecting anyone’s rights to the private will of another.

Only a state can resolve people’s competing subjective claims consistently. **RIPSTEIN[[156]](#footnote-156):** Kant’s point about disputes is not just a reiteration of Locke’s familiar claim that people often disagree about the application of principles to particular situations, especially when their interests are at stake. Unilateral judgment is a problem because of the two dimensions of the innate right of humanity. The innate right to freedom demands that people be able to acquire things as their means without the explicit leave of others. Rightful honor requires people to stand up for their rights, and so that no person defer to any other private person’s judgment in cases of dispute[s] about what either is permitted to do. If you think that you have performed an act establishing a right, you [can] are entitled to stand by your claim in the face of all who contest it, but those who contest it are no less entitled to stand by their[s] claims. Rightful honor requires that each party accept no standard other than “what seems right and good” to him.” 24 The only reason to defer is because you can’t win. Might makes right, regardless of how "good and law-abiding" you or the person who disputes your claim might be. The solution to disputes about rights is to make the unilateral will institutional. Disputes can be resolved in a way that is consistent with rightful honor if the parties to it are subject to the authority of an impartial judge and an enforcer who can carry out the decision. the STATE is a generalized version of this structure. It is a common authority, charged with making, applying, and enforcing law. It is legitimate because it makes it possible for people to resolve [rights] disputes about rights in a way that is consistent with the rightful honor of all. Legitimacy flows from what the state does, and so does not require an explicit act of instituting it.

**RIPSTEIN[[157]](#footnote-157):** The parent guides a child to make it into its own master; the state creates a rightful condition in which each person can be his or her [their] own master. Outside of a rightful condition citizens lack the conclusive rights required to create binding arrangements. So officials may take it upon themselves to act for them, but only in ways consistent with their freedom, that is, to create institutions capable of making laws. It follows that the state's entitlement only extends to securing the rights of citizens, and never to advancing their private purposes. When officials act within their roles, they act for the state; Kant also makes the stronger claim that they act for the people. This might appear to collapse back into a private law model by presupposing conclusive private rights as the basis for a civil condition. Kant’s claim, however, is not that citizens actively entrust their affairs to the state, nor even that officials act for citizens considered separately. Instead, officials act for the citizens considered as a collective body. Kant introduces the term “people” as “a multitude of human beings”; taken together, they create what he characterizes in the Critique of Pure Reason as a “totality,” that is, a plurality considered as a unity. A multitude of human beings is a people just because institutions act for them; the institutions are the principle of their unity, and the[ir] acts of those institutions are the acts of the people. Kant’s claim is thus not that each citizen has in fact consented to or transferred power to the state, nor even that the people have somehow united themselves and then transferred power to the state, but that the state, through its institutions, creates the people, because only through institutions can “a multitude of human beings” make itself into a people. So if a group of officials make, apply, and enforce law in a given region of the Earth’s surface, in so doing they thereby unite the inhabitants of that region into a people. By becoming an agent for the people, the state creates people as a moral subject to whom its acts can be imputed. The state’s entitlement to rule does not depend on “whether a state began with an actual contract of submission (partum subiectus civilis) as a fact, or whether power came first and law arrived only afterward, or ever whether they should have followed in this order.” What matters is that officials create a rightful condition; if they do, it is a rightful condition for the people in it. Kant can thus agree with Hobbes that a people is created by the institutions that act for it. The existence of representative institutions - that is, institutions in which the officials act [for] on behalf of the citizens considered as a collective body - makes it possible for [them] the people to live together under laws and so to become a collective body. Its status as a collective body is antecedent to any questions about its ability to rule itself through those institutions

**RIPSTEIN[[158]](#footnote-158):** The rightful condition defines individual ethical responsibility as framed by independence; dependency is the opposite of freedom to choose. Kant’s approach to the problem of redistribution thus reflects his more general conception of each person as responsible for his or her own life. That idea of responsibility, as we have seen, is framed through ideas of right and obligation; you alone are entitled to determine what purposes you will pursue, subject only to the requirement that others have the same entitlement, and the further systematic requirements imposed by the joint satisfaction of those first requirements for a plurality of persons. The cases in which [When] you are not responsible for your choices are not identified by the nature of your mental deliberations as you make the choices, nor by the ease or difficulty with which others might make similar choices, but by the structural and relational aspect of those circumstances, that is, the fact that you are entirely subject to the choice of another. The solution in those situations is not to indemnify you for what you did as a slave or mendicant, but to provide the background conditions in which no one will ever be a slave or mendicant. In the same way, the rationale for freeing the slave or providing for the mendicant is not that had they been prudent, they would have insured themselves against such contingencies; it is that persons concerned to preserve their independence could not consent to laws that would consign them to a condition of dependence. It bears repeating that the grounds of non-consent do not depend on any assessment of rational advantage or aversion to risk; they depend[s] instead on the grounds for entering a rightful condition at all: to preserve their freedom under laws. Thus nobody could consent to laws that could make it possible for him to lose his freedom through a rightful act.

distinction between human and animal:

Distinction between human reasons and animal reasons. **KORSGAARD[[159]](#footnote-159):** And I believe that this awareness is the source of reason. For once we are aware that we are inclined to believe or to act in a certain way on the ground of a certain representation, we find ourselves faced with a decision, namely, whether we should do that—whether we should believe or act in the way that the representation calls for or not. Once the space of reflective awareness—reflective distance, as I like to call it—opens up between the potential ground of a belief or action and the belief or action itself, we must step across that distance, and so must be able to endorse the operation of that ground, before we can act or believe. What would have been the *cause* of our belief or action, had we still been operating under the control of instinctive or learned responses, now becomes something experienced as a consideration in favor of a certain belief or action instead, one we can endorse or reject. And when we can endorse the operation of a ground of belief or action on us *as* a ground, then we take that consideration for a reason. What this means is that the space of reflective distance presents us with both the possibility and the necessity of exerting a kind of control over our beliefs and actions that the other animals do not have.21 We are, or can be, active, self-directing, with respect to our beliefs and actions to a greater extent than the other animals are, for we can accept or reject the grounds of belief and action that perception and desire offer to us. We can actively participate in giving shape both to the conception of the world in light of which we act and to the motives on the basis of which we act—and ultimately, in both ways, in giving shape to ourselves. And it is the same fact that we now both can have, and absolutely require, reasons to believe and act as we do.22 So here is part of the answer to one of the questions I raised earlier: why there are such things as reasons, substantive reasons. There are reasons because self-consciousness transforms the grounds of our beliefs and actions—the perceptions and impulses that would have caused them if we lacked this form of self-consciousness—into substantive reasons. This account of why reasons exist does link them to the problem that they solve: in order to believe and act, we need to endorse some of the potential grounds of our beliefs and actions, and when we do that, we get substantive reasons. And reasons and causes do have something in common, namely, that the reasons for our beliefs and actions, at least the initial ones, are the very sorts of things that would have caused our beliefs and actions had self-consciousness not intervened. They are grounds of belief and action that we have endorsed.

structure of practical reason:

Explanation of practical reason. **RODL[[160]](#footnote-160):** Reasoning practically is determining what to do or how to act by deriving it from something general. What is derived is specific in relation to that from which it is derived. Reasoning practically is specifying the general. For a reason I shall give in section V, I call the general item from which an action is derived an end. There are two kinds of general item from which an action may be derived, two kinds of end. Corresponding to them are two forms of deriving the specific from the general.

The nature of the will is practical reason. **RODL[[161]](#footnote-161):** An act of the will is a productive and therefore a first-person thought. But this is not all. Our proposition says that doing something intentionally is representing it as good to do or as something one ought to do. *Good* and *ought* signify a kind of necessity. So an act of the will conceives of itself as necessary. It shares this character with judgment. Therefore, like a judgment, an act of the will is the kind of act to be the conclusion of an inference. Inferring something from given premises is not just thinking it because one holds to the premises. It is thinking it on account of one’s recognition that the premises provide sufficient grounds for thinking it. This recognition is not (cannot be) a further premise. Rather, it is the consciousness of the unity of the premises and the conclusion, which is constitutive of this unity as the unity of an inference.8 So the conclusion contains a consciousness of itself as resting on the premises and as necessary on that account, and this consciousness is not part of its content, but is its form as the conclusion of an inference.9 Therefore an act can be the conclusion of an inference only if it is such as to contain a consciousness of its own necessity; and an act that contains an understanding of itself as necessary is such as to be the conclusion of an inference. *Ought* and *good,* being concepts of necessity, designate the form of an act that may be the conclusion of an inference. As that inference concludes in an act of the will, it is a practical inference. Our proposition describes the form of an act of the will as follows: It is a productive representation conceiving of itself as necessary. Reason is the power of inference, the power to represent the kind of necessity just described. So according to our proposition acts of the will are not only acts of productive thought, but acts of reason, which is productive, or practical, in those acts. The will is practical reason, says our proposition. If we are to understand it, we must see how the power of practical inference (practical reason) is a power to act (the will).

Structure of reason. **ENGSTROM[[162]](#footnote-162):** Reason, according to Kant, is the faculty of knowledge from principles, or our capacity to know the particular in the universal (A299–300/B356–57; cf. *G* 412). In other words, it’s the capacity to reach knowledge about particular things from universal knowledge we already have. Thus—to take an example from the theoretical use of reason—if we know that all tropical storms in the northern hemisphere rotate in a counterclockwise direction, we don’t need to wait for the event to know that the next hurricane to hit Florida will rotate in this direction; we know this through reason, by applying our universal knowledge to the case in question. This capacity to know the particular in the universal can also be used practically, where the cognition concerns what one should do, or how one should act. If the prudent shopkeeper Kant describes in his well known example in the *Groundwork* knows that where there is much trade, one shouldn’t overcharge, but keep a fixed general price for everyone, then he can know through reason that he shouldn’t overcharge when, in such conditions, an inexperienced customer enters his shop. By applying this universal principle of action to the case at hand, the shopkeeper can know by reason what he should do.

