1. Record Nr. UNINA9910816165303321 Autore Hanisch Christoph Titolo Why the law matters to you: citizenship, agency, and public identity / / Christoph Hanisch Pubbl/distr/stampa Berlin:,: De Gruyter,, [2013] ©2013 **ISBN** 3-11-032456-3 Edizione [1st ed.] Descrizione fisica 1 online resource (276 p.) Collana Practical philosophy;; volume 16 Disciplina 340/.1340.1 Soggetti Citizenship Effectiveness and validity of law Law - Philosophy Lingua di pubblicazione Inglese **Formato** Materiale a stampa Livello bibliografico Monografia Note generali Description based upon print version of record. Nota di bibliografia Includes bibliographical references (pages 253-267) and index. Nota di contenuto Front matter -- Contents -- Introduction -- Part 1: A Challenge for Citizenship -- Chapter 1: Kukathas's Challenge to Contemporary Liberalism -- Chapter 2: The Liberal State and Liberal Citizens --Chapter 3: Initial Ad Hominem Reply to Kukathas -- Part 2: Public Identity and Self-Constituting Action -- Chapter 4: Korsgaard's Two Arguments -- Chapter 5: Public Actions and Public Identities --Chapter 6: Clarification and Objections -- Part 3: Self-Constituting Action and the Law -- Chapter 7: Action and the Law -- Chapter 8: The Nature of Law Revisited -- Chapter 9: Reply to Kukathas -- Conclusion -- References Sommario/riassunto This book presents an answer to the question of why modern legal institutions and the idea of citizenship are important for leading a free life. The majority of views in political and legal philosophy regard the law merely as a useful instrument, employed to render our lives more secure and to enable us to engage in cooperate activities more

efficiently. The view developed here defends a non-instrumentalist alternative of why the law matters. It identifies the law as a constitutive feature of our identities as citizens of modern states. The constitutivist argument rests on the (Kantian) assumption that a person's practical

identity (its normative self-conception as an agent) is the result of its actions. The law co-constitutes these identities because it maintains the external conditions that are necessary for the actions performed under its authority. Modern legal institutions provide these external prerequisites for achieving a high degree of individual self-constitution and freedom. Only public principles can establish our status as individuals who pursue their life plans and actions as a matter of right and not because others contingently happen to let us do so. The book thereby provides resources for a reply to anarchist challenges to the necessity of legal ordering.