**Themes in Kant’s Moral and Political Philosophy**

**Lecture 3: Citizenship**

1. **Active and passive citizenship**
2. “He who has the right to vote in this legislation is called a citizen. The quality requisite to this, apart from the naturalone (of not being a child or a woman), is only that of being one’s own master, hence having some property (and any art, craft, fine art or science can be counted as property) that supports him…” (TP 8:295).
3. “The only qualification for being a citizen is being fit to vote [i.e., independence]…This quality of being independent, however, requires a distinction between active and passive citizens, though the concept of a passive citizen seems to contradict the concept of a citizen as such. ⎯ The following examples can serve to remove this difficulty: an apprentice in the service of a merchant or artisan; a domestic servant; a minor; all women and, in general, anyone whose preservation in existence depends not on his management of his own business but on arrangements made by another (except the state)” (MM 6:315).
4. Kant on the sexes: “Each partner must be superior in a different way: the man must be superior to the woman through his physical power and courage, while the woman must be superior to the man through her natural talent for mastering his desire for her” (A 7:303). ⎯ “Feminine ways are called weaknesses” (ibid.). ⎯ “Woman does not betray her secret, although she is poor at keeping another person’s secret (because of her loquacity)” (A 7:304). ⎯ “Feminine virtue…is very different from masculine virtue…not only in kind but also as regards incentive” (A 7:307).

Examples: Civil servant v. Domestic servant; school teacher v. private teacher; blacksmiths or carpenters v. door-to-door tradesmen.

1. **The three attributes of citizens**
2. “In terms of rights, the attributes of a citizen, inseparable from his essence (as a citizen) are: lawful freedom…; civil equality…; and civil independence” (MM 6:314)

Lawful freedom (as a human being): “the attribute of obeying no other law than that to which [one] has given [one’s] consent”.

“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” (MM 6:238)

Civil equality (as a member of the commonwealth): “that of not recognizing among the people any superior with the moral capacity to bind him as a matter of right in a way that he could not in turn bind the other”.

“[External] (rightful) *equality* within a state is that relation of its citizens in which no one can rightfully bind another to something without also being subject to a law by which he in turn *can* be bound in the same way by the other” (PP 8:350n).

Civil independence (as a citizen): “owing his existence and preservation to his own rights and powers as a member of the commonwealth, not to the choice of another among the people”.

**3. Active citizenship and voting**

Questions: Why is independence a necessary condition for being entitled to vote? What is the importance of voting?

1. “Now when someone makes arrangements about another, it is always possible for him to do the other wrong; but he can never do wrong in what he decides upon with regard to himself (for *volenti non fit iniuria*). Therefore only the concurring and united will of all, insofar as each decides the same thing for all and all for each, and so only the general united will of the people, can be legislative” (MM 6:314).
2. “Whatever sort of positive laws the citizens might vote for, these laws must still not be contrary to…freedom and…equality” (MM 6:315).

**Reading:**

Primary: *Doctrine of Right* §46.

“Theory and Practice” Part II, 8:289-296.

Secondary: Weinrib, “Kant on Citizenship and Universal Independence”

 Beiner, “Paradoxes in Kant’s Account of Citizenship”

Kleingeld, “The Problematic Status of Gender-Neutral Language in the

History of Philosophy: The Case of Kant”

 Mendus, “Kant: ‘An honest but narrow minded bourgeois?’ ”

 Kersting, “Kant’s Concept of the State”