I value morality. The standard is preserving freedom. Two independent warrants:

First, all obligations stem from our practical identities. Mitchell ONE:[[1]](#footnote--1)

According to Christine Korsgaard, our first-person experience of agency reveals a requirement. We need reasons to act and to live. You are a creature that stands at a “reflective distance” from your motives. You are not simply determined by your desires to act this way or that, but you can and do choose which desires to act on. When you deliberate, it is as if there were something over and above all your desires, something which is you, and which 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 expressive of yourself” (Korsgaard (1996), p. 100). You regard your reasons as self-imposed. In deliberation, on Korsgaard’s view, you form conceptions of your “practical identity,” and these are the source of your reasons and obligations. A conception of your practical identity is “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” (101). When you choose to act on a given desire, you do so because this is justified by some or other of your practical identities. Typically, one has many practical identities—a philosopher, a parent, a neighbor, a citizen, a student, a teacher—and each one gives rise to reasons and obligations. “Your reasons express your identity, your nature; your obligations spring from what that identity forbids” (Ibid, p. 101). There is one practical identity, however, that has pride of place on Korsgaard’s view. Most of your practical identities are contingent. You could have valued yourself under different descriptions (and might do so in the future). But your identity as a human being is necessary. Korsgaard argues for this claim as follows: It is necessary to have some conception of your practical identity, for without it you cannot have reasons to act. We endorse or reject impulses by determining whether they are consistent with the ways in which we identify ourselves. Yet most of the self-conceptions which govern us are contingent. … Because these conceptions are contingent, one or another of them may be shed. … What is not contingent is that you must be governed by some conception of your practical identity. For unless you are committed to some conception of your practical identity, you will lose your grip on yourself as having any reason to do one thing rather than another—and with it, your grip on yourself as having any reason to live and act at all. But this reason for conforming to your particular practical identities is not a reason that springs from one of those particular practical identities. It is a reason that springs from your humanity itself, from your identity simply as a human being, a reflective animal who needs reasons to act and to live. And so it is a reason you have only if you treat your humanity as a practical, normative, form of identity, that is, if you value yourself as a human being. (Ibid, pp. 120-121) The claim that your human identity is a necessary part of your self-conception is central to Korsgaard’s moral theory. Your human identity both “stands behind” your particular practical identities and is the source of your moral reasons and moral obligations. These points merit extrapolation. The central idea of Korsgaard’s view is that you impose reasons and obligations on yourself by valuing yourself under certain descriptions. Each particular description under which you value yourself is a particular practical identity of yours—teacher, parent, citizen—and imposes a consistency constraint on candidate motivations for actions. You have reason to act on those motivations consistent with one of your practical identities and are obligated not to act on those motivations inconsistent with any of your practical identities.But the fact that you have any practical identities at all means that you value yourself under the description of one who needs reasons to act and to live. That you have contingent practical identities entails that you have the necessary practical identity of a human being. Your human identity is explained in the same way as all other practical identities: you value yourself under a certain description. But it is special in two ways. First, your human identity is implicitly affirmed in the adoption and maintenance of all of your particular practical identities. It “stands behind” them.

Because we reasons towards which practical identities to value, we must first value our human identity. A ‘country’ is only an agent by being informed by people, each Kantian agents. Their roles as legislators must be contextualized accordingly. Mitchell TWO:[[2]](#footnote-0)

But the fact that you [To] have any practical identities at all means that you value yourself under the description of one who needs reasons to act and to live. That you have contingent practical identities entails that you have the necessary practical identity of a human being. Your human identity is explained in the same way as all other practical identities: you value yourself under a certain description. But it is special in two ways. First, your human identity is implicitly affirmed in the adoption and maintenance of all of your particular practical identities. It “stands behind” them. Your particular identities are normative only given that it is normative. The normativity of any particular practical identities is parasitic on the normativity of your human identity. And your human identity requires that you have some particular practical identity or other. Without these particular identities you would not have reasons to do particular things. Your human identity is necessary, in other words, because you do act for reasons, and this presupposes that you value the need to do so. Second, your human identity is the source of all of your specifically moral reasons and obligations. Your human identity gives you reason to value others’ humanity, and it obligates you not to flout the value of others’ humanity. This introduces a distinction between moral and non-moral reasons and obligations. One has a moral reason to act on those motivations consistent with one’s human identity and a moral obligation not to act on those motivations inconsistent with one’s human identity. One has a non-moral reason to act on those motivations consistent with one of one’s particular practical identities and a non-moral obligation not to act on those motivations inconsistent with one of one’s particular practical identities. This makes room for conflict between obligations. For example, a non-moral obligation may conflict with a moral obligation when it[s] would be both inconsistent with one’s human identity to act on a given desire and inconsistent with some particular practical identity not to [But]. The resolution of such conflicts is dictated by the structure of Korsgaard’s view. From the two special characteristics of your human identity, it follows that morality is both rationally inescapable and overriding. Morality is rationally inescapable because your human identity, the practical identity that underwrites moral reasons and moral obligations, is necessary. It is not one that can[t] be shed. Morality is overriding because, in a case of conflict, the conflict must be resolved by shedding the source of one or the other conflicting reasons or obligations. But since the source of your moral reasons cannot be shed, it will always be the case that a conflict between a moral reason or obligation and a non-moral reason or obligation will [“always”] be resolved in favor of the moral reason or obligation. Morality always wins the day because the source of its normative force is a necessary feature of human agency.