Definition of practical reason. **ENGSTROM[[163]](#footnote-163):** Kant explicitly indicates that morality is a type of rational cognition—what he elsewhere calls *practical*, as opposed to *theoretical*, rational cognition. Whereas theoretical knowledge concerns the laws of nature, which determine everything that *happens*, practical knowledge concerns the laws of freedom, which determine everything that *ought to happen*. Later, in the *Critique of Practical Reason*, Kant locates the object of practical cognition under the heading of the good (*KpV* 58). And he accordingly speaks of the laws with which such cognition is concerned as laws “of the good” (*G* 414). So in determining what ought to happen, practical cognition’s laws of freedom determine the good. The most basic feature distinguishing practical cognition from theoretical is that it has a certain efficacy, through which it can determine choice and thereby bring its object into existence (Bix–x, *KpV* 46). On account of this efficacy, practical knowledge can move the person who possesses it to act in accordance with it and is always knowledge persons have of what they themselves ought to do. This efficacy is what the word ‘practical’ signifies, and it enables Kant to claim that practical reason, as the capacity for such cognition, is identical with the will (*G* 412).

treat yourself as an end:

Your happiness is only good for you – means suicide and letting yourself die is incoherent. **VELLEMAN[[164]](#footnote-164):** When Kant referred to persons as ends, he was not saying that they lend value to anything that stands to them as instruments, or means. He was saying merely that they are things for the sake of which other things can have value, as your happiness is valuable for your sake. The dependence between these values, however, is enough to yield a rational constraint similar to the constraint on exchanging ends for means. If your happiness is valuable for your sake, and matters only insofar as you matter, then you cannot have reason to sacrifice yourself for the sake of happiness, just as you cannot have reason to sacrifice happiness for the sake of money. Just as your concern for money is subordinate to your concern for happiness, so your concern for happiness is subordinate to self-concern, and the former concerns must not take precedence over the latter, as would happen if you pursued money at the sacrifice of your happiness, or happiness at the sacrifice of yourself. Sacrificing yourself for the sake of happiness may sound impossible, but it isn’t. People make this exchange whenever they kill themselves in order to end their unhappiness, or ask to be killed for that purpose. The requirement to act for reasons rules out such mercy killing, which exchanges a person for something that’s valuable only for his sake. Because a person’s happiness is valuable for his sake, it cannot provide a reason for sacrificing the person himself.

definition of irrational:

Not recognizing what should count as a reason for action is irrational. **VELLEMAN[[165]](#footnote-165):**

On the one hand, a person is irrational if he lacks some capacities or dispositions that are essential to the activity of practical reasoning. If someone lacks the ability to recognize which considerations are the stronger reasons for him to act, or a disposition to be guided by such considerations, then he is deficient as a practical reasoner and hence irrational. On the other hand, a person can be irrational because his situation or personality presents him with reasons that hinder practical reasoning, without necessarily undermining his capacities as a reasoner.

Consider a person who is torn between two conflicting projects. He aspires to great wealth and success, for example, while also seeking a sim- ple life of reflection and self-cultivation. He may be perfectly capable of weighing the reasons that issue from these ideals, and perfectly respon- sive to the force of those reasons. Indeed, long experience with difficult choices may have made him unusually adept at the art of deliberation. Yet there is something irrational about being so conflicted, about holding on to goals that cannot be jointly attained.

AT anthro k:

We must value animal nature in ourselves to think we have some final good, which would logically mean we must value animal nature in others. **KORSGAARD[[166]](#footnote-166):** Here’s what I mean: the distinctive form of life that characterizes an animal involves the maintenance of that very form of life by means of a relationship that obtains between the animal and her own functioning: the animal monitors her own functioning and has positive evaluative attitudes towards the things that promote her functioning and negative ones towards the things that will inhibit it. To put it more simply and intuitively, healthy, well- functioning animals like to eat when they are hungry, are eager to mate, fear their enemies, work assiduously to keep themselves clean and healthy, and so on. (Now don’t say “well, *of course* they do.” Allow yourself to be struck by the act that there are entities, *things*, that attend in this way to the goodness of their own condition.) What these phenomena show is that the function of an animal is to take care of itself – and nature made that possible by designing the animal *to care about itself* – by which I mean, to enjoy and suffer from its own extended- evaluative condition. On Aristotle’s conception, that’s not just a fact about animals – that’s what an animal essentially is, something that functions by caring about itself, and how it is doing. Animals have a final good because it is their nature to have evaluative attitudes about their own extended-evaluative condition. And that’s what a final good is: a final good is something that constitutes or contributes to the good condition of something that can experience its own condition as a good. That, I want to say, is the Aristotelian theory of the *nature* of the final good. To put it more carefully, Aristotle’s theory of the nature of the final good is that a final good is something that constitutes or contributes to the good condition of something that stands in an evaluative relationship to its own condition. Since an animal is essentially something that stands in an evaluative relationship to its own condition, to say that an animal has a final good is a kind of tautology. The two concepts – the concept of a being with a final good, and the concept of an animal – are pretty much co-extensive.

Valuing ourselves requires respecting animal nature. **KORSGAARD[[167]](#footnote-167):** All of this is just an overly analytic way of saying that the final good for an animal is to be conscious of her own healthy life, or more correctly to be conscious of *herself* as healthily alive. In the human case, that includes functioning well in the life of rational choice, with all that that entails. If Aristotle and Kant are right, being well-functioning in the life of rational choice entails being morally well-functioning, so that is part of our good. According to this view, people who express their sense of being in a finally good condition by saying that they *really feel alive* are saying something literal. They feel *their life*, and they feel it as a good to them: and that is something that it is in the nature of an animal in a good condition to do.29,30

johnson cards:

Clarification on the formula of humanity. **JOHNSON[[168]](#footnote-168):** First, the Humanity formula does not rule out using people as means to our ends. Clearly this would be an absurd demand, since we do this all the time. Indeed, it is hard to imagine any life that is recognizably human without the use of others in pursuit of our goals. The food we eat, the clothes we wear, the chairs we sit on and the computers we type at are gotten only by way of talents and abilities that have been developed through the exercise of the wills of many people. What the Humanity formula rules out is engaging in this pervasive use of Humanity in such a way that we treat it as a *mere* means to our ends. Thus, the difference between a horse and a taxi driver is not that we may use one but not the other as a means of transportation. Unlike a horse, the taxi driver's Humanity must at the same time be treated as an end in itself. Second, it is not human beings *per se* but the ‘Humanity’ in human beings that we must treat as an end in itself. Our ‘Humanity’ is that collection of features that make us distinctively human, and these include capacities to engage in self-directed rational behavior and to adopt and pursue our own ends, and any other capacities necessarily connected with these. Thus, supposing that the taxi driver has freely exercised his rational capacities in pursuing his line of work, we make permissible use of these capacities as a means when we behave in a way that he could, when exercising his rational capacities, consent to — for instance, by paying an agreed on price. Third, the idea of an end has three senses for Kant, two positive senses and a negative sense. An end in the first positive sense is a thing we will to produce or bring about in the world. For instance, if losing weight is my end, then losing weight is something I aim to produce. An end in this sense guides my actions in that once I will to produce something, I then deliberate about means of producing it. Humanity is not an ‘end’ in this sense, though even in this case, the end “lays down a law” for me. Once I have adopted an end in this sense, it dictates that I do something: I will act in ways that will bring about that end. An end in the negative sense lays down a law for me as well, and so guides action, but in a different way. Korsgaard (1996) offers self-preservation as an example of an end in a negative sense: We do not try to produce our self-preservation. Rather, the end of self-preservation prevents us from engaging in certain kinds of activities, for instance, picking fights with mobsters, and so on. That is, as an end, it is something I do not act *against* in pursuing my positive ends, rather than something I produce.

Respect for persons. **JOHNSON[[169]](#footnote-169):** Finally, Kant's formula requires “respect” for the Humanity in persons. Proper regard for something with absolute value or worth requires respect for it. But this can invite misunderstandings. One way in which we respect persons, termed “appraisal respect” by Stephen Darwall (1977), is clearly not consistent with the Humanity formula: I may respect you as a rebounder but not a scorer, or as a researcher but not as a teacher. When I respect you in this way, I am positively appraising you in light of some achievement or virtue you possess relative to some standard of success. If this were the sort of respect Kant is counseling, then clearly it may vary from person to person and is surely not what treating something as an end-in-itself requires. For instance, it does not seem to prevent me from regarding rationality as an achievement and respecting one person as a rational agent in this sense, but not another. And Kant is not telling us to ignore differences, to pretend that we are blind to them on mindless egalitarian grounds. However, a distinct way in which we respect persons, referred to as “recognition respect” by Darwall, better captures Kant's position: I may respect you because you are a student, a Dean, a doctor or a mother. In such cases, cases of respecting you because of who or what you are, I am giving the proper regard to a certain fact about you, your being a Dean for instance. This sort of respect, unlike appraisal respect, is not a matter of degree based on your having measured up to some standard of assessment. Respect for the Humanity in persons is more like Darwall's recognition respect. We are to respect human beings simply because they are persons and this requires a certain sort of regard. We are not called on to respect them insofar as they have met some standard of evaluation appropriate to persons.

A priori reason applied to real situations. **JOHNSON[[170]](#footnote-170):** Throughout his moral works, Kant returns time and again to the question of the method moral philosophy should employ when pursuing these aims. A basic theme of these discussions is that the fundamental philosophical issues must be addressed *a priori*, that is, without drawing on observations of human beings and their behavior. Once we “seek out and establish” the fundamental principle of morality *a priori*, then we may consult facts drawn from experience in order to determine how best to apply this principle to human beings and generate particular conclusions about how we ought to act.

Nature of willing an end. **JOHNSON[[171]](#footnote-171):** Kant holds that the fundamental principle of our moral duties is a *categorical* *imperative*. It is an *imperative* because it is a command (e.g., “Leave the gun. Take the cannoli.”) More precisely, it commands us to exercise our *wills* in a particular way, not to perform some action or other. It is *categorical* in virtue of applying to us unconditionally, or simply because we possesses rational wills, without reference to any ends that we might or might not have. It does not, in other words, apply to us on the condition that we have antecedently adopted some goal for ourselves. Of course, other imperatives have a similar non-conditional form. For instance, ‘Answer an invitation in the third person in the third person’ is an imperative of etiquette, and it is not conditional. (Foot, 1972, p. 308) It does not apply to you only on the condition that you have some end that is served by being polite. But this imperative is not *categorical* in Kant's sense, since it does not apply to us simply because we are rational enough to understand and act on it, or simply because we possess a rational will. Imperatives of etiquette apply to us simply because prevailing customs single us out as appropriate objects of appraisal by standards of politeness, whether we accept those standards or not.

