§1. Introduction

Freedom is the central concept in Kant’s political philosophy. It is also the central concept in his ethics.

Some questions…

What is the relationship between Kant’s political philosophy and his ethics? Is his political philosophy just applied ethics?

What is the relationship between Kant’s political philosophy and those of the other philosophers we have considered?

§2. Freedom of the will

T1 ‘Will is the causality of living beings insofar as they are rational, and freedom would be that property of such causality that it can be efficient independently of alien causes determining it…. The preceding definition of freedom is negative and therefore unfruitful for insight into its essence; but there flows from it a positive concept of freedom, which is so much the richer and more fruitful… Since the concept of causality brings with that of laws… so freedom… is not… lawless but must instead be a causality in accordance with immutable laws… of a special kind.’

(*Groundwork of the Metaphysics of Morals*, p.94)

Here Kant characterizes freedom of the will in both a negative and a positive way.

T2 ‘Autonomy of the will is the sole principle of all moral laws…; heteronomy of choice, on the other hand, not only does not ground any obligation at all but is instead opposed to the principle of obligation and to the morality of the will.’

(*Critique of Practical Reason* p.166)

Put simply, moral obligation is based on freedom, whether it is characterized in the negative way or the positive way. It is not based on happiness!

§3. The postulate of public right

T3 ‘The union of many for some (common) end (that all of them have) is to be found in any social contract… but that union which is in itself an end (that
each *ought to have*) and which is therefore the first duty in any external
relation of people in general, who cannot help mutually affecting one another,
is to be found in a society only insofar as it is in the civil condition… Now the
end that, in such an external relation, is in itself duty… is the right of human
beings under *public coercive laws*, by which what belongs to each can be
determined for him and secured against encroachment by any other.’

*(Common Saying, p.290)*

When are we in an external relation? When we affect each other by our actions.

If we find ourselves in an external relation, then we have a *moral obligation* to form a
civil society.

T4  ‘From private right in the state of nature there proceeds the postulate of public
right: when you cannot avoid living side by side with all others, you ought to
leave the state of nature and proceed with them into a rightful condition…’

*(Metaphysics of Morals, p.451-452)*

T5  ‘The ground of this postulate can be explicated analytically from the concept of
right in external relations, in contrast with violence.’

*(Metaphysics of Morals, p.452)*

Why do we have this moral obligation?

T6  ‘No one is bound to refrain from encroaching on what another possesses if the
other gives him no equal assurance that we will observe the same restraint
towards him. No one… need wait until he has learned by bitter experience of
the other’s contrary disposition; for what should bind him to wait till he has
suffered a loss before he becomes prudent, when he can quite well perceive
within himself the inclination of human beings generally to lord it over others
as their master…?’

*(Metaphysics of Morals, p.452)*

This sounds a lot like the *diffidence* and *pride* discussed by Hobbes…

T7  ‘…however well disposed and law-abiding human beings might be, it still lies *a
priori* in the rational idea of… a condition… that is not rightful… that…
individual human beings… can never be secure against violence from one
another, since each has its own right to do *what seems right and good to it* and
not to be dependent upon another’s opinion about this…’

*(Metaphysics of Morals, p.456)*

This sounds a lot more like Locke.
§4. Political liberty

Kant defines external right – or, as we might put it, justice – in terms of freedom.

T8 ‘...the concept of an external right as such proceeds entirely from the concept of freedom in the external relation of people to one another and has nothing at all to do with the end that all of them naturally have (their aim of happiness) and with the prescribing of means for attaining it... Right is the limitation of the freedom of each to the condition of its harmony with the freedom of everyone insofar as this is possible in accordance with a universal law; and public right is the sum of external laws which make such a thoroughgoing harmony possible.’

(Common Saying, p.290)

There is justice when the conditions are satisfied for everyone to be free. But what does freedom mean in this context?

T9 ‘Freedom (independence from being constrained by another’s choice), insofar as it can coexist with the freedom of every other in accordance with a universal law, is the only original right belonging to every man by virtue of his humanity.’

(Metaphysics of Morals, p.393)

Here is one interpretation...

T10 ‘There is thus a fundamental distinction between interfering with the purposiveness of another person and interfering with that person’s purposes.’

(Arthur Ripstein, Force and Freedom: Kant’s Legal and Political Philosophy, p.41)

I am free if and only if nobody interferes with my purposiveness (as opposed to my purposes).

Ripstein defends this interpretation on the basis that it allows us to make sense of the idea of equal freedom.

It is similar to the conceptions of political liberty ascribed to Rousseau and Pettit in the previous lecture.

T11 ‘Liberty consists less in doing one’s will than in not being subject to that of another; it consists again in not submitting the will of another to our own.’

(Jean-Jacques Rousseau, Letters Written from the Mountain, No.8)
‘This conception… requires the absence of domination by others… [but] it needs something more than the absence of interference; it requires security against interference, in particular against interference on an arbitrary basis.’

(Philip Pettit, Republicanism: A Theory of Freedom and Government, p.51)

Here is another interpretation…

Kant thinks that a problem will arise if everyone attempts to exercise their freedom – in the ethical sense – in circumstances where we cannot help affecting one another. We will disagree about the proper interpretation, application and execution of the moral law… and so my attempt to exercise my freedom (i.e. obey the moral law) will conflict with your attempt to exercise your freedom (i.e. obey the moral law).

§5. What does a just state look like?

‘…the civil condition, regarded merely as a rightful condition, is based a priori on the following principles: 1. The freedom of every member of the society as a human being. 2. His equality with every other as a subject. 3. The independence of every member of a commonwealth as a citizen.’

(Common Saying, p.291)

‘As for the freedom… as a human being I express its principle… in the following formula: No one can coerce me to be happy in his way… instead, each may seek his happiness in the way that seems good to him, provided he does not infringe upon that freedom of others to strive for a like end which can coexist with the freedom of everyone in accordance with a possible universal law (i.e. does not infringe upon this right of another).’

(Common Saying, p.291)

So it is not a paternalist state. It is also ‘consistent with the greatest inequality in terms of the quantity and degree of… possessions, whether in physical or mental superiority over others or in external goods and in rights generally’ (Common Saying, p.292). It is even consistent with a property requirement for the franchise! Wig-makers are permitted to vote, but barbers are not…

Bibliography