

# FORCE AND FREEDOM

KANT'S  
LEGAL AND  
POLITICAL  
PHILOSOPHY

ARTHUR RIPSTEIN

# Force And Freedom Kants Legal And Political Philosophy

**Reidar Maliks**



## **Force And Freedom Kants Legal And Political Philosophy:**

*Force and Freedom* Arthur Ripstein, 2009-10-15 Ripstein gives a comprehensive yet accessible account of Kant's political philosophy. In addition to providing a clear and coherent statement of the most misunderstood of Kant's ideas, Ripstein also shows that Kant's views remain conceptually powerful and morally appealing today. Freedom and Force Sari Kisilevsky, Martin J Stone, 2017-05-04 This collection of essays takes as its starting point Arthur Ripstein's *Force and Freedom: Kant's Legal and Political Philosophy*, a seminal work on Kant's thinking about law which also treats many of the contemporary issues of legal and political philosophy. The essays offer readings and elucidations of Ripstein's thought, dispute some of his claims and extend some of his themes within broader philosophical contexts, thus developing the significance of Ripstein's ideas for contemporary legal and political philosophy. All of the essays are contributions to normative philosophy in a broadly Kantian spirit. Prominent themes include rights in the body, the relation between morality and law, the nature of coercion and its role in legal obligation, the role of indeterminacy in law, the nature and justification of political society and the theory of the state. This volume will be of interest to a wide audience including legal scholars, Kant scholars and philosophers with an interest in Kant or in legal and political philosophy. Kant's Political Theory Elisabeth Ellis, 2012-08-02 Past interpreters of Kant's thought seldom viewed his writings on politics as having much importance, especially in comparison with his writings on ethics which, along with his major works such as the *Critique of Pure Reason*, received the lion's share of attention. But in recent years a new generation of scholars has revived interest in what Kant had to say about politics. From a position of engagement with today's most pressing questions, this volume of essays offers a comprehensive introduction to Kant's often misunderstood political thought. Covering the full range of sources of Kant's political theory, including not only the *Doctrine of Right*, the *Critiques* and the political essays but also Kant's lectures and minor writings, the volume's distinguished contributors demonstrate that Kant's philosophy offers compelling positions that continue to inspire the best thinking on politics today. Aside from the editor, the contributors are Michaela Ferguson, Louis Philippe Hodgson, Ian Hunter, John Christian Laursen, Mika LaVaque-Manty, Onora O'Neill, Thomas W. Pogge, Arthur Ripstein, and Robert S. Taylor. *Kant's Early Followers in Political Philosophy* Reidar Maliks, Elisabeth Theresia Widmer, 2025-06-27 Immanuel Kant influenced a large and productive group of political philosophers in the 1790s. This volume argues that they brought out more fully the egalitarian principles of Kantian republicanism. The Kantian school featured young philosophers including Saul Ascher, Johann Adam Bergk, Johann Benjamin Erhard, Johann Ludwig Ewald, the early Johann Gottlieb Fichte, Friedrich Schlegel, and Johann Heinrich Tieftrunk. The chapters in this volume analyze their work in relation to Kant and their wider philosophical and political context. They advance three main theses: First, the Kantians defended popular sovereignty and several of them supported the extension of the right to vote to workers and women. Second, several of them developed a political perfectionism, the view that equal political rights are justified for their effects on cultivating moral character. Third,

they developed sophisticated theories of state legitimacy and collective action defending a people's right to change their constitution either through reform or through revolution Kant's Early Followers in Political Philosophy offers a systematic view into a neglected group of thinkers at a foundational moment for modern political thought It will be of interest to scholars and graduate students working on Kant eighteenth century philosophy political philosophy and the history of early modern German political thought *Kantian Theory and Human Rights* Andreas Follesdal, Reidar Maliks, 2013-11-12 Human rights and the courts and tribunals that protect them are increasingly part of our moral legal and political circumstances The growing salience of human rights has recently brought the question of their philosophical foundation to the foreground Theorists of human rights often assume that their ideal can be traced to the philosophy of Immanuel Kant and his view of humans as ends in themselves Yet few have attempted to explore exactly how human rights should be understood in a Kantian framework The scholars in this book have gathered to fill this gap At the center of Kant's theory of rights is a view of freedom as independence from domination The chapters explore the significance of this theory for the nature of human rights their justification and the legitimacy of international human rights courts **The Oxford Handbook of Kant**, 2024-10-07 Immanuel Kant 1724-1804 is a towering figure of modern Western philosophy someone whose thought continues to exert an influence across all areas of the discipline His work is characterized by both breadth and unity he writes powerfully about mind epistemology metaphysics logic mathematics natural science ethics politics aesthetics education and more And across those areas his work is concerned with defending a view of human beings and their place in nature according to which our own reason enables us to discover and uphold the laws of nature and freedom that is to think for ourselves The Oxford Handbook of Kant provides an up to date account of recent scholarship on Kant's philosophy taking in all areas of his writings It will be essential reading for students and researchers who want to think for themselves about the topics he wrote with such insight The individual chapters to this Handbook each provide a scholarly analysis and assessment of some aspect of Kant's thought and the collection ranges across all the areas to which Kant contributed It collectively presents a picture of where the study of Kant's philosophy finds itself at this point in the twenty first century Kant and the Theory and Practice of International Right Georg Cavallar, 2020-03-01 A similar book is Reidar Maliks Kant's Politics in Context Oxford Oxford University Press 2014 but it does not focus on international law Pauline Kleingeld's Kant and Cosmopolitanism The Philosophical Ideal of World Citizenship Cambridge Cambridge University Press 2012 touches upon international relations but is mainly a book on Kant's cosmopolitanism and a comparison with other 18c thinkers **Philosophical Foundations of the Law of Equity** Dennis Klimchuk, Irit Samet, Henry E. Smith, 2020-04-02 The law of Equity a latecomer to the field of private law theory raises fundamental questions about the relationships between law and morality the nature of rights and the extent to which we are willing to compromise on the rule of law ideal to achieve social goals In this volume leading scholars come together to address these and other questions about underlying principles of Equity and its relationship to the