There are ‘oughts’ other than our moral duties, but these oughts are distinguished from the moral ought in being based on a quite different kind of principle, one that is the source of *hypothetical imperatives*. A hypothetical imperative is a command that also applies to us in virtue of our having a rational will, but not *simply* in virtue of this. It requires us to exercise our wills in a certain way *given* we have antecedently willed an end. A hypothetical imperative is thus a command in a conditional form. But not any command in this form counts as a hypothetical imperative in Kant's sense. For instance, ‘if you're happy and you know it, clap your hands!’ is a conditional command. But the antecedent conditions under which the command ‘clap your hands’ applies to you does not posit any end that you will, but consists rather of emotional and cognitive states you may or may not be in. Further, ‘if you want pastrami, try the corner deli’ is also a command in conditional form, but strictly speaking it too fails to be a hypothetical imperative in Kant's sense since this command does not apply to us in virtue of our *willing* some end, but only in virtue of our *desiring* or *wanting* an end. For Kant, willing an end involves more than desiring or wanting it; it requires the exercise of practical reason and focusing oneself on the pursuit of that end. Further, there is nothing irrational in failing to will means to what one desires. An imperative that applied to us in virtue of our desiring some end would thus not be a hypothetical imperative *of practical rationality* in Kant's sense. The condition under which a hypothetical imperative applies to us, then, is that we will some end. Now for the most part, the ends we will we might not have willed, and some ends that we do not will we might nevertheless have willed. But there is at least conceptual room for the idea of an end that we *must* will. The distinction between ends that we might or might not will and those, if any, we *must* will, is the basis for his distinction between two kinds of hypothetical imperatives. Kant names these “problematic” and “assertoric”, based on how the end is willed. If the end is one that we might or might not will — that is, it is a merely *possible* end — the imperative is problematic. For instance, “Don't ever take side with anyone against the Family again.” is a problematic imperative, even if the end posited here is (apparently) one's own continued existence. Almost all non-moral, rational imperatives are problematic, since there are virtually no ends that we *must* will. As it turns out, the only (non-moral) end that we *must* will in Kant's view (by ‘natural necessity’ he says) is our own happiness. Any imperative that applied to us because we will our own happiness would thus be an *assertoric* imperative. As it turns out, however, rationality can issue no imperative if the end is indeterminate, and happiness is an indeterminate end. Although we can say for the most part that if one is to be happy, one should save for the future, take care of one's health and nourish one's relationships, these fail to be genuine commands. Some people are happy without these, and whether you could be happy without them is, although doubtful, an open question. Since Kant presents moral and prudential rational requirements as first and foremost demands on our wills rather than on external acts, moral and prudential evaluation is first and foremost an evaluation of the will our actions express, applying to the actions themselves only derivatively. Thus, it is not an error of rationality to fail to take the necessary means to one's (willed) ends, nor to fail to *want* to take the means; one only falls foul of practical reason if one fails to *will* the means. Likewise, while actions, feelings or desires may be the focus of other moral views, for Kant practical irrationality, both moral and prudential, focuses on our willing. Kant describes the will as operating on the basis of subjective volitional principles he calls ‘maxims’. Hence, morality and other rational requirements are demands that apply to the maxims that motivate our actions. The form of a maxim is ‘I will *A* in *C* in order to realize or produce *E*’ where ‘*A*’ is some act type, ‘*C*’ is some type of circumstance, and ‘*E*’ is some type of end to be realized or achieved by A in C. Since this is a principle stating only what some *agent* wills, it is *subjective*. (A principle for *any* rational will would be an *objective* principle of volition, which Kant refers to as a practical law.) For anything to count as human willing, it must be based on a maxim to pursue some end through some means. Hence, in employing a maxim, any human willing already embodies the form of means-end reasoning that calls for evaluation in terms of hypothetical imperatives. To that extent at least, then, *anything* dignified as human willing must be rational.

Universal law – perfect and imperfect test. **JOHNSON[[172]](#footnote-172):** Kant's first formulation of the CI states that you are to “act only in accordance with that maxim through which you can at the same time will that it become a universal law.” (G 4:421) O'Neill (1975, 1989) and Rawls (1989, 1999), among others, take this formulation in effect to summarize a decision procedure for moral reasoning, and I will follow them: First, formulate a maxim that enshrines your reason for acting as you propose. Second, recast that maxim as a universal law of nature governing all rational agents, and so as holding that all must, by natural law, act as you yourself propose to act in these circumstances. Third, consider whether your maxim is even conceivable in a world governed by this law of nature. If it is, then, fourth, ask yourself whether you would, or could, rationally *will* to act on your maxim in such a world. If you could, then your action is morally permissible. If your maxim fails the third step, you have a ‘perfect’ duty admitting “of no exception in favor of inclination” to refrain from acting on it. (G 4:421) If your maxim fails the fourth step, you have an ‘imperfect’ duty requiring you to pursue a policy that can admit of such exceptions. If your maxim passes all four steps, only then is acting on it morally permissible. Following Hill (1992), we can understand the difference in duties as formal: Perfect duties come in the form ‘One must never (or always) φ to the fullest extent possible in *C*’, while imperfect duties, since they enjoin the pursuit of an end, come in the form ‘One must sometimes and to some extent φ in*C*’. So, for instance, Kant held that the maxim of committing suicide to avoid future unhappiness did not pass the third step, the contradiction in conception test. Hence, one is forbidden to act on the maxim of committing suicide to avoid unhappiness. By contrast, the maxim of refusing to assist others in pursuit of their projects passes the contradiction in conception test, but fails the contradiction in the will test. Hence, we have a duty to sometimes and to some extent aid and assist others. Kant held that ordinary moral thought recognized moral duties toward ourselves as well as toward others. Hence, together with the distinction between perfect and imperfect duties, we recognize four categories of duties: perfect duties toward ourselves, perfect duties toward others, imperfect duties toward ourselves and imperfect duties toward others. Kant uses four examples, one of each kind of duty, to demonstrate that every kind of duty can be derived from the CI, and hence to bolster his case that the CI is indeed the fundamental principle of morality. To refrain from suicide is a perfect duty toward oneself; to refrain from making promises you have no intention of keeping is a perfect duty toward others; to develop one's talents is an imperfect duty toward oneself; and to contribute to the happiness of others an imperfect duty toward others. Again, Kant's interpreters differ over exactly how to reconstruct the derivation of these duties. I will briefly sketch one way of doing so for the perfect duty to others to refrain from lying promises and the imperfect duty to ourselves to develop talents. Kant's example of a perfect duty to others concerns a promise you might consider making but have no intention of keeping in order to get needed money. Naturally, being rational requires not contradicting oneself, but there is no self-contradiction in the maxim “I will make lying promises when it achieves something I want”. An immoral action clearly does not involve a self-contradiction in this sense (as would the maxim of finding a married bachelor). Kant's position is that it is irrational to perform an action if that action's maxim contradicts itself *once made into a universal law of nature*. The maxim of lying whenever it gets what you want generates a contradiction once you try to combine it with the universalized version that all rational agents must, by a law of nature, lie when it gets what they want. Here is one way of seeing how this might work: If I conceive of a world in which everyone by nature must try to deceive people any time it will get what they want, I am conceiving of a world in which no practice of giving one's word could ever arise. So I am conceiving of a world in which no practice of giving one's word exists. My maxim, however, is to make a deceptive promise in order to get needed money. And it is a necessary means of doing this that a practice of taking the word of others exists, so that someone might take my word and I take advantage of their doing so. Thus, in trying to conceive of my maxim in a world in which no one ever takes anyone's word in such circumstances, I am trying to conceive of this: a world in which no practice of giving one's word exists, but also, at the very same time, a world in which just such a practice does exist, for me to make use of in my maxim. It is a world containing my promise and a world in which there can be no promises. Hence, it is inconceivable that my maxim exists together with itself as a universal law. Since it is inconceivable that these two things should exist together, I am forbidden ever to act on the maxim of lying to get money. By contrast with the maxim of the lying promise, we can easily conceive of adopting a maxim of refusing to develop any of our talents in a world in which that maxim is a universal law of nature. It would undoubtedly be a world more primitive than our own, but pursuing such a policy is still conceivable in it. However, it is not, Kant argues, possible to rationally will this maxim in such a world. The argument for why this is so, however, is not obvious, and some of Kant's thinking seems hardly convincing: Insofar as we are rational, he says, we already necessarily will that all of our talents and abilities be developed. Hence, although I can conceive of a talentless world, I cannot rationally will that it come about, given I already will, insofar as I am rational, that I develop all of my own. Yet, given limitations on our time, energy and interest, it is difficult to see how full rationality requires us to aim to fully develop literally all of our talents. Indeed, it seems to require much less, a judicious picking and choosing among one's abilities. Further, all that is required to show that I cannot will a talentless world is that, insofar as I am rational, I necessarily will that *some* talent in me be developed, not the dubious claim that I rationally will that they *all* be developed. Moreover, suppose rationality did require me to aim at developing all of my talents. Then, there seems to be no need to go further in the CI procedure to show that refusing to develop talents is immoral. Given that, insofar as we are rational, we must will to develop capacities, it is by this very fact irrational not to do so. However, mere failure to conform to something we rationally will is not yet immorality. Failure to conform to instrumental principles, for instance, is irrational but not immoral. In order to show that this maxim is categorically forbidden, I believe we must make use of several other of Kant's claims or assumptions.

