



Law and Morality in Kant

14 – 16 July 2022

Sponsors:

Presentations by:

Sorin Baiasu (Keele) • **Martin Brecher** (Mannheim) • **Katrin Flikschuh** (London) • **Paul Guyer** (Providence) • **Philipp-Alexander Hirsch** (Freiburg) • **Christoph Horn** (Bonn) • **Bernd Ludwig** (Göttingen) • **James P. Messina** (New Orleans) • **Kate Moran** (Boston) • **Japa Pallikkathayil** (Pittsburgh) • **George Pavlakos** (Glasgow) • **Alice Pinheiro Walla** (Hamilton) • **Ralf Bader** (Fribourg) • **Jens Timmermann** (St. Andrews) • **Marcus Willaschek** (Frankfurt)

Venue

Alte Mensa
Wilhelmsplatz 1
37073 Göttingen



Organisation

Martin Brecher, Philipp-Alexander Hirsch, Bernd Ludwig

Registration and Information

www.uni-goettingen.de/law-and-morality-in-kant



How do law and morality relate to each other? Does legal philosophy merely apply general moral principles to particular circumstances which give rise to the need for law and its institutions? Or does law have its own kind of normativity that cannot be reduced to morals?

In current scholarship, Kant is often cited as holding the latter view according to which law is independent of morality, and some scholars consider this asserted independence of his legal philosophy from his moral philosophy and its metaphysical premises as the key for building on Kant in developing present-day accounts of law. But is such a separation of Kant's philosophy of law from central tenets developed in the Groundwork and the Critique of Practical Reason feasible, both exegetically and philosophically? Is Kant's legal philosophy as it is presented in the first part of the Metaphysics of Morals, the Doctrine of Right, an integral part his overall moral philosophy or not?

The conference "Law and Morality" in Kant will address those questions about the normative foundations of Kant's legal philosophy and its relation to Kant's overall moral philosophy, confronting the most important positions regarding this topic, in order to explore and critically reflect on the strength and potential of the various interpretative accounts. The talks will not only address interpretative issues but also the systematic potential of Kant's thinking for contemporary legal and political philosophy.

Programme

Wednesday, 13.07.2022

18.00 Opening Lecture (Altes Auditorium)

Rainer Forst (Frankfurt a.M.)

Noumenale Entfremdung. Gesellschaftskritik nach Kant & Marx

Thursday, 14.07.2022

09.00 Welcome and Introduction

Derivation or Separation?

Derivational Readings of Kant's Legal Philosophy

09.30 **Paul Guyer** (Providence)
Morality, Right, and Responsibility

Comment by Michael Gregory (Groningen)

10.45 Coffee Break

11.00 **Bernd Ludwig** (Göttingen)
The Direct Route from the Categorical Imperative to the General Principle of Right

Comment by Çağlar Çömez (Istanbul)

12.15 Lunch Break

Non-Derivational Readings of Kant's Legal Philosophy

14.00 **Christoph Horn** (Bonn)
Is there a Categorical Imperative of Right in Kant?

Comment by Daniel Ranweiler (Los Angeles)

15.30 **Marcus Willaschek** (Frankfurt a.M.)
Kant on Moral Universality and the Normative foundations of Right

Comment by Stephan Zimmermann (Halle)

16.45 Coffee Break

17.15 **Sorin Baiasu** (Keele)
Kant's Right as Normatively Independent. Three Arguments Considered and Rejected

Comment by Lara Scaglia (Warsaw)

19.00 Dinner

Friday, 15.07.2022

Systematic Potentials and Limit

What Freedom Is Required for Law?

09.30 **James P. Messina** (New Orleans)
Two Conceptions of Freedom in Kant's Political Philosophy

Comment by Luigi Filieri (Mainz)

10.45 Coffee Break

11.00 **Japa Pallikkathayil** (Pittsburgh)
What is External Freedom?

Comment by Micha Gläser (Zürich)

12.15 Lunch Break

14.00 **George Pavlakos** (Glasgow)
(The Morality of) External Freedom: Relational, Non-Coercive and Fundamental

Comment by Luke Davies (London)

Law and Morality in the Political Domain

15.15 Coffee Break

15.45 **Alice Pinheiro Walla** (Hamilton, Ontario)
Bridging the Gap: Ethical and Juridical Duties in Case of Lacking Political Institutions

Comment by Daniel Häuser (Hamburg)

17.15 **Katrin Flikschuh** (London)
Exactitude and Indemonstrability in Kant's Doctrine of Right: On the Limits of Kant's Legal Philosophy

Comment by Sofie Møller (Frankfurt a.M.)

19.00 Dinner

Saturday, 16.07.2022

Tensions and Tangencies Between Right and Morality in Kant

Acting in the Grey Zone of Law and Morality

09.30 **Martin Brecher** (Mannheim)
Wrong, but Permitted? Kant's Notion of Permissive Law

Comment by Jakob Huber (Berlin)

10.45 Coffee Break

11.00 **Ralf Bader** (Fribourg)
Morality, Legality, and Luck

Comment by Marie Newhouse (Guildford)

12.15 Lunch Break

Sanctions and Coercion

A Problem for a Derivational Reading?

14.00 **Kate Moran** (Boston) & **Jens Timmermann** (St. Andrews)
Should Criminals Be Punished for Their Folly? On the Ethical Foundations of Kant's Legal Philosophy

Comment by Katja Stoppenbrink (München)

15.30 **Philipp-Alexander Hirsch** (Freiburg i.Br.)
Legal Coercion as a Moral Problem? Kant on the Enforcement of Rights and the Limits of Autonomy

Comment by Fiorella Tomassini (Groningen)

16.45 Closing Remarks