

# **The Tasks of Practical Reason in Kant/Die Aufgaben der praktischen Vernunft bei Kant**

Bonn, 28-29.10.2022

**Abstracts** (ordered alphabetically by the speaker's surname)

## **Wilfried Hinsch/„Was soll ich tun?“ oder die Aufgaben der Moralphilosophie nach Kant**

Meine These wird sein, dass die Moralphilosophie bei Kant gerade nicht auf die Was-tun-Frage antwortet. Vielmehr dient sie der Zurückweisung resp. Widerlegung der — aus Kantischer Sicht — wichtigsten beiden philosophischen Anfeindungen des alltäglichen Moralbewusstseins, viz. des naturalistischen Determinismus und des Konsequentialismus. Ich werde auch darauf eingehen, warum inwieweit zumindest die Widerlegung des Konsequentialismus gescheitert ist.

## **Corinna Mieth/Kant, migration and the cosmopolitan right not to be treated with hostility**

In the *Third Definitive Article For Perpetual Peace*, Kant states that “it is not a question of philanthropy but of *right*, so that *hospitality*(hospitableness) means the right of a foreigner not to be treated with hostility because he has arrived on the land of another” (TPP 8:357f.)

The aim of my paper is twofold: I will, first, provide an account of what it means to treat someone with hostility and what kind of wrong this constitutes. Second, I will discuss what a right not to be treated with hostility in the context of migration amounts to.

In the first part of the paper, I will focus on the individual level of wrongdoing by drawing on Kant's formula of humanity. This formula has usually been interpreted as prohibiting the instrumentalization of others or the treatment of them as mere means. This prohibition, however, has a significant blind spot as it does not extend to forms of wrongdoing which violate the broader requirement to treat others as ends in themselves or to respect their equal moral status. An example would be treating them as mere things if you ignore them in a situation where they urgently need life-saving aid and you are aware of this and in a position to help. Furthermore, we have to distinguish between wrongful actions or omissions and wrongful attitudes toward others like indifference or hostility. Here a look at the *Doctrine of Virtue* is helpful. But duties not to treat others with indifference or even malice or schadenfreude or, as we can add: hostility, seem to be imperfect duties on the individual level with no corresponding rights.

In the second part of my paper, I will discuss the institutional dimensions of wrongdoing, focusing on the context of migration. I will show that having anti-instrumentalization policies – like the UK Modern Slavery Act – alongside immigration restrictions that are openly hostile towards migrants is highly problematic from a Kantian standpoint. Again, there is a blind spot: denying migrants entry or decent possibilities to offer their labour can constitute an institutional form of wrongdoing beyond instrumentalization due to violations of their equal moral status. This can be seen once the right not to be treated with hostility is applied to this context: like indecent, vicious attitudes on the individual level, there can be such attitudes expressed in the politics of states towards migrants. This holds especially once states create a hostile environment towards migrants in order to keep them away, such as criminalizing entry, denying them a legal opportunities to work, or even openly encouraging hostile attitudes by presenting them as mere recipients of beneficence or mere competitors for scarce employment opportunities. Inspired by Avishai Margalit, I will show that the right not

to be treated with hostility could be understood as an imperfect right against indecent institutions, a right that requires reforms on the institutional level. As a cosmopolitan right, it is an individual moral right against the citizens of receiving societies who have imperfect duties to change their individual attitudes and their institutional settings.

### **Reza Mosayebi/Kant's Cosmopolitanism, Slavery, and Race Mixing**

Kant claims that according to an *a priori* division there are three possible forms of juridical condition: the right of a state (*ius civitatis*); the right of nations – or, perhaps better, the right of states of people – (*ius gentium*); and the cosmopolitan right (*ius cosmopolitanicum*). Kant also introduces another innovative idea which is often neglected by scholars: If one of these three levels of juridical condition is lacking, i.e., is in the state of nature, “then the edifice of all others is inevitably undermined and must ultimately collapse” (RL 06: 311; Zef 08: 349n.1). I shall show that Kant advocates a necessary interdependence of these three layers as if they were parts of an “organized being” (KU 05: §66). I will then outline some important implications of this claim challenging an interpretation put forward by Robert Bernasconi in several papers that Kant's cosmopolitanism should rather be regarded and read in light of his silence about slavery and his opposition to mixing of races.

### **Ewa Nowak/Praktische Vernunft und Ökozid**

Die Kantsche praktische Vernunft ist der Prototyp der universell-öffentlichen partizipatorischen Rationalität. Es gibt keinen Grund, die Anwendbarkeit der praktischen Vernunft auch über (geo)politische Trennungslinien hinweg in Frage zu stellen (es sei denn, Kant würde solche historischen Trennungslinien wie die von C. Schmitt in “Nomos der Erde” erwähnten weiter bestehen lassen). Wir können allerdings fragen, in welcher neuen Formel, in welchen neuen institutionellen und praktischen Zusammenhängen (Gesetzgebung, Rechtfertigung, Rechtsprechung usw.) sie heutzutage – und künftig – von Nutzen sein könnte. Ein beispielhafter neuer Anwendungsbereich besteht seit kurzem im Bereich der internationalen Strafjustiz in Bezug auf den Ökozid. In dem Beitrag werde ich einige Ideen zum Einsatz praktischer Vernunft kantischer Provenienz qua sozialer Agens in der Umweltjustiz/-jurisprudenz vorstellen. Dies ist ein Teil eines umfassenderen Forschungsprojekts.

### **Lara Scaglia/The needs of reason**

To contribute to this workshop I have decided to focus on the needs of reason. I believe, namely, that tasks and needs are strictly correlated and one can better understand the former, by clarifying the latter. However, the image and analogy of reason as an architect or an organism having needs can be misleading in two senses: on the one hand, one might think that Kant is hiding psychological-anthropological presuppositions leading him to ascribe to reason some needs (it is the human being as natural being who has needs, not reason); on the other, one might completely disregard these statements, thus missing, in my opinion, something quite important, namely, that reason is unhappy, needy. i.e. in a locus or dimension of tensions and conflicts. I will try to clarify this point and stress that the needs of reason characterise and direct reason's several uses. I see two main general directions of these needs: one towards the completeness and the supersensible, while the other towards the particular and the empirical level. In my talk, after a first overview of the needs of reason in general, I will focus on these two directions – within the practical domain – to claim that this tension characterises reason and makes it “local”. By this I mean that reason, even if it strives towards completeness, has to be related to a limited framework. The last point I will touch, concerns human dignity. My intuition – which I aim to explore further in my future research-

is that the discourse on the needs of reason is finds an analogy in Kant's conception of human dignity.

### **Martin Sticker/Kant on Being a Useful Member of the World and Universal Basic Income**

I will make two points that mutually support each other. Firstly, Kantians should endorse universal basic income (UBI), because Kant stresses that there is a duty to self to be useful, and a UBI, more so than conditional welfare schemes, enables agents to be useful. Secondly, Kant's ethics suggests a way to tackle the most pressing objection against a UBI, the unfairness or surfer objection. Kant and UBI advocates have a great deal to learn from each other.

### **Garrath Williams/Right, coercion, and complicity**

I would like to explore Kant's definition of right as the authorisation to use coercion, and how he can respond to Hermann Cohen's pointed objection: "Coercion has not grown on the ground of transcendental freedom... both logically and ethically, coercion forms the end of reason."

The simple claim that a title to coerce belongs to the meaning of "right," analytically, does not help. The Kantian "quid juris?" still applies: what right do we have to such a concept?

Kant's Newtonian imagery is also unilluminating: "resistance that counteracts the hindering of an effect promotes this effect and is consistent with it." (6:231) Pacifists contend that coercion is incompatible with the principle of peace. If lying is intrinsically wrong, why not coercion? I may choose, as Kant himself notes, whether to believe someone, whereas coercion represents the outer limit of domination and suffering: the most profound denial of freedom; the paradigm of treatment as a mere thing or means. The suspicion that coercion is inherently wrong must be rebutted directly – not metaphorically, and not in terms of desirable consequences ("counteracts").

One response to Kant's position on lying is to point out that it demands complicity in the face of evil. By analogy, I would like to try out the idea that to deny authorisation to coercively respond to coercive attempts on our bodies, would be to render persons complicit in their own treatment as mere things.

### **Ewa Wyrębska-Đermanović /The Rightful Condition and the Realm of Ends. Kant For and Against Structural Injustice**

Kant's theory of right, although founded on the premises of freedom and equality of all humans can hardly be conceived as aiming at overcoming past and present structural injustices. Conversely, if one looks e.g., at Kant's conceptualization of property right, family right, or the conditions of active citizenship, it becomes clear that his theory is most likely perpetuating the current state of affairs and sealing it into the public right of national and international institutions. My aim in this paper is to give a rough sketch of how one can reconstruct Kant's theory in such a way, that it would be consistent with what structural justice calls for, e. g., securing social mobility, complementing past injustices, reinforcing cooperation rather than competition. The key concept that will facilitate my reading is Kant's 'realm of ends' – all human beings united in the systematic connection of ends and means. In my paper I start with sketching the problem of structural injustice, as presented by contemporary thinkers (I.M. Young and R. Forst), as well as its relation to procedural, distributive and contributive concepts of justice. Further, I discuss the tension between ideal

and non-ideal theory (introduced by Rawls) in order to use this conceptualization in my reconstruction of Kant's theory of justice as right. I present Kant's ideal theory as generally rational and just scheme and juxtapose it with several problematic features of his non-ideal theory. The last step is focused on Kant's concept of the realm of ends as a blueprint of just social relations. My claim is that this concept (although, for Kant, exclusive to his moral theory) can shed new light on the problem of structural injustice and help properly capture ideal societal relations.

**All welcome! Please register at [ewa.wyrebska@gmail.com](mailto:ewa.wyrebska@gmail.com)**