Kant on autonomy. **JOHNSON[[173]](#footnote-173):** At the heart of Kant's moral theory is the position that rational human wills are autonomous. Kant saw this as the key to understanding and justifying the authority moral requirements have over us. As with Rousseau, whose views influenced Kant, freedom does not consist in being bound by no law, but by laws that are in some sense of one's own making. The idea of freedom as autonomy thus goes beyond the merely ‘negative’ sense of being *free from* influences on our conduct originating outside of ourselves. It contains first and foremost the idea of laws made and laid down by oneself, and, in virtue of this, laws that have decisive authority over oneself. Kant's basic idea can be grasped intuitively by analogy with the idea of political freedom as autonomy (See Reath 1994). Consider how political freedom in liberal theories is thought to be related to legitimate political authority: A state is free when its citizens are bound only by laws in some sense of their own making — created and put into effect, say, by vote or by elected representatives. The laws of that state then express the will of the citizens who are bound by them. The idea, then, is that the source of legitimate political authority is not external to its citizens, but internal to them, internal to ‘the will of the people’. It is because the body politic created and enacted these laws for itself that it can be bound by them. An autonomous state is thus one in which the authority of its laws is in the will of the people in that state, rather than in the will of a people external to that state, as when one state imposes laws on another during occupation or colonization. In the latter case, the laws have no legitimate authority over those citizens. In a similar fashion, we may think of a person as free when bound only by her own will and not by the will of another. Her actions then express her own will and not the will of someone or something else. The authority of the principles binding her will is then also not external to her will. It comes from the fact that she willed them. So autonomy, when applied to an individual, ensures that the source of the authority of the principles that bind her is in her own will. Kant's view can be seen as the view that the moral law is just such a principle. Hence, the ‘moral legitimacy’ of the CI is grounded in its being an expression of each person's own rational will. It is because each person's own reason is the legislator and executor of the moral law that it is authoritative for her. Kant argues that the idea of an autonomous will emerges from a consideration of the idea of a will that is free “in a negative sense”. The concept of a rational will is of a will that operates by responding to reasons. This is, firstly, the concept of a will that does not operate through the influence of factors outside of this responsiveness to reasons. For a will to be free is thus for it to be physically and psychologically unforced in its operation. Hence, choices made because of obsessions or thought disorders are not free in this negative sense. But also, for Kant, a will that operates by being determined through the operation of natural laws, such as those of biology or psychology, cannot be thought of as operating by responding to reasons. Hence, determination by natural laws is conceptually incompatible with being free in a negative sense. A crucial move in Kant's argument is his claim that a rational will cannot act except “under the Idea” of its own freedom (4:448). The expression ‘acting under the Idea of freedom’ is easy to misunderstand. It does not mean that a rational will must *believe* it is free, since determinists are as free as libertarians in Kant's view. Indeed, Kant goes out of his way in his most famous work, the *Critique of Pure Reason*, to argue that we have no rational basis for *believing* our wills to be free. This would involve, he argues, attributing a property to our wills that they would have to have as ‘things in themselves' apart from the causally determined world of appearances. Of such things, he insists, we can have no knowledge. For much the same reason, Kant is not claiming that a rational will cannot operate without *feeling* free. Feelings, even the feeling of operating freely or the ‘looseness’ Hume refers to when we act, cannot be used in an a priori argument to establish the CI, since they are empirical data. One helpful way to understand acting ‘under the Idea of freedom’ is by analogy with acting ‘under the Idea’ that there are purposes in nature: Although there is, according to Kant, no rational basis for the belief that the natural world is (or is not) arranged according to some purpose by a Designer, the actual practices of science often require looking for the purpose of this or that chemical, organ, creature, environment, and so on. Thus, one engages in these natural sciences by searching for purposes in nature. Yet when an evolutionary biologist, for instance, looks for the purpose of some organ in some creature, she does not after all thereby believe that the creature *was* designed that way, for instance, by a Deity. Nor is she having some feeling of ‘designedness’ in the creature. To say that she ‘acts under the Idea of’ design is to say something about the practice of biology: Practicing biology involves searching for the purposes of the parts of living organisms. In much the same way, although there is no rational justification for the belief that our wills are (or are not) free, the actual practice of practical deliberation and decision consists of a search for the right casual chain of which to be the origin — consists, that is, seeking to be the first causes of things, wholly and completely through the exercise of one's own will. Kant's says that a will that cannot exercise itself except under the Idea of its freedom *is* free from a practical point of view (*im practischer Absicht*). In saying such wills are free from a practical point of view, he is saying that in engaging in practical endeavors — trying to decide what to do, what to hold oneself and others responsible for, and so on — one is justified in holding oneself to all of the principles to which one would be justified in holding wills that are autonomous free wills. Thus, once we have established the set of prescriptions, rules, laws and directives that would bind an autonomous free will, we then hold ourselves to this very same of set prescriptions, rules, laws and directives. And one is justified in this because rational agency can only operate by seeking to be the first cause of its actions, and these are the prescriptions, and so on, of being a first cause of action. Therefore, rational agents are free in a negative sense insofar as any practical matter is at issue. Crucially, rational wills that are negatively free must be autonomous, or so Kant argues. This is because the will is a kind of cause — willing causes action. Kant took from Hume the idea that causation implies universal regularities: if *x* causes *y*, then there is some universally valid law connecting *X*s to *Y*s. So, if my will is the cause of my φing, then Φing is connected to the sort of willing I engage in by some universal law. But it can't be a natural law, such as a psychological, physical, chemical or biological law. These laws, which Kant thought were universal too, govern the movements of my body, the workings of my brain and nervous system and the operation of my environment and its effects on me as a material being. But they cannot be the laws governing the operation of my will; that, Kant already argued, is inconsistent the freedom of my will in a negative sense. So, the will operates according to a universal law, though not one authored by nature, but one of which I am the origin or author. And that is to say that, in viewing my willing to φ as a negatively free cause of my φing, I must view will as the autonomous cause of my having φed, as causing my having φed by way of some law that I, insofar as I am a rational will, laid down for my will.

rohlf cards on kant:

Project of a priori reason – forms also exist in our mind to which the external world conforms. **ROHLF[[174]](#footnote-174):** Kant characterizes this new constructivist view of experience in the Critique through an analogy with the revolution wrought by Copernicus in astronomy: Up to now it has been assumed that all our cognition must conform to the objects; but all attempts to find out something about them a priori through concepts that would extend our cognition have, on this presupposition, come to nothing. Hence let us once try whether we do not get farther with the problems of metaphysics by assuming that the objects must conform to our cognition, which would agree better with the requested possibility of an a priori cognition of them, which is to establish something about objects before they are given to us. This would be just like the first thoughts of Copernicus, who, when he did not make good progress in the explanation of the celestial motions if he assumed that the entire celestial host revolves around the observer, tried to see if he might not have greater success if he made the observer revolve and left the stars at rest. Now in metaphysics we can try in a similar way regarding the intuition of objects. If intuition has to conform to the constitution of the objects, then I do not see how we can know anything of them a priori; but if the object (as an object of the senses) conforms to the constitution of our faculty of intuition, then I can very well represent this possibility to myself. Yet because I cannot stop with these intuitions, if they are to become cognitions, but must refer them as representations to something as their object and determine this object through them, I can assume either that the concepts through which I bring about this determination also conform to the objects, and then I am once again in the same difficulty about how I could know anything about them a priori, or else I assume that the objects, or what is the same thing, the experience in which alone they can be cognized (as given objects) conforms to those concepts, in which case I immediately see an easier way out of the difficulty, since experience itself is a kind of cognition requiring the understanding, whose rule I have to presuppose in myself before any object is given to me, hence a priori, which rule is expressed in concepts a priori, to which all objects of experience must therefore necessarily conform, and with which they must agree. (Bxvi-xviii)

As this passage suggests, what Kant has changed in the Critique is primarily his view about the role and powers of the understanding, since he already held in the Inaugural Dissertation that sensibility contributes the forms of space and time — which he calls pure (or a priori) intuitions (2:397) — to our cognition of the sensible world. But the Critique claims that pure understanding too, rather than giving us insight into an intelligible world, is limited to providing forms — which he calls pure or a priori concepts — that structure our cognition of the sensible world. So now both sensibility and understanding work together to construct cognition of the sensible world, which therefore conforms to the a priori forms that are supplied by our cognitive faculties: the a priori intuitions of sensibility and the a priori concepts of the understanding. This account is analogous to the geocentric revolution of Copernicus in astronomy because both require contributions from the observer to be factored into explanations of phenomena, although neither reduces phenomena to the contributions of observers alone.[[6](http://plato.stanford.edu/entries/kant/notes.html%22%20%5Cl%20%226)] The way celestial phenomena appear to us on earth, according to Copernicus, is affected by both the motions of celestial bodies and the motion of the earth, which is not a stationary body around which everything else revolves. For Kant, analogously, the phenomena of human experience depend on both the sensory data that we receive passively through sensibility and the way our mind actively processes this data according to its own a priori rules. These rules supply the general framework in which the sensible world and all the objects (or phenomena) in it appear to us. So the sensible world and its phenomena are not entirely independent of the human mind, which contributes its basic structure.

Summary of Kant’s view in critique of pure reason. **ROHLF[[175]](#footnote-175):** We have therefore wanted to say that all our intuition is nothing but the representation of appearance; that the things that we intuit are not in themselves what we intuit them to be, nor are their relations so constituted in themselves as they appear to us; and that if we remove our own subject or even only the subjective constitution of the senses in general, then all constitution, all relations of objects in space and time, indeed space and time themselves would disappear, and as appearances they cannot exist in themselves, but only in us. What may be the case with objects in themselves and abstracted from all this receptivity of our sensibility remains entirely unknown to us. We are acquainted with nothing except our way of perceiving them, which is peculiar to us, and which therefore does not necessarily pertain to every being, though to be sure it pertains to every human being. We are concerned solely with this. Space and time are its pure forms, sensation in general its matter. We can cognize only the former a priori, i.e., prior to all actual perception, and they are therefore called pure intuition; the latter, however, is that in our cognition that is responsible for its being called a posteriori cognition, i.e., empirical intuition. The former adheres to our sensibility absolutely necessarily, whatever sort of sensations we may have; the latter can be very different. (A42/B59–60)[[8](http://plato.stanford.edu/entries/kant/notes.html%22%20%5Cl%20%228)]

Appearances of objects. **ROHLF[[176]](#footnote-176):** Things in themselves, on this interpretation, are absolutely real in the sense that they would exist and have whatever properties they have even if no human beings were around to perceive them. Appearances, on the other hand, are not absolutely real in that sense, because their existence and properties depend on human perceivers. Moreover, whenever appearances do exist, in some sense they exist in the mind of human perceivers. So appearances are mental entities or mental representations. This, coupled with the claim that we experience only appearances, makes transcendental idealism a form of phenomenalism on this interpretation, because it reduces the objects of experience to mental representations. All of our experiences – all of our perceptions of objects and events in space, even those objects and events themselves, and all non-spatial but still temporal thoughts and feelings – fall into the class of appearances that exist in the mind of human perceivers. These appearances cut us off entirely from the reality of things in themselves, which are non-spatial and non-temporal. Yet Kant's theory, on this interpretation, nevertheless requires that things in themselves exist, because they must transmit to us the sensory data from which we construct appearances. In principle we cannot know how things in themselves affect our senses, because our experience and knowledge is limited to the world of appearances constructed by and in the mind. Things in themselves are therefore a sort of theoretical posit, whose existence and role are required by the theory but are not directly verifiable.

