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*R*elations
of the Self

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AUTOCRACY.
THE PSYCHO-POLITICS OF SELF-RULE IN PLATO AND KANT¹

"Now the phrase "master of himself" is an absurdity, is it not?
For he who is master of himself would also be subject to himself,
and he who is subject to himself would be master."²

"He was accustomed to calling his upper and lower faculties
of the soul the Upper House and Lower House,
and very often the former passed a bill that the latter rejected."³

The paper contrasts and compares the theory of the self in Plato and Kant by examining the systematic use of political conceptuality for the structuring of ethical discourse in the works of both philosophers. The focus is on the complex set-up of the practical self as the arena for competing orientations and claims. The first half of the paper explores Plato's reliance on the constitution of the ideal city state for the analogous composition of the soul in the *Republic*. Special attention is devoted to the relational structure of the soul and the linkage function of "high-spiritedness" (θυμός) in the threefold arrangement of the soul's basic functions. The second half of the paper presents the basic outline of Kant's mature theory of practical subjectivity, chiefly contained in the extensive three sets of introductions of his late main work in practical philosophy, *The Metaphysics of Morals*.⁴ The analyses focus

¹ A German version of this paper has appeared under the title "Autokratie. Die Psycho-Politik der Selbstherrschaft bei Platon und Kant" in: *Kant als Bezugspunkt philosophischen Denkens*, ed. Hubertus Busche and Anton Schmitt, Würzburg 2010, pp. 351-377.

² Plato, *Republic*, 430e; tr. Paul Shorey, in: *The Collected Dialogues of Plato. Including the Letters*, ed. Edith Hamilton and Huntington Cairns, Princeton 1961, p. 672.

³ Georg Christoph Lichtenberg, *Schriften und Briefe*, ed. Wolfgang Promies, 4 vols. and a volume of commentary, Munich 1967-74, vol. 1, p. 65 (*Sudelbücher/Waste Books*, B 67).

⁴ *Kant's gesammelte Schriften*, edited by the Prussian Academy of Sciences (vol. 1-22), the German Academy of Sciences in Berlin (vol. 23) and German Academy of Sciences in Göttingen (from vol. 24), Berlin, later Berlin,

on the key concepts drawn from modern political philosophy that inform Kant's understanding and presentation of the relational structure of the practical self, with special attention devoted to the originally political concepts of autonomy and autocracy. The point of pairing Plato and Kant in an account of the practical self-relation is not a substantial comparison of particular political and ethical doctrines but a functional comparison of the formative role of political thought for the conception of selfhood in both philosophers. Plato and Kant emerge, each in his own way, as proponents of a comprehensive practical philosophy that does not sever the theory and practice of ethics from that of law and politics.

1. The Soul and the City

Philosophical discussions of the structure and status of selfhood often focus on the *cognitive* self and center on the form and function of *theoretical* self-consciousness. This also holds for much of historically-informed and -inflected work on the self in Kant and his idealist successors, especially Fichte and Hegel. In particular, work on Kant's theory of subjectivity typically has focused on the nature of non-empirical, "pure" self-consciousness or transcendental apperception, on the distinction between self-consciousness (*Selbstbewußtsein*) and self-knowledge (*Selbsterkenntnis*), and on the difference between the noumenal and the phenomenal self. By contrast, comparatively little attention has been paid to the constitution of *practical* subjectivity in Kant. Yet much of the terminology and conceptuality that serves to demarcate and designate issues of selfhood in philosophy, including those concerning the theoretical self, originate in the sphere of human practical relations and their treatment in practical philosophy. The very language of "activity" (*Tätigkeit*), "action" (*Handlung*), "act" (*actus*), drawn on by Kant and his successors to identify and characterize the nature of the self in general and that of the theoretical or cognitive self in particular, stems from the sphere of human practical relations. In Fichte the previously somewhat clandestine presence of specifically practical features in the generic constitution of subjectivity even turns into an outright primacy of the practical.⁵