Implications:

A) To will any end at all, you must will a system of equal freedom because otherwise people can treat you as a means to an end and thwart those ends. B) The most fundamental value is abstract deliberation. It’s illogical to will coercion onto others because you’re using the will to deny the will, but that’s a contradiction since there’s nothing exceptional about your will.

Second, the nature of laws implies we must look to the united will. Ripstein ONE:[[3]](#footnote-1)

As a being entitled to [that can] set and pursue your own purposes, 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 imputable to you. In the same way, the state must sustain its basic normative 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 legitimacy of the state”—is the idea of the original contract, through which people are bound by laws they have given themselves through public institutions. 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[s] 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 [could] 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 presupposes 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 [legitly] bind everyone it governs.

Thus the united will stems from A) universal reasons since that’s the only thing that everyone can access; pleasure constantly conflicts AND B) freedom preservation since that’s why people enter the contract; the ability to set and pursue ends is shared by all citizens-else they couldn’t choose to be in the contract.

Three clarifications on the standard:

1. Here’s how to weigh. For Kant, Perfect duties come before imperfect duties, because perfect duties can never be violated whereas imperfect duties constantly entail trade-offs. Mahon:[[4]](#footnote-2)

The "Contradiction in Conception Test" establishes perfect duties. The "Contradiction in Will Test" establishes imperfect duties. (i) Contradiction in Conception Test Take the maxim: "In order to get money, I will tell a lie" Now perform the following thought-experiment: consider a world in which everyone acts on that maxim. Call it the "World of the Universalized Maxim". You are also included in "everyone", so imagine that in this world you are also acting on this maxim. What would be the case in this world? Well, in that world, everyone would lie to get money. But, apparently, in that world, a lie would never get you money. A lie would be useless. No-one would believe what anyone said when they were trying to get money. So, in that world, YOU would not get money by telling a lie. There is a contradiction in CONCEIVING of a law of lying to get money -- it would never work! What does this test show? It shows that lying cannot work by being practiced by everyone. Lies can only work by being practiced by some people and not others. The person who tells a lie [A liar] is relyi[es]ng on its not being the case that people lie to get what they want. He or she is relying on its being the case that people tell the truth to get what they want. He or she is making an exception of himself or herself, in principle, to the rule of truthfulness. Such a failure – [So universalized] there is a contradiction in CONCEIVING of [the] a law of lying ever working -- entails that acting on that maxim is impermissible, or forbidden. However, Kant holds that ANY maxim involving lying, since it will never get you what you want, will fail the test. Hence, all lying is impermissible, or wrong. In the case of an action that is forbidden, or wrong, it follows that the opposite action is required, or right. In this case, one is required not to lie (or to be truthful in one's assertions). Furthermore, since the contradiction is in the very conceiving, it follows that there is a perfect duty not to lie (or, a perfect duty to be truthful in one's assertions). (ii) Contradiction in Willing Test Take the maxim: "In order to be happy, I will not help anyone else" Again, perform the thought-experiment: [Yet] consider a world [where] in which everyone [isn’t altruistic] (including you) acts on that maxim. What would be the case in this world? Well, in that world, no-one would help anyone. I would not help anyone, and no one would help me. Kant thinks that it is indeed possible to CONCEIVE of law of non-beneficence (or pure self-reliance). However, he claims, [But] no rational being would ever will [that] to live in such a world "inasmuch as cases might often arise in which one would have need of the love and sympathy of others and in which he would deprive himself, by such a law of nature springing from his own will, of all hope of the aid he wants for himself." In such a world, that is, I have willed that no-one help ME when I am in need of help. But no rational being would ever will this, since she will have various ends to pursue, and she will indeed will whatever means are necessary to the pursuit of those ends, and sometimes this will involve the help of others. How could it be rational, granted that I have various ends to pursue, to will that other people never help you in under circumstances whatsoever? You would never will it! What does this test show? It shows that non-beneficence would never be willed by anyone. The person who wills non-beneficence is relying on its being the case that others help him. He really wants others to help him, and him not to help others. So, once again, he is making an exception of himself, in principle, to the rule of helping others. Such a failure -- there is a contradiction in WILLING a law of non-beneficence -- entails that acting on that maxim is impermissible, or forbidden. However, Kant holds that ANY maxim involving non-beneficence, since it will never get you what you want, will fail the test. Hence, non-beneficence, or principled refusal to help others, is impermissible, or wrong. In the case of an action that is forbidden, or wrong, it follows that the opposite action is required, or right. In this case, one is required not to not be beneficent (or to be beneficent insofar as one can). Since the contradiction is a contradiction in willing [entails] only, however, it follows that there is only an imperfect duty to be beneficent insofar as one can. What this means is that, first of all, one can never, in being beneficent, [which can’t] violate any perfect duty (e.g. one cannot help others by lying). Secondly, since it is [as] an imperfect duty, one is not required to be beneficent all the time [like with]. Perfect duties include: Do not lie, Do not steal, Do not murder. Imperfect Duties include: Help others [vs] when you can, Develop your natural talents, Develop your moral perfection.