Another interpretation of appearances of objects. **ROHLF[[177]](#footnote-177):** The two-aspects reading attempts to interpret Kant's transcendental idealism in a way that enables it to be defended against at least some of these objections. On this view, transcendental idealism does not distinguish between two classes of objects but rather between two different aspects of one and the same class of objects. For this reason it is also called the one-world interpretation, since it holds that there is only one world in Kant's ontology, and that at least some objects in that world have two different aspects: one aspect that appears to us, and another aspect that does not appear to us. That is, appearances are aspects of the same objects that also exist in themselves. So, on this reading, appearances are not mental representations, and transcendental idealism is not a form of phenomenalism.[[11](http://plato.stanford.edu/entries/kant/notes.html%22%20%5Cl%20%2211)] There are at least two main versions of the two-aspects theory. One version treats transcendental idealism as a metaphysical theory according to which objects have two aspects in the sense that they have two sets of properties: one set of relational properties that appear to us and are spatial and temporal, and another set of intrinsic properties that do not appear to us and are not spatial or temporal (Langton 1998). This property-dualist interpretation faces epistemological objections similar to those faced by the two-objects interpretation, because we are in no better position to acquire knowledge about properties that do not appear to us than we are to acquire knowledge about objects that do not appear to us. Moreover, this interpretation also seems to imply that things in themselves are spatial and temporal, since appearances have spatial and temporal properties, and on this view appearances are the same objects as things in themselves. But Kant explicitly denies that space and time are properties of things in themselves. A second version of the two-aspects theory departs more radically from the traditional two-objects interpretation by denying that transcendental idealism is at bottom a metaphysical theory. Instead, it interprets transcendental idealism as a fundamentally epistemological theory that distinguishes between two standpoints on the objects of experience: the human standpoint, from which objects are viewed relative to epistemic conditions that are peculiar to human cognitive faculties (namely, the a priori forms of our sensible intuition); and the standpoint of an intuitive intellect, from which the same objects could be known in themselves and independently of any epistemic conditions (Allison 2004). Human beings cannot really take up the latter standpoint but can form only an empty concept of things as they exist in themselves by abstracting from all the content of our experience and leaving only the purely formal thought of an object in general. So transcendental idealism, on this interpretation, is essentially the thesis that we are limited to the human standpoint, and the concept of a thing in itself plays the role of enabling us to chart the boundaries of the human standpoint by stepping beyond them in abstract (but empty) thought.

The TRANSCENDENTAL DEDUCTION. **ROHLF[[178]](#footnote-178):** One way to approach Kant's argument is to contrast his view of self-consciousness with two alternative views that he rejects. Each of these views, both Kant's and those he rejects, can be seen as offering competing answers the question: what is the source of our sense of an ongoing and invariable self that persists throughout all the changes in our experience? The first answer to this question that Kant rejects is that self-consciousness arises from some particular content being present in each of one’s representations. This material conception of self-consciousness, as we may call it, is loosely suggested by Locke’s account of personal identity. According to Locke, “it being the same consciousness that makes a Man be himself to himself, personal Identity depends on that only, whether it be annexed only to one individual Substance, or can be continued in a succession of several Substances” (Essay 2.27.10). What Locke calls “the same consciousness” may be understood as some representational content that is always present in my experience and that both identifies any experience as mine and gives me a sense of a continuous self by virtue of its continual presence in my experience. One problem with this view, Kant believes, is that there is no such representational content that is invariably present in experience, so the sense of an ongoing self cannot possibly arise from that non-existent content (what Locke calls “consciousness”) being present in each of one's representations. In Kant's words, self-consciousness “does not yet come about by my accompanying each representation with consciousness, but rather by my adding one representation to the other and being conscious of their synthesis. Therefore it is only because I can combine a manifold of given representations in one consciousness that it is possible for me to represent the identity of the consciousness in these representations” (B133). Here Kant claims, against the Lockean view, that self-consciousness arises from combining (or synthesizing) representations with one another regardless of their content. In short, Kant has a formal conception of self-consciousness rather than a material one. Since no particular content of my experience is invariable, self-consciousness must derive from my experience having an invariable form or structure, and consciousness of the identity of myself through all of my changing experiences must consist in awareness of the formal unity and law-governed regularity of my experience. The continuous form of my experience is the necessary correlate for my sense of a continuous self. There are at least two possible versions of the formal conception of self-consciousness: a realist and an idealist version. On the realist version, nature itself is law-governed and we become self-conscious by attending to its law-governed regularities, which also makes this an empiricist view of self-consciousness. The idea of an identical self that persists throughout all of our experience, on this view, arises from the law-governed regularity of nature, and our representations exhibit order and regularity because reality itself is ordered and regular. But Kant rejects this view and embraces a conception of self-consciousness that is both formal and idealist. According to Kant, the formal structure of our experience, its unity and law-governed regularity, is an achievement of our cognitive faculties rather than a property of reality in itself. Our experience has a constant form because our mind constructs experience in a law-governed way. So self-consciousness, for Kant, consists in awareness of the mind's law-governed activity of synthesizing or combining sensible data to construct a unified experience. As he expresses it, “this unity of consciousness would be impossible if in the cognition of the manifold the mind could not become conscious of the identity of the function by means of which this manifold is synthetically combined into one cognition” (A108). Kant argues for this formal idealist conception of self-consciousness, and against the formal realist view, on the grounds that “we can represent nothing as combined in the object without having previously combined it ourselves” (B130). In other words, even if reality in itself were law-governed, its laws could not simply migrate over to our mind or imprint themselves on us while our mind is entirely passive. We must exercise an active capacity to represent the world as combined or ordered in a law-governed way, because otherwise we could not represent the world as law-governed even if it were law-governed in itself. Moreover, this capacity to represent the world as law-governed must be a priori because it is a condition of self-consciousness, and we would already have to be self-conscious in order to learn from our experience that there are law-governed regularities in the world. So it is necessary for self-consciousness that we exercise an a priori capacity to represent the world as law-governed. But this would also be sufficient for self-consciousness if we could exercise our a priori capacity to represent the world as law-governed even if reality in itself were not law-governed. In that case, the realist and empiricist conception of self-consciousness would be false, and the formal idealist view would be true. Kant's confidence that no empiricist account could possibly explain self-consciousness may be based on his assumption that the sense of self each of us has, the thought of oneself as identical throughout all of one's changing experiences, involves necessity and universality, which on his view are the hallmarks of the a priori. This assumption is reflected in what we may call Kant's principle of apperception: “The I think must be able to accompany all my representations; for otherwise something would be represented in me that could not be thought at all, which is as much as to say that the representation would either be impossible or else at least would be nothing for me” (B131–132).[[15](http://plato.stanford.edu/entries/kant/notes.html%22%20%5Cl%20%2215)] Notice the claims about necessity and universality embodied in the words “must” and “all” here. Kant is saying that for a representation to count as mine, it must necessarily be accessible to conscious awareness in some (perhaps indirect) way: I must be able to accompany it with “I think....” All of my representations must be accessible to consciousness in this way (but they need not actually be conscious), because again that is simply what makes a representation count as mine. Self-consciousness for Kant therefore involves a priori knowledge about the necessary and universal truth expressed in this principle of apperception, and a priori knowledge cannot be based on experience. 4.2 Objectivity and judgment On the basis of this formal idealist conception of self-consciousness, Kant's argument (at least one central thread of it) moves through two more conditions of self-consciousness in order to establish the objective validity of the categories. The next condition is that self-consciousness requires me to represent an objective world distinct from my subjective representations - that is, distinct from my thoughts about and sensations of that objective world. Kant uses this connection between self-consciousness and objectivity to insert the categories into his argument. In order to be self-conscious, I cannot be wholly absorbed in the contents of my perceptions but must distinguish myself from the rest of the world. But if self-consciousness is an achievement of the mind, then how does the mind achieve this sense that there is a distinction between the I that perceives and the contents of its perceptions? According to Kant, the mind achieves this by distinguishing representations that necessarily belong together from representations that are not necessarily connected but are merely associated in a contingent way. Consider Kant's example of the perception of a house (B162). Imagine a house that is too large to fit into your visual field from your vantage point near its front door. Now imagine that you walk around the house, successively perceiving each of its sides. Eventually you perceive the entire house, but not all at once, and you judge that each of your representations of the sides of the house necessarily belong together (as sides of one house) and that anyone who denied this would be mistaken. But now imagine that you grew up in this house and associate a feeling of nostalgia with it. You would not judge that representations of this house are necessarily connected with feelings of nostalgia. That is, you would not think that other people seeing the house for the first time would be mistaken if they denied that it is connected with nostalgia, because you recognize that this house is connected with nostalgia for you but not necessarily for everyone. Yet you distinguish this merely subjective connection from the objective connection between sides of the house, which is objective because the sides of the house necessarily belong together “in the object,” because this connection holds for everyone universally, and because it is possible to be mistaken about it. The point here is not that we must successfully identify which representations necessarily belong together and which are merely associated contingently, but rather that to be self-conscious we must at least make this general distinction between objective and merely subjective connections of representations. At this point (at least in the second edition text) Kant introduces the key claim that judgment is what enables us to distinguish objective connections of representations that necessarily belong together from merely subjective and contingent associations: “[A] judgment is nothing other than the way to bring given cognitions to the objective unity of apperception. That is the aim of the copula is in them: to distinguish the objective unity of given representations from the subjective. For this word designates the relation of the representations to the original apperception and its necessary unity” (B141–142). Kant is speaking here about the mental act of judging that results in the formation of a judgment. Judging is an act of what Kant calls synthesis, which he defines as “the action of putting different representations together with each other and comprehending their manifoldness in one cognition” (A77/B103). In other words, to synthesize is in general to combine several representations into a single (more) complex representation, and to judge is specifically to combine concepts into a judgment — that is, to join a subject concept to a predicate concept by means of the copula, as in “the body is heavy” or “the house is four-sided.” Judgments need not be true, of course, but they always have a truth value (true or false) because they make claims to objective validity. When I say, by contrast, that “If I carry a body, I feel a pressure of weight,” or that “if I see this house, I feel nostalgia,” I am not making a judgment about the object (the body or the house) but rather I am expressing a subjective association that may apply only to me (B142).[[16](http://plato.stanford.edu/entries/kant/notes.html%22%20%5Cl%20%2216)] Kant's reference to the necessary unity of apperception or self-consciousness in the quotation above means (at least) that the action of judging is the way our mind achieves self-consciousness. We must represent an objective world in order to distinguish ourselves from it, and we represent an objective world by judging that some representations necessarily belong together. Moreover, recall from [4.1](http://plato.stanford.edu/entries/kant/#4.1) that, for Kant, we must have an a priori capacity to represent the world as law-governed, because “we can represent nothing as combined (or connected) in the object without having previously combined it ourselves” (B130). It follows that objective connections in the world cannot simply imprint themselves on our mind. Rather, experience of an objective world must be constructed by exercising an a priori capacity to judge, which Kant calls the faculty of understanding (A80–81/B106). The understanding constructs experience by providing the a priori rules, or the framework of necessary laws, in accordance with which we judge representations to be objective. These rules are the pure concepts of the understanding or categories, which are therefore conditions of self-consciousness, since they are rules for judging about an objective world, and self-consciousness requires that we distinguish ourselves from an objective world. Kant identifies the categories in what he calls the metaphysical deduction, which precedes the transcendental deduction.[[17](http://plato.stanford.edu/entries/kant/notes.html%22%20%5Cl%20%2217)] Very briefly, since the categories are a priori rules for judging, Kant argues that an exhaustive table of categories can be derived from a table of the basic logical forms of judgments. For example, according to Kant the logical form of the judgment that “the body is heavy” would be singular, affirmative, categorical, and assertoric. But since categories are not mere logical functions but instead are rules for making judgments about objects or an objective world, Kant arrives at his table of categories by considering how each logical function would structure judgments about objects (within our spatio-temporal forms of intuition). For example, he claims that categorical judgments express a logical relation between subject and predicate that corresponds to the ontological relation between substance and accident; and the logical form of a hypothetical judgment expresses a relation that corresponds to cause and effect. Taken together with this argument, then, the transcendental deduction argues that we become self-conscious by representing an objective world of substances that interact according to causal laws. 4.3 The law-giver of nature The final condition of self-consciousness that Kant adds to the preceding conditions is that our understanding must cooperate with sensibility to construct one, unbounded, and unified space-time to which all of our representations may be related. To see why this further condition is required, consider that so far we have seen why Kant holds that we must represent an objective world in order to be self-conscious, but we could represent an objective world even if it were not possible to relate all of our representations to this objective world. For all that has been said so far, we might still have unruly representations that we cannot relate in any way to the objective framework of our experience. On Kant's view, this would be a problem because, as we have seen, he holds that self-consciousness involves universality and necessity: according to his principle of apperception, “the I think must be able to accompany all my representations” (B131). Yet if, on the one hand, I had representations that I could not relate in some way to an objective world, then I could not accompany those representations with “I think” or recognize them as my representations, because I can say “I think…” about any given representation only by relating it to an objective world, according to the argument just discussed. So I must be able to relate any given representation to an objective world in order for it to count as mine. On the other hand, self-consciousness would also be impossible if I represented multiple objective worlds, even if I could relate all of my representations to some objective world or other. In that case, I could not become conscious of an identical self that has, say, representation 1 in space-time A and representation 2 in space-time B. It may be possible to imagine disjointed spaces and times, but it is not possible to represent them as objectively real. So self-consciousness requires that I can relate all of my representations to a single objective world. The reason why I must represent this one objective world by means of a unified and unbounded space-time is that, as Kant argued in the Transcendental Aesthetic, space and time are the pure forms of human intuition. If we had different forms of intuition, then our experience would still have to constitute a unified whole in order for us to be self-conscious, but this would not be a spatio-temporal whole. Given that space and time are our forms of intuition, however, our understanding must still cooperate with sensibility to construct a spatio-temporal whole of experience because, once again, “we can represent nothing as combined in the object without having previously combined it ourselves,” and “all combination [...] is an action of the understanding” (B130). So Kant distinguishes between space and time as pure forms of intuition, which belong solely to sensibility; and the formal intuitions of space and time (or space-time), which are unified by the understanding (B160–161). These formal intuitions are the spatio-temporal whole within which our understanding constructs experience in accordance with the categories.[[18](http://plato.stanford.edu/entries/kant/notes.html%22%20%5Cl%20%2218)] The most important implication of Kant's claim that the understanding constructs a single whole of experience to which all of our representations can be related is that, since he defines nature “regarded materially” as “the sum total of all appearances” and he has argued that the categories are objectively valid of all possible appearances, on his view it follows that our categories are the source of the fundamental laws of nature “regarded formally” (B163, 165). So Kant concludes on this basis that the understanding is the true law-giver of nature. In his words: “all appearances in nature, as far as their combination is concerned, stand under the categories, on which nature (considered merely as nature in general) depends, as the original ground of its necessary lawfulness (as nature regarded formally)” (ibid.). Or more strongly: “we ourselves bring into the appearances that order and regularity that we call nature, and moreover we would not be able to find it there if we, or the nature of our mind, had not originally put it there. [...] The understanding is thus not merely a faculty for making rules through the comparison of the appearances: it is itself the legislation for nature, i.e., without understanding there would not be any nature at all” (A125–126).