common law What relationships if any are there between the legal philosophical and moral senses of equity Does Equity form a second order constraint on law If so is its operation at odds with the rule of law Do the various theories of Equity require some kind of separation of law and equity and if they do what kind of separation The volume further sheds light on some of the most topical questions of jurisprudence that are embedded in the debate around fusion A noteworthy addition to the Philosophical Foundations series this volume is an important contribution to an ongoing debate and will be of value to students and scholars across the discipline

**Kant's Cosmopolitics** Garrett Wallace Brown, 2019-04-01 This volume explores Kant's cosmopolitanism and its implications for a Kantian inspired cosmopolitics The contributors provide a definitive source and specification of key new areas in the field of Kantian cosmopolitanism and how it is integral to current debates in political theory political philosophy and international relations

**Rethinking Kant** Oliver Thorndike, 2011-09-22 The series Rethinking Kant bears witness to the richness and vitality of Kantian studies The series offers an alternative publishing venue of the highest quality attractive to scholars who want to reach a readership of specialists and non specialist alike The collection is unique in its kind for it garners papers from a whole generation of Kantian thought ranging from doctoral students and recent PhDs to well established thinkers in the field This is the third volume in the series It contains papers from three regional study groups of the North American Kant Society and thus takes the pulse of current Kantian scholarship

Political Thinkers David Boucher, Paul Kelly, 2017 The most comprehensive introduction to the greatest political thinkers written by a team of international experts

**Kant's Concept of Dignity** Yasushi Kato, Gerhard Schönrich, 2019-12-16 Nearly all philosophers refer to Kant when debating the concept of dignity and many approve of Kant's conception unaware of the tensions between Kant's conception and the modern idea of dignity intimately connected to the idea of human rights What exactly is Kant's conception of dignity Is there a connecting tie between dignity and the legal sphere of human rights at all Does Kant's concept refer to a superior status human beings seem to own in comparison to non rational beings Or does it refer to an absolute value The contributions of this volume are organised in five broader topics In the first section tensions within the Kantian conception of dignity are discussed C Horn D Birnbacher G Sch nrich The second group of articles illuminates the intimate connections between dignity and human rights R Mosayebi M Kettner The third group discusses the prevailing moral conception of dignity S Yamatsuta S Shell O Sensen The fourth group focuses on the relation of dignity and end in itself T Hill D Sturma A Wood The central theme of the fifth group of contributions are the social political and cultural dimensions of dignity Y Kato K Ameriks K Flikschuh T Saito

**Legitimacy** Wojciech Sadurski, Michael Sevel, Kevin Walton, 2019-03-28 Traditionally legitimacy has been associated exclusively with states But are states actually legitimate And in light of the legalization of international norms why should discussions of legitimacy focus only on the nation state The essays in this collection examine the nature of legitimacy the legitimacy of the state and the legitimacy of supranational institutions The collection begins by asking What sort of problem is legitimacy Part I considers

competing theories in particular the work of John Rawls Part II looks at the legitimacy of state apparatus its institutions officials and the rule of law and the future of state sovereignty Part III expands the scope of legitimacy beyond the state to supranational institutions and international law Written by theorists of considerable standing the essays in this volume will be of interest to students and scholars of law politics and philosophy looking for ways of approaching the problem of how extra territorial affairs affect a state s written and unwritten agreements with its citizens in a world where laws and norms with legal effect are increasingly made beyond the state

**Domination and Global Political Justice** Barbara Buckinx,Jonathan Trejo-Mathys,Timothy Waligore,2015-02-11 Domination consists in subjection to the will of others and manifests itself both as a personal relation and a structural phenomenon serving as the context for relations of power Domination has again become a central political concern through the revival of the republican tradition of political thought not to be confused with the US political party However normative debates about domination have mostly remained limited to the context of domestic politics Also the republican debate has not taken into account alternative ways of conceptualizing domination Critical theorists liberals feminists critical race theorists and postcolonial writers have discussed domination in different ways focusing on such problems as imperialism racism and the subjection of indigenous peoples This volume extends debates about domination to the global level and considers how other streams in political theory and nearby disciplines enrich expand upon and critique the republican tradition s contributions to the debate This volume brings together for the first time mostly original pieces on domination and global political justice by some of this generation s most prominent scholars including Philip Pettit James Bohman Rainer Forst Amy Allen John McCormick Thomas McCarthy Charles Mills Duncan Ivison John Maynor Terry Macdonald Stefan Gosepath and Hauke Brunkhorst