But the use of practical references in the Kantian and post-Kantian discourse on the self is not limited to matters of language and terminology. Rather it informs and structures the very development of modern theories of selfhood. To be sure, the central concern of much of modern philosophy from Descartes to Kant and after with epistemological issues concerning certainty and objectivity has led to a predominant focus on the self as the subject of knowledge and the object of knowledge claims. But the self also figures prominently in modern legal, political and ethical thought on the status of the individual and its relation to civil society and the state. Accordingly, comprehensive accounts of selfhood in the modern

New York 1900ff.) , vol. 6, pp. 211-228, 229-242 and 379-413; Immanuel Kant, *Practical Philosophy*, tr. and ed. Mary J. Gregor. General Introduction by Allen Wood, Cambridge 1996, pp. 370—385, 386-397 and 512-540.

⁵ On the Kantian antecedents of Fichte's doctrine of the primacy of the practical, see Günter Zöllner, "Am Anfang war ... die Tat. Der Primat des Praktischen und das Faktum der reinen Vernunft in der Philosophie Kants," in: *Am Anfang war.... Ursprungsfiguren und Anfangskonstruktionen der Moderne*, ed. Inka Mülder-Bach and Eckhard Schumacher, Munich 2008, pp. 91-105.

period tend to address the self in its complete array of functions.⁶ In particular, such accounts of the integral self grant prominence to the appetitive, desiring or willing functions of the mind and consider the subordinate role of cognition with regard to volition and feeling.

The integration of theoretical selfhood into the larger context of originally and primarily practical selfhood can serve as a welcome corrective to the focus on knowledge and self-knowledge in much of modern thought. In particular, the reconsideration of the practical nature of the self reconnects modern thinking about the self with the long-standing tradition of practical philosophy that treats the soul (ψυχή, *anima*) or the mind (νοῦς, *mens*) of the self as the subject of action, and of rationally conditioned action at that. It also serves to recall that the pre-modern and early-modern antecedents of high-modern conceptions of selfhood did not share the latter's preoccupation with epistemological issues and its narrow focus on the individual self. The practical self – the self of the tradition of practical philosophy – is a social self, embedded in relations with other such beings and considered with regard to the social nature of the individual.

To be sure, the derivative status of the individual self and the primacy of the social self goes back to a pre-modern, ancient understanding of the facts and values of human life that underwent significant revision and critique in the modern period, in part prepared by the Christian teaching of the absolute worth of every human being. Accordingly, the limited conceptions of human equality to be found in the ancient world – conceptions that tie equality not to humanity as such but to social and civil status – have been widened to encompass, ideally, all human beings, regardless of class, race and gender.⁷ Moreover, the modern basic conviction of the unconditional, absolute worth of the human individual – a conviction with religious origins and of political consequences – has engendered a cultivation of singular, personal *individuality* at the expense of plural, interpersonal *sociality*. The political manifestation of this modernist tendency is the individualist conception of freedom as freedom of choice or liberty.

Yet the modern universalization of selfhood to *all* human beings and its concomitant particularization for *every* human being still remains largely committed to the concept of the self bequeathed by ancient philosophy. In particular, the view of the self as a composite of different and even divergent functions, capacities or faculties harks back to the practical philosophy of the ancients and its division of the soul into specifically different "species" (εἶδη) or "kinds" (γένη) that make the self – or the soul – the site of complex distinctions and interrelations. While the composite nature of the self is also a hallmark of the theoretical self, such as when the latter is viewed as divided into sense perception and thought (αἴσθησις and νόσις), it is chiefly the practical self in its ancient and modern guises that presents the possibly or actually conflicted nature of selfhood, turning the self or soul into the arena for

⁶ See, e.g., Jerome B. Schneewind, *The Invention of Autonomy. A History of Modern Moral Philosophy*, Cambridge 1998.

⁷ A chief document of the modern, progressivist historiography of moral and political thought is Fichte's posthumously published public lecture course on matters of "applied philosophy" ("*angewendete Philosophie*") from 1813, the so-called "*Saatslehre*" (Doctrine of the State). See J. G. *Fichte-Gesamtausgabe der Bayerischen Akademie der Wissenschaften*, ed. Reinhard Lauth and others, Stuttgart-Bad Cannstatt 1962ff., series II, vol. 16 (in preparation) and *Fichtes Werke*, ed. Immanuel Hermann Fichte, 11 vols, Berlin 1971, vol. 4, pp. 366-600.

inner strife over influence and preponderance between such opposed functions as insight and desire, cognition and volition, reason and inclination.

The ancient thinking about the complexly constituted self that is still effective even in its later, specifically modern transformations not only concerns the inner articulation of the self into constituent functions, faculties or moments. Modern thinking about the self is also still marked by the ancients' ways of presenting and representing the dynamic and outright dramatic forms of interaction between the constituent elements of the self. The ancient heritage underlying modern accounts of the dynamics of selfhood centers around the psycho-political analogy between the order of the soul and the political order. In particular, classical Greek philosophy envisions the constitution of the soul and the relationship between its constituents on the model of the city state (πόλις) and its inner constitution (πολιτεία). The chief example of the classical view of the soul as the "city state within us" (πόλις ἐν ἡμῖν) is Plato's *Republic*. The extended comparison of the psychic and politic orders in Plato has an explicitly stated cognitive function: the macroscopic constitution of the just body politic serves to scrutinize the microscopic constitution of the just soul. Examining the larger political order of the city state, which presents itself comparatively easily to the philosophical observer, proves an indirect but effective means for investigating the less easily detectable order of the soul.

But the Platonic analogy between the soul and the city state extends well beyond the cognitive dimension of treating the political order as the magnifying glass for the psychic order. The analogy also and most importantly transports the normative dimension of Plato's political philosophy into the account of the inner city that is the soul. This leads to an outright politicization of the soul in which specifically political concepts and structures are brought to bear on the assessment of the soul. In transferring the articulation and integration of the city state onto the articulation and composition of the soul, Plato's *Republic* not only models the faculties of the soul after the classes of the city state. It also imports the political discourse of power (κράτος) and force (βία) into the quest for knowledge and wisdom in ethical matters.

Plato's psycho-political analogy is of tremendous historical and systematic significance. For its main point is not the subsequent comparative elucidation of previously identified and distinguished entities. Prior to Plato there was no philosophical ethics as a separate area of investigation and as a body of doctrines that could be subject to further elucidation by means of a comparison with philosophical thought about the city state.⁸ By drawing on the city state as the model for the soul, both in a descriptive and a prescriptive mode, Plato in effect defines ethics in terms of political philosophy and sets the course for future thought about the structures and norms of the ethical self.

But Plato's psycho-political analogy goes even farther. Not only does he define an entire emerging discipline, viz., ethics, in essentially political terms. He even can be regarded as defining or at least redefining the very subject matter of ethics as such, by placing the soul at the center of ethical thought and treating it as the complexly composed core of human existence the manifold structure of which is the basis for internal strife (στάσις) – politically

⁸ The contemporary ethical work by Democritus has been only preserved fragmentarily. See Demokrit, *Fragmente zur Ethik*. Griechisch/Deutsch, ed. and transl. by Gred Ibscher. Stuttgart 1996.

speaking: of civil warfare – between competing forces in one and same being. In marked contrast to the external regulation of human conduct through the influence of divine powers and the operation of societal norms in earlier Greek thinking, Plato locates the source of conduct in each human being and identifies the soul both as the source of conflicting demands and as the site for their confrontation and resolution.

With the move from a foreign-governed to a self-governed self Plato continues the ethical revolution of his teacher, Socrates, who had traced deliberation and decision in matters of conduct to an autonomously functioning guiding principle of acting deep inside (*δαιμόνιον*). But Plato goes beyond Socrates in articulating and hence pluralizing the soul so as to make its structure and functioning match the human experience of inner opposition and strife as well as that of deliberation and decision. Viewed in this historical perspective, Plato's resorting to distinctly political terms to capture the newly found sense of internally conflicted selfhood has to be viewed as overturning earlier, socially defined modes of selfhood and as an important step in the direction of a conception of self-determined selfhood.

By basing his ethical thought on the structural specifics of life in the *polis*, Plato has linked the allied discovery (or invention) of the inner self and of philosophical ethics to a political order that replaced comparatively stable tribal traditions and conventional rules of conduct with a deliberately chosen and intentionally maintained form of social regulation and governance that is itself prone to inner conflict and self-induced change. Considering the deep structural and functional affinities between the Greek city state and the soul in Plato, one even may assume that the former gave rise to the latter, the experience of political strife and its resolution, or lack thereof, leading not so much to the discovery as to the very invention or formation of a mode of selfhood the inner constitution of which closely matches that of the surrounding life, or rather strife, in the *polis*. What initially might have seemed like a mere analogy employed by Plato to illustrate the nature of the soul by comparing it to a city state, thus turns out to attest to the common origin of political and ethical thinking and hence to point to a deeper unity of the two in what subsequently, in Aristotle, was to be identified as human social action (*πρᾶξις*). For in spite of the separate presentation of ethics and politics in his exoteric writings, Aristotle follows Plato's lead in considering ethics part of politics and the governance of human conduct an essentially political affair.⁹

2. The Middle Class of the Soul

In their narrative construction of the ideal city state in Plato's dialogue about the optimal political constitution Socrates and his interlocutors soon come to recognize the need for a warrior cast or a class designed to assure the territorial needs of the rising *polis*.¹⁰ The characteristic property of the guardians (*φύλακες*) is their "zeal" or "high-spiritedness" (*θυμός*) that makes them fearless and invincible. The guardian class is subsequently differentiated into the large number of "helpers" (*ἐπικούροι*) and the small number of "rulers" (*ἄρχοντες*) that command them. The complete city state thus comprises three classes or estates with specifically

⁹ See *Nic. Eth.* 1093a-b, 1094b, *Pol.* 1323a-b.

¹⁰ *Rep.* 373d-374d.

different tasks for assuring the survival and flourishing of the *polis*: the large populace of peasants (γεωργοί) and workers (δημιουργοί), on one side, the small number of rulers on the other side, and in between the guardian-helpers.

In order to justify and maintain the political arrangement of the three estates, Socrates – or rather Plato – offers the "noble lie" (ψεῦδος γενναῖος)¹¹ or "tale" (μῦθος)¹² to be told to everyone, including the rulers,¹³ according to which the different classes are based on the different innate admixtures of metals provided to each of them by the shaping deity. The rulers are said to have gold, the guardian-helpers silver and the general populace iron added to their souls.¹⁴

In the next major step of the argument Socrates (or rather, Plato) traces the possibility and actuality of the entirely good city state to the maintenance of wisdom (σοφία), courage (ἀνδρεία) and soberness (σωφροσύνη) as well as justice (δικαιοσύνη).¹⁵ Each of the first three virtues (ἀρεταί) can be correlated with one of the three political estates. In particular, the specific perfection of the rulers is to be wise in their governance of the *polis*, that of the guardian-helpers to be courageous in their defense of the city state and that of the general populace to be sober and moderate in its pursuit of material goods. But the virtues also apply to the city as a whole and, beyond that, to each individual citizen in the city state, especially to the free citizens (ἐλεύθεροι). Finally, justice is singled out as the comprehensive virtue that assures the well-ordered course of daily life in the city as a whole and in each of its constituent classes. In the new city (νέα πόλις) so ideally portrayed the better and stronger in it can be said to prevail over the worse and weaker in it, so that the city as whole is its own master (κρεῖττον αὐτοῦ).¹⁶

After the ideal city state has been established and populated the investigation turns from the *polis* and its three estates to each and every human being (ἕκαστον τῶν ἀνθρώπων), and specifically from political justice to justice in the human individual.¹⁷ The differentiation of the entire *polis* into three differently natured parts in it (τριπτά γένη φύσεων) leads Socrates to expect, analogously, these same species (εἶδη) in the soul of the individual human beings (ιδιώται).¹⁸ Hence the investigation turns to whether or not there are these same three species are to be found in the human soul. The very presence of those three kinds or species in the soul is quickly established. Socrates poses the rhetorical question from where else the three species and modes of conduct (εἶδη τε καὶ ἥθη) could have arisen in the *polis*, if not from their prior presence in its constituent members.¹⁹ He goes on to cite as evidence for the psychic

¹¹ 414b-c; see also 382d, 389b.

¹² 415a.

¹³ See 413b-c, d.

¹⁴ 415a-d.

¹⁵ 428a-434d.

¹⁶ 431b.

¹⁷ 434d.

¹⁸ 435b, 435d.

¹⁹ 435e.

origin of those political features the prevalence of one or the other trait in political communities depending on the prevailing inclination of the citizenry. The examples given from ethno-psychology include the high-spiritedness (θυμοειδής) of the Northern people, the love of learning (φιλομαθής) of the Ionic Greeks and the affinity for money (φιλοχρήματων) in the Phoenicians and Egyptians.²⁰

While the presence of the three types in the human soul is comparatively easy to ascertain, it is much more demanding and also quite urgent, according to Socrates, to establish whether in exercising each of the three different modes of conduct the soul acts as a whole (ὅλη ἡ ψυχή) or only with one of the three respective features of the soul. This seemingly harmless and inconsequential question is in reality a crucial query about the nature of the soul – with potentially far reaching consequences for the latter's status as an immaterial entity different from the body and not subject to the latter's natural course of growth and decay.

Notoriously, Plato himself had sought to establish elsewhere, chiefly in the *Phaedo*, the immortality of the soul on the basis of its indivisibility, arguing that what is composed of parts can and indeed must disintegrate, while only true, simple unity is immune to change. Plato seems mindful of these considerations when he consistently avoids the language of part and whole to address the complexly structured nature of the soul and rather resorts to the less mereologically committal language of "kinds" (γένη) and "species" (εἶδη) to designate the articulation of the soul. Quite a few translators of Plato have been less diligent in their talk of the "parts of the soul."

In order to ascertain whether it is the entire soul that is involved in a given action or comportment or only one of its constituent features or elements, Socrates – or rather Plato – resorts to the principle of contradiction, which allows to detect difference in what initially may seem undifferentiated:

It is obvious that the same thing will never do or suffer opposites in the same respect in relation to the same thing and at the same time. So that if ever we find these contradictions in the functions of the mind we shall know that it was not the same thing functioning but a plurality.²¹

In a first step of the investigation two features of the inner πόλις that is the soul are distinguished from each other, viz., the desires (ἐπιθυμῖαι) along with wishing and willing (ἐθέλειν, βούλεσθαι), constituting the soul of the one who desires (ἐπιθυμοῦντος ψυχή), and that which thinks in the soul (λογιστικὸν ... τῆς ψυχῆς).²² Socrates points to circumstances in which one may be thirsty or hungry and yet not give into one's desire, arguing that this points a dual presence in the soul; in the soul there is both something which commands to drink or eat and something that prevents this from happening. The latter is operative through thinking (λογισμός), the former occurs through passions (παθήματα) or even illnesses (νοσήματα).²³

Now the argument goes as follows. Since there cannot be the same thing operating in opposite directions in the same regard at the same time – according to the previously accepted principle of (non-)contradiction –, it must be something twofold (διπλά) and different from

²⁰ 435e-436a.

²¹ 436b-c. *The Collected Dialogues of Plato*, p. 678.

²² 437b-c and 439d.

²³ 439c-d.

each other (ἔτερα) by means of which the soul thinks and by means of which the soul desires.²⁴ The logical relation of opposition between that which is desirous (ἐπιθυμητικόν) and that which thinks (λογιστικόν) is also conveyed through the negative characterization of the former in terms of the latter. The desirous one is also the unthinking one (ἀλογιστικόν).²⁵

So far two species (δύο ... εἶδη)²⁶ have been identified as inherent in the soul. Based on the analogy with the *polis*, a third kind is to be expected that would correspond to the primary disposition of the guardians. The question arises whether high-spiritedness (θυμός) is this further elementary function of the soul and to which of the two previously distinguished ones it might be akin (ὁμοφυές).²⁷ One of the interlocutors surmises an affinity of θυμός to what is desirous. Socrates responds by retelling a story designed to show the allegiance of θυμός as the third, intermediary function of the soul to the thinking function and its opposition (ethico-political as well as logical) to the function of desiring:

... I once heard a story which I believe, that Leontius son of Aglaion, on his way up from the Piraeus under the outer side of the northern wall, becoming aware of dead bodies that lay at the place of public execution at the same time felt a desire to see them and a repugnance and aversion, and that for a time he resisted and veiled his head, but overpowered in despite of all by his desire, with wide staring eyes he rushed up to the corpses and cried, There, ye wretches, take your fill of the spectacle.²⁸

The story as told by Socrates offers a scenario for demonstrating that zeal (ὄργη) may at times engage in warfare (πολεμεῖν) with the desires (ἐπιθυμῖαι).²⁹ In the uprising (στασιάζειν) of desires and reflection against each other, θυμός functions as the ally of reason. Socrates and his interlocutors also believe to have found that θυμός will never side with the desires against reason, unless spoiled by bad upbringing (κακή τροφή).³⁰

Yet the difference and even opposition between high-spiritedness and desire does not yet establish the threefold constitution of the soul and its exact compositional correspondence to the city state. To that end it has to be shown that θυμός is also functionally different from that which is reasonable. According to Socrates, θυμός, in spite of all its affinity to the rational in the soul, is specifically different from what is rational in the soul, with the consequence that the two are not to be identified. As evidence that θυμός is different in kind from the rational Socrates cites the presence of θυμός in children that have not yet acquired reason, in those human being who never will acquire it, and even in animals, which are arational by nature. All such cases prove the difference and even the possible opposition between reflecting on the better or worse (τὸ ἀναλογισάμενον περὶ τοῦ βελτιονός τε καὶ χείρονος), from thoughtless, unreflective zeal (τὸ ἀλογίστως θυμόμενον).³¹

²⁴ 439d.

²⁵ 439d.

²⁶ 439e.

²⁷ 349e.

²⁸ 439e-440a.

²⁹ 440a.

³⁰ 440b and 441a.

³¹ 441b-c.

With the threefold constitution of the soul established, Socrates and his interlocutors proceed to identify justice in the individual human being on the analogy with justice in the city state. Psychic justice consists for the rational in the soul to rule (ἄρχειν) and care for the soul in its entirety; for the high-spirited soul element to be subservient or obedient (ὑπήκοος) and allied (ξύμμαχος);³² and for the appetitive element to be held in check by both of them so as to prevent it from subjugating the other two and upsetting the life of them all.³³ In a straight transfer of political imagery, Socrates describes bringing about justice with regard to the soul as bringing the elements of the soul into a natural relation of ruling and being ruled by each other (κατὰ φύσιν ... κρατεῖν τε καὶ κρατεῖσθαι ὑπ' ἀλλήλων).³⁴ By contrast, injustice consists in the upheaval of the natural quasi-political order of the soul through strife (τῆς ψυχῆς στάσις) and the uprising of one part (μέρος³⁵) against the whole of the soul.³⁶ In such internal, civil warfare the specifically different functions of soul turn into factions that fight each other for the control of the destabilized soul.

3. The Autonomy of the Will