Another basic explanation of the basic premises. **ROHLF[[179]](#footnote-179):** Kant's moral philosophy is also based on the idea of autonomy. He holds that there is a single fundamental principle of morality, on which all specific moral duties are based. He calls this moral law (as it is manifested to us) the categorical imperative (see [5.4](http://plato.stanford.edu/entries/kant/#5.4)). The moral law is a product of reason, for Kant, while the basic laws of nature are products of our understanding. There are important differences between the senses in which we are autonomous in constructing our experience and in morality. For example, Kant regards understanding and reason as different cognitive faculties, although he sometimes uses “reason” in a wide sense to cover both.[[19](http://plato.stanford.edu/entries/kant/notes.html%22%20%5Cl%20%2219)] The categories and therefore the laws of nature are dependent on our specifically human forms of intuition, while reason is not. The moral law does not depend on any qualities that are peculiar to human nature but only on the nature of reason as such, although its manifestation to us as a categorical imperative (as a law of duty) reflects the fact that the human will is not necessarily determined by pure reason but is also influenced by other incentives rooted in our needs and inclinations; and our specific duties deriving from the categorical imperative do reflect human nature and the contingencies of human life. Despite these differences, however, Kant holds that we give the moral law to ourselves, just as we also give the general laws of nature to ourselves, though in a different sense. Moreover, we each necessarily give the same moral law to ourselves, just as we each construct our experience in accordance with the same categories. To summarize: Theoretical philosophy is about how the world is (A633/B661). Its highest principle is self-consciousness, on which our knowledge of the basic laws of nature is based. Given sensory data, our understanding constructs experience according to these a priori laws. Practical philosophy is about how the world ought to be (ibid., A800–801/B828–829). Its highest principle is the moral law, from which we derive duties that command how we ought to act in specific situations. Kant also claims that reflection on our moral duties and our need for happiness leads to the thought of an ideal world, which he calls the highest good (see section [6](http://plato.stanford.edu/entries/kant/#6)). Given how the world is (theoretical philosophy) and how it ought to be (practical philosophy), we aim to make the world better by constructing or realizing the highest good.

Kantian notion of freedom exists independent of time. **ROHLF[[180]](#footnote-180):** The most important belief about things in themselves that Kant thinks only practical philosophy can justify concerns human freedom. Freedom is important because, on Kant's view, moral appraisal presupposes that we are free in the sense that we have the ability to do otherwise. To see why, consider Kant's example of a man who commits a theft (5:95ff.). Kant holds that in order for this man's action to be morally wrong, it must have been within his control in the sense that it was within his power at the time not to have committed the theft. If this was not within his control at the time, then, while it may be useful to punish him in order to shape his behavior or to influence others, it nevertheless would not be correct to say that his action was morally wrong. Moral rightness and wrongness apply only to free agents who control their actions and have it in their power, at the time of their actions, either to act rightly or not. According to Kant, this is just common sense.

On these grounds, Kant rejects a type of compatibilism that he calls the “comparative concept of freedom” and associates with Leibniz (5:96–97). (Note that Kant has a specific type of compatibilism in mind, which I will refer to simply as “compatibilism,” although there may be other types of compatibilism that do not fit Kant's characterization of that view). On the compatibilist view, as Kant understands it, I am free whenever the cause of my action is within me. So I am unfree only when something external to me pushes or moves me, but I am free whenever the proximate cause of my body's movement is internal to me as an “acting being” (5:96). If we distinguish between involuntary convulsions and voluntary bodily movements, then on this view free actions are just voluntary bodily movements. Kant ridicules this view as a “wretched subterfuge” that tries to solve an ancient philosophical problem “with a little quibbling about words” (ibid.). This view, he says, assimilates human freedom to “the freedom of a turnspit,” or a projectile in flight, or the motion of a clock's hands (5:96–97). The proximate causes of these movements are internal to the turnspit, the projectile, and the clock at the time of the movement. This cannot be sufficient for moral responsibility. Why not? The reason, Kant says, is ultimately that the causes of these movements occur in time. Return to the theft example. A compatibilist would say that the thief's action is free because its proximate cause is inside him, and because the theft was not an involuntary convulsion but a voluntary action. The thief decided to commit the theft, and his action flowed from this decision. According to Kant, however, if the thief's decision is a natural phenomenon that occurs in time, then it must be the effect of some cause that occurred in a previous time. This is an essential part of Kant's Newtonian worldview and is grounded in the a priori laws (specifically, the category of cause and effect) in accordance with which our understanding constructs experience: every event has a cause that begins in an earlier time. If that cause too was an event occurring in time, then it must also have a cause beginning in a still earlier time, etc. All natural events occur in time and are thoroughly determined by causal chains that stretch backwards into the distant past. So there is no room for freedom in nature, which is deterministic in a strong sense.