But I also co-opt all reasons to prefer the neg standard since even util impacts link back to my AC; they’re just imperfect duties and come second since you can conceive of a world where bad things happen. Thus, you always accept AC standard.

2. Laws that restrict freedom need not violate freedom since all choices restrict your future; I don’t coerce myself when I sign up for a contract and must later obey its rules. The state can make choices that restrict it somehow in the future. Only restriction by others on action is coercion since freedom is relational. The state only cares about preventing imbalances of freedom.

3. Uncertainty on the framework debate means you look to the AC. If you’re unsure what the good is, preserve freedom since it permits everyone to pursue their own conception of the good.

I contend resource extraction in the topic violates freedom. Due to the resolution’s clause “when in conflict,” resource extraction wills the necessary means of harming the environment. But if everyone harmed the environment, you literally couldn’t breathe like in China where bad air days force people to stay home. Thus, you grant yourself rights others can’t have, violating relative freedom. Ripstein TWO:[[5]](#footnote-3)

Kant’s eighteenth-century examples have the same structure. Kant’s first example is begging, an activity to which his opposition, both per- sonal and political, is well known. As a struggling young scholar, Kant sold some of his books to make sure he would never depend on charity; as a more established professor, he never gave money to beggars, but when he passed one gave money to the community treasury.35 His argument for state support for the poor turns on the ways in which private charity in general, and begging in particular, subjects the needy to the pri- vate choice of people of means.36 Thee grounds for exercising the police power to control begging are different. The beggar doesn’t merely block the street by loitering. He actively seeks to draw [a] passersby into [your] his purposes—that is the whole point of what he is doing. Kant characterizes begging as [is] “closely akin to robbery,”37 because of the manner in which the beggar demands something of passersby. A normal market interaction consists in one person offering an incentive to another, which the other then decides whether to take up. The only thing the beggar offers to do is to stop thrusting himself into the passerby’s affairs in return for a contribution. As a matter of private right, it is up to the passerby to decide whether to pay any attention to the beggar. As a matter of public right, however, the beggar [You] does wrong [public right] by appropriating public space for private purposes. Again, stenches become a public problem when they invade public spaces. If everybody emptied slop buckets into the street, the streets would be either impassable or passable only with extreme effort. The person who does it has failed to do her share in keeping the streets passable, even if there is no reason to think that others will fail to do their part, and so no actual blockage is created in the particular case. The slop dumper claims a prerogative that others could not all claim [which is to]. Slop buckets are a thing of the past, but the same point applies to littering and pollut[e]ion. Kant’s example of noisy crowds also fits this model.

Pre-emptive weighing. You prevent people from willing their own laws since you co-opt public areas for private purposes; it’s an affront on the entire society since they don’t get to decide what to do with their sidewalks or public areas. This is a perfect duty since you literally cannot conceive of a world where the state universalizes the maxim of passing laws that denies the state’s potency.

1. The Space of Reasons Philosophical Reflections on Perception, Knowledge, and Intention FRIDAY, 9 MARCH 2012 Korsgaard's Kantian Moral Theory (Benjamin Mitchell-Yellin) thespaceofreasons.blogspot.com/2012/03/korsgaards-kantian-moral-theory.html [↑](#footnote-ref--1)
2. The Space of Reasons Philosophical Reflections on Perception, Knowledge, and Intention FRIDAY, 9 MARCH 2012 Korsgaard's Kantian Moral Theory (Benjamin Mitchell-Yellin) thespaceofreasons.blogspot.com/2012/03/korsgaards-kantian-moral-theory.html [↑](#footnote-ref-0)
3. Force and Freedom [↑](#footnote-ref-1)
4. http://home.wlu.edu/~mahonj/Ethics/Ethics-\_Lecture5.htm [↑](#footnote-ref-2)
5. Force and Freedom [↑](#footnote-ref-3)