*Kant's Struggle for Autonomy* Raef Zreik,2022-12-19 In Kant s Struggle for Autonomy On the Structure of Practical Reason Raef Zreik presents an original synoptic view of Kant s practical philosophy uncovering the relatively hidden architectonics of Kant s system and critically engaging with its broad implications He begins by investigating the implicit strategy that guides Kant in making the distinctions that establish the autonomous spheres happiness morality justice public order legitimacy The organizing principle of autonomy sets these spheres apart assuming there is self sufficiency for each sphere Zreik then develops a critique of this strategy showing its limits its costs and its inherent instability He questions self sufficiency and argues that autonomy is a matter of ongoing struggle between the forces of separation and unification Zreik proceeds to suggest that we read Kant backward reading early Kant in light of late Kant This reading reveals Kant s strategy of both taking things apart and putting them together focusing on the joints transitions and metastructures of the system The image emanating from this account of Kant s legal and moral philosophy is of an intimate yet tragic conflict within Kant s thought one that leaves us to our own judgment as to where to draw the boundaries between spheres opening the door for politicizing Kant s practical philosophy

*Kant's Doctrine of Right in the Twenty-first Century* Larry Krasnoff,Nuria Sánchez Madrid,Paula

Satne,2018-02-15 For a very long time Kant's Doctrine of Right languished in relative neglect even among those who wanted to defend a Kantian position in political philosophy Kant's more interesting claims about politics were often said to be located elsewhere This anthology examines a wide range of issues discussed by Kant in the Doctrine of Right and other closely related texts including his views on social contract theory private property human rights welfare and equality civil disobedience perpetual peace forgiveness and punishment and marriage equality The authors have all tested Kant's arguments for possible political application reaching different and sometimes opposing conclusions The result is a highly original volume that not only enhances the understanding of Kant's political philosophy but also invites substantive debate within the Kantian tradition and beyond [The Continuum Companion to Kant](#) Gary Banham,Dennis Schulting,Nigel Hems,2012-02-16 Including over 500 specially commissioned entries from a team of leading international scholars this is an essential reference to Kant's thought writings and continuing influence *The Bloomsbury Companion to Kant* Gary Banham,Dennis Schulting,Nigel Hems,2015-01-29 Immanuel Kant is widely considered to be the most important and influential thinker of modern Europe and the late Enlightenment His philosophy is extraordinarily wide ranging and his influence has been pervasive throughout eighteenth nineteenth and twentieth century thought in particular in the work of the German Idealists and also in both Analytic and Continental philosophy today Now available as a new and expanded edition in paperback this accessible companion to Kant features more than 100 specially commissioned entries written by a team of experts in the field covering every aspect of his philosophy The Bloomsbury Companion to Kant presents a comprehensive overview of the historical and philosophical context in which Kant wrote and the various features themes and topics apparent in his thought It also includes extensive synopses of all his major published works and a survey of the key lines of reception and influence including a new addition on Schopenhauer's reception of Kant It concludes with a thorough bibliography of English language secondary literature now expanded for this edition to include all cutting edge publications in the area This is an essential and practical research tool for those working in the field of eighteenth century German philosophy and Kant **Kant's Nonideal Theory of Politics** Dilek Huseyinzadegan,2019-04-15 Kant's Nonideal Theory of Politics argues that Kant's political thought must be understood by reference to his philosophy of history cultural anthropology and geography The central thesis of the book is that Kant's assessment of the politically salient features of history culture and geography generates a nonideal theory of politics which supplements his well known ideal theory of cosmopolitanism This novel analysis thus challenges the common assumption that an ideal theory of cosmopolitanism constitutes Kant's sole political legacy Dilek Huseyinzadegan demonstrates that Kant employs a teleological worldview throughout his political writings as a means of grappling with the pressing issues of multiplicity diversity and plurality issues that confront us to this day Kant's Nonideal Theory of Politics is the first book length treatment of Kant's political thought that gives full attention to the role that history anthropology and geography play in his mainstream political writings

Interweaving close textual analyses of Kant's writings with more contemporary political frameworks this book also makes Kant accessible and responsive to fields other than philosophy. As such it will be of interest to students and scholars working at the intersections of political theory, feminism, critical race theory, and post and decolonial thought. **Kant and the French Revolution** Reidar Maliks, 2022-03-03. To Kant the French revolution's central events were the transfer of sovereignty to the people in 1789 and the trial and execution of the monarch in 1792-1793. Through a contextual study, this Element argues that while both events manifested the principle of popular sovereignty, the first did so in lawful ways, whereas the latter was a perversion of the principle. Kant was convinced that historical examples can help us understand political philosophy, and this Element seeks to show this in practice.



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