The root of the problem, for Kant, is time. Again, if the thief's choice to commit the theft is a natural event in time, then it is the effect of a causal chain extending into the distant past. But the past is out of his control now, in the present. Once the past is past, he can't change it. On Kant's view, that is why his actions would not be in his control in the present if they are determined by events in the past. Even if he could control those past events in the past, he cannot control them now. But in fact past events were not in his control in the past either if they too were determined by events in the more distant past, because eventually the causal antecedents of his action stretch back before his birth, and obviously events that occurred before his birth were not in his control. So if the thief's choice to commit the theft is a natural event in time, then it is not now and never was in his control, and he could not have done otherwise than to commit the theft. In that case, it would be a mistake to hold him morally responsible for it. Compatibilism, as Kant understands it, therefore locates the issue in the wrong place. Even if the cause of my action is internal to me, if it is in the past — for example, if my action today is determined by a decision I made yesterday, or from the character I developed in childhood — then it is not within my control now. The real issue is not whether the cause of my action is internal or external to me, but whether it is in my control now. For Kant, however, the cause of my action can be within my control now only if it is not in time. This is why Kant thinks that transcendental idealism is the only way to make sense of the kind of freedom that morality requires. For transcendental idealism allows that the cause of my action may be a thing in itself outside of time: namely, my noumenal self, which is free because it is not part of nature. No matter what kind of character I have developed or what external influences act on me, on Kant's view all of my intentional, voluntary actions are immediate effects of my noumenal self, which is causally undetermined (5:97–98). My noumenal self is an uncaused cause outside of time, which therefore is not subject to the deterministic laws of nature in accordance with which our understanding constructs experience.

ought must imply can. **ROHLF[[181]](#footnote-181):** Kant may hold that the fact of reason, or our consciousness of moral obligation, implies that we are free on the grounds that ought implies can. In other words, Kant may believe that it follows from the fact that we ought (morally) to do something that we can or are able to do it. This is suggested, for example, by a passage in which Kant asks us to imagine someone threatened by his prince with immediate execution unless he “give[s] false testimony against an honorable man whom the prince would like to destroy under a plausible pretext.” Kant says that “[h]e would perhaps not venture to assert whether he would do it or not, but he must admit without hesitation that it would be possible for him. He judges, therefore, that he can do something because he is aware that he ought to do it and cognizes freedom within him, which, without the moral law, would have remained unknown to him” (5:30). This is a hypothetical example of an action not yet carried out. It seems that pangs of guilt about the immorality of an action that you carried out in the past, on this reasoning, would imply more directly that you have (or at least had) the ability to act otherwise than you did, and therefore that you are free in Kant's sense.

summary of kant moral philosophy. **ROHLF[[182]](#footnote-182):** First, it follows from the basic idea of having a will that **to act at all is to act on some principle**, or what Kant calls a maxim. A maxim is a subjective rule or policy of action: it says what you are doing and why. Kant gives as examples the maxims “to let no insult pass unavenged” and “to increase my wealth by every safe means” (5:19, 27). We may be unaware of our maxims, we may not act consistently on the same maxims, and our maxims may not be consistent with one another. But Kant holds that since we are rational beings our actions always aim at some sort of end or goal, which our maxim expresses. **The goal of an action may be something** as **basic** as **gratifying a desire, or** it may be something **more complex** such as **becoming a doctor or a lawyer**. In any case, **the causes of our actions are never** our **desires** or impulses, on Kant's view. **If I act to gratify some desire, then I choose to act on a maxim that specifies** the **gratification of that desire as the goal** of my action. For example, if I desire some coffee, then I may act on the maxim to go to a cafe and buy some coffee in order to gratify that desire. Second, Kant distinguishes between two basic kinds of principles or rules that we can act on: what he calls material and formal principles. **To** act in order to **satisfy some desire**, as when I act on the maxim to go for coffee at a cafe, **is to act on a material principle** (5:21ff.). Here **the desire** (for coffee) **fixes the goal**, which Kant calls the object or matter of the action, and the principle says how to achieve that goal (go to a cafe). Corresponding to material principles, on Kant's view, are what he calls hypothetical imperatives. A hypothetical imperative is a principle of rationality that says that I should act in a certain way if I choose to satisfy some desire. If maxims in general are rules that describe how one does act, then imperatives in general prescribe how one should act. An imperative is hypothetical if it says how I should act only if I choose to pursue some goal in order to gratify a desire (5:20). This, for example, is a hypothetical imperative: if you want coffee, then go to the cafe. This hypothetical imperative applies to you only if you desire coffee and choose to gratify that desire. In contrast to material principles, formal principles describe how one acts without making reference to any desires. This is easiest to understand through the corresponding kind of imperative, which Kant calls a categorical imperative. A categorical imperative commands unconditionally that I should act in some way. So while **hypothetical imperatives apply** to me **only on the condition that I** have and **set the goal** of satisfying the desires that they tell me how to satisfy, categorical imperatives apply to me no matter what my goals and desires may be. Kant regards **moral laws** as categorical imperatives, which **apply to everyone unconditionally**. For example, the moral requirement to help others in need does not apply to me only if I desire to help others in need, and the duty not to steal is not suspended if I have some desire that I could satisfy by stealing. Moral laws do not have such conditions but rather apply unconditionally. That is why they apply to everyone in the same way. Third**, insofar as I act only on material principles** or hypothetical imperatives, **I do not act freely,** but rather I act only to satisfy some desire(s) that I have, and **what I desire is not ultimately within my control.** To some limited extent we are capable of rationally shaping our desires, but insofar as we choose to act in order to satisfy desires we are choosing to let nature govern us rather than governing ourselves (5:118). We are always free in the sense that we always have the capacity to govern ourselves rationally instead of letting our desires set our ends for us. But we may (freely) fail to exercise that capacity. Moreover, since Kant holds that desires never cause us to act, but rather we always choose to act on a maxim even when that maxim specifies the satisfaction of a desire as the goal of our action, it also follows that we are always free in the sense that we freely choose our maxims. Nevertheless, our actions are not free in the sense of being autonomous if we choose to act only on material principles, because in that case we do not give the law to ourselves, but instead we choose to allow nature in us (our desires) to determine the law for our actions. Finally, **[therefore] the only way to act freely in the full sense** of exercising autonomy **is** therefore **to act on formal principles** or categorical imperatives, which is also to act morally. Kant does not mean that acting autonomously requires that we take no account of our desires, because that would be impossible (5:25, 61). Rather, he holds that we typically formulate maxims with a view to satisfying our desires, but that “as soon as we draw up maxims of the will for ourselves” we become immediately conscious of the moral law (5:29).

Universizability test explained. **ROHLF[[183]](#footnote-183):** This immediate consciousness of the moral law takes the following form: I have, for example, made it my maxim to increase my wealth by every safe means. Now I have a deposit in my hands, the owner of which has died and left no record of it. This is, naturally, a case for my maxim. Now I want only to know whether that maxim could also hold as a universal practical law. I therefore apply the maxim to the present case and ask whether it could indeed take the form of a law, and consequently whether I could through my maxim at the same time give such a law as this: that everyone may deny a deposit which no one can prove has been made. I at once become aware that such a principle, as a law, would annihilate itself since it would bring it about that there would be no deposits at all. (5:27) In other words, to assess the moral permissibility of my maxim, I ask whether everyone could act on it, or whether it could be willed as a universal law. The issue is not whether it would be good if everyone acted on my maxim, or whether I would like it, but only whether it would be possible for my maxim to be willed as a universal law. This gets at the form, not the matter or content, of the maxim. A maxim has morally permissible form, for Kant, only if it could be willed as a universal law. If my maxim fails this test, as this one does, then it is morally impermissible for me to act on it. If my maxim passes the universal law test, then it is morally permissible for me to act on it, but I fully exercise my autonomy only if my fundamental reason for acting on this maxim is that it is morally permissible or required that I do so. Imagine that I am moved by a feeling of sympathy to formulate the maxim to help someone in need. In this case, my original reason for formulating this maxim is that a certain feeling moved me. Such feelings are not entirely within my control and may not be present when someone actually needs my help. But this maxim passes Kant's test: it could be willed as a universal law that everyone help others in need from motives of sympathy. So it would not be wrong to act on this maxim when the feeling of sympathy so moves me. But helping others in need would not fully exercise my autonomy unless my fundamental reason for doing so is not that I have some feeling or desire, but rather that it would be right or at least permissible to do so. Only when such a purely formal principle supplies the fundamental motive for my action do I act autonomously. So the moral law is a law of autonomy in the sense that “freedom and unconditional practical law reciprocally imply each another” (5:29). Even when my maxims are originally suggested by my feelings and desires, if I act only on morally permissible (or required) maxims because they are morally permissible (or required), then my actions will be autonomous. And the reverse is true as well: for Kant this is the only way to act autonomously.[[22](http://plato.stanford.edu/entries/kant/notes.html%22%20%5Cl%20%2222)]

permissibility negates:

Permissible actions have no moral worth. **HERMAN[[184]](#footnote-184):** The motive of duty cannot, by itself (as a primary motive), prompt merely permissible actions, for it is, by definition, a matter of moral indifference whether they are performed. (We might say, with Kant, that the maxims of permissible actions have no moral content.) The role of the motive of duty here can only be in the background, as an effective limiting condition, requiring that the agent not act contrary to duty. If the agent loses interest in his proposed course of action, the motive of duty can have nothing to say about what he should do until another course of action is proposed (other things morally equal). In other words, permissible actions cannot be done "from the motive of duty." Therefore, merely permissible actions, even when they are performed on the condition that they are permissible (that is, even when the motive of duty is effective as a limiting condition in them), cannot have moral worth.'

Only constitutive standards of action are inescapable. **BOYLE AND LAVIN[[185]](#footnote-185):**

We will consider how these issues bear on the deliberation of a rational agent in the next section. Before turning to that topic, however, we need to say something general about why, if being a goal-directed agent presupposes being the bearer of a form in the sense described above, such forms should equally constitute evaluative standards for the acts of the agents who bear them. The answer will be, in a way, disappointingly quick. It is that this is something we have already conceded in all but name in assigning the notion of form the place we have given it in our account. To represent an individual as the bearer of a form, in the sense we have been specifying, is to represent that individual as a sort of thing that as such pursues certain ends, ends that stand, when things are going well, in a sort of balance or equilibrium, a balance on which the existence of such things depends. To the extent that such a thing achieves those ends, it succeeds in pursuits that belong to it as such. And by the same token, to the extent that it fails, it fails in pursuits that belong to it as such. Inasmuch as the form in question is essential to individuals that bear it, these pursuits belong inalienably to those individuals: they cannot cease to be pursuers of these ends without ceasing to be. And inasmuch as their particular doings are to be understood as acts of powers directed toward certain general ends, these ends will be the measures of those acts, in the way that any act is a success or failure in virtue of its fulfilling or not fulfilling its end. That attributing a form to a thing, in this sense, involves attributing to it something that is a standard or measure of its activity, a standard relative to which it may be acting well or poorly, is thus a truism, not a controversial addition to what has already been said. A certain standard of goodness for a thing follows inevitably from its belonging to a kind characterized by a functionally-organized system of powers: this, we suppose, is the crux of Aristotle’s famous “function argument.”31 If the objection to this is that it illegitimately infers an “ought” from an “is,” we are not sure that we understand the charge. The sort of “saying what a thing is” that is at issue here is: ascribing to it a certain form, where a form is something that as such involves directedness toward certain ends. If the question is supposed to be why the thing at issue ought to pursue those ends, we ask: from what standpoint is this question posed? If the thing in question genuinely is a bearer of such-and-such a form, then it *is* a pursuer of such-and-such ends, and essentially so. *It* can no more renounce these ends than it can cease to be itself. But if the objection is that there can be no such thing as a “form” in the sense that would validate these claims, then we would want to dispute this, though to confront the various challenges to this notion would be too large a task to take on here. We hope the foregoing discussion suggests, at any rate, that the costs of giving up this notion would be significant. For it suggests that the notion belongs, not simply to some strange pre- modern metaphysical outlook, but to a characterization of the underlying structure of forms of thought and speech that we all constantly employ, and whose soundness few philosophers seriously question. If the Aristotelian standpoint on goal-directed activity is right, then to regard something as a goal-directed agent is necessarily to regard it as the bearer of a certain form, and thus as directed toward a certain system of goods, goods the pursuit of which orients, more or less remotely, its various particular doings.

boyle and lavin kant:

The capacity for rational thought creates distinct obligations for humans. **BOYLE AND LAVIN[[186]](#footnote-186):** *Kinds of inclination*. Aquinas says that whereas the “natural appetite” of nonsentient agents like plants results from “a form existing in the nature of things,” and tends toward a good that exists in them *simpliciter*, both the “sensitive appetite” of nonrational animals and the “rational appetite” of human beings follow, in different ways, from an “apprehended form” and tend toward “a good which is apprehended.” His point can be expressed as follows. A plant just belongs to a certain living kind, a kind that has a particular way of inhabiting its environment, taking in nourishment, making possible its own growth and reproduction, and so on. In representing a certain plant as engaged in some teleologically-structured process (growing a new leaf, taking in nourishment from the soil, etc.), we see what is happening with it as oriented toward obtaining something suitable to that kind of plant. We thus represent the prospect of obtaining the relevant good as in a certain way already active in what the plant is doing here and now, even though the good in question has yet to be obtained: the plant’s present activity is already informed by its natural tendency, as a plant of such-and-such a kind, to pursue certain goods. Or speaking in Aquinas’s way: the form of the relevant good already exists in the plant’s nature, as something toward which it is naturally inclined. A nonrational animal too acts in fulfillment of various teleologically-oriented inclinations, but it stands in a different kind of relationship to these inclinations in virtue of having the powers of sensation and appetite. It does not just inhabit an environment; it can perceive its environment and react to it. It does not just take in nourishment; it can seek it out. In general, animals do not just *have* inclinations to pursue certain goods as a part of their nature; their nature involves their *apprehending* particular things that are good for them (which is not to say: apprehending *that particular things are good for them*) and pursuing those apprehended things. So those things toward which an animal is inclined – the forms that its inclinations seek to realize – are not just fixed by its nature but are present to it in virtue of particular perceptible things having made an impression on it. In this sense, its way of life essentially involves apprehension: it pursues apprehended forms. A rational creature is different again. Such a creature does not merely have certain purposes that it naturally pursues, as a plant does, and it does not merely feel appetites for perceived goods, as a nonrational animal does. A rational creature is one that apprehends its environment and its good in a still more profound sense: it is a creature that brings its representations under general concepts, and this means that it can not only acquire particular representations of the world through perception but think in the abstract about what is true, and also that it can not merely have particular desires but reflect on how to attain particular goods, on how to combine various sorts of goods in a life well-lived, and on the notion of *a good* as such. With these powers, moreover, comes the capacity for a distinctive kind of self- movement, one that involves the ability to think about what to pursue and how to obtain it. The fact that rational creatures do not merely have certain things that are goods for them, or merely desire things that are in fact good – the fact that they can reflect on the concept of a good life – is an aspect of their practical self-consciousness.33 The life of a rational creature is thus profoundly different from the life of a nonrational creature, but, if Aquinas is right, this difference does not disrupt the general connection between self-movement and goodness. Rather, it transforms the kind of good that is in question, and makes an individual creature’s relationship to its own good correspondingly more complex. For – taking the second point first – a rational creature’s self-movement is mediated by *thoughts* about, and in the favorable case by knowledge of, its own good: its capacity for action is a capacity to pursue what it *takes* to be good. And by the same token, the life of a rational creature will be one that essentially involves exercise of the power of reason, and will imply the existence of goods of a specifically rational kind (e.g., contemplation, friendship, justice). The concept *good* to which a rational creature attains will be the concept of what is good in the life of that kind of rational creature, and this will not be merely determined by its “nature,” if this means something independent of its reason. It would be a mistake to suppose that a rational creature is merely a creature that has a certain naturally-given inclinations and is capable of thinking about how to put that form into practice. That is not the sort of nature a rational creature has: its nature is to live a specific sort of rational life, and its good will involve whatever features life by reason must involve.

This implies willing consistently and logically with the rational form of a human being. **BOYLE AND LAVIN[[187]](#footnote-187):** A subject who does not know that he is doing *A* is not doing *A intentionally*, and a subject who does not know that he is doing *A\** because he is doing *A* is not doing *A\* with the intention* of doing *A*. Now, if a rational agent is one whose self-movement is subject to explanations which are essentially known to their subject, what follows about the way in which such an agent must think of his own actions and of what explains them? Well, if we are right that, in general, truths of form (8) presuppose general truths about the kind to which the subject belongs, truths which carry implications about what is good for things of that kind, then a rational agent, in knowing what it is doing and why, will *know* truths with such presuppositions.35 Moreover, his knowledge of such truths will not be merely an observer’s knowledge: his taking such facts to hold will, as we have seen, be essential to their holding. This implies that, on pain of regress, his grounds for believing that he is doing *A\** because he is doing *A* cannot be grounds for believing that this fact *already* obtains – for until he takes the relevant fact to obtain, it does not. He must, if he is to be rational in making such a judgment, have another kind of ground: a ground for believing that, in accepting a certain justification for doing *A\**, he will be making it the case that he is doing *A\**. But what kind of grounds could these be? There is at least this constraint on them: they must be grounds that are potentially such as to warrant a judgment of the relevant kind; and we have argued that the relevant kind of judgment is one that presupposes facts about what is good for bearers of his sort of form. But then, if the considerations of the preceding section are correct, it follows that a rational agent’s grounds for making a judgment of form (8) must be grounds that bear some relation to general sorts of aims belonging to creatures of the form that he bears. This conclusion obviously needs further explanation, and we will elaborate on it in a moment; but first let us note how well it coheres with some familiar facts about how we know what we want and what we are doing. We noted in §1 that a person who wants something can in general be asked *why* he wants it, and then he is expected to answer, not by describing how, as a matter of past history, his want arose, but rather by explaining what, here and now, speaks in favor of pursuing the aim in question. Similar points apply, *mutatis mutandis*, to an agent’s knowledge of why he is doing what he is doing: if *S* is doing *A* intentionally, then *S* is expected to be able to say why he is doing it by giving the reasons he takes to speak in favor of doing *A*. Moreover, as G. E. M. Anscombe observed in a famous discussion of practical reasoning, explanations of this sort have a characteristic structure: where there is a substantive answer to the question “Why are you doing *A*?” (or “Why do you want to do *A*?”), a full statement of this answer terminates in some “desirability characterization” which represents what is sought as desirable or *good* in some intelligible respect (pleasant, appropriate, conducive to health, beneficial to a friend, required by fairness, satisfying of some intelligible life-ambition, ...).36 The agent may be wrong in supposing that the desired object would really *be* good in the relevant respect. Indeed, an agent may do something although, in his considered judgment, it is not a good thing to do at all. But even in this sort of case, if the agent has acted intentionally, we expect him to be able to explain what he did by saying what it was that seemed *prima facie* attractive about it, what form of good it at least appeared to promise. And, as Anscombe remarks, “the good (perhaps falsely) conceived by the agent must *really* be one of the many forms of good” (1963, §40). At least as a characterization of the presumptively normal case, these Anscombean descriptions seem evidently true: a rational agent is normally assumed to be in a position to explain his own doings and wantings-to-do, and the kind of explanation that is called for here is one that relates the doing in question to something that might intelligibly be taken to be some form of good. But why *should* the primary explanation of what an agent wants or is doing be one that he can himself supply, and why should it take this particular shape? Our account of the conditions under which a rational agent can know himself to be the subject of a fact of form (8) *S* is doing *A\** because *S* is doing *A*suggests answers to these questions. For we have observed, first, that a rational agent’s grounds for such a judgment must be grounds for believing that in so judging he is *constituting* the explanatory relation at issue; and we have argued, secondly, that his grounds for so judging must ultimately advert to the way in which the present goal-directed activity serves some general sort of aim belonging to creatures of his form. The first point speaks to the first question: he must be able to give the explanation because this is a sort of explanatory relation that holds only insofar as the subject takes it to hold. The second point speaks to the second question: the explanation must terminate in a desirability characterization because what is articulated in such a characterization is precisely an account of the general aim that this case of goal-directed activity instances, and this is the sort of ground that any truth of form (8) must ultimately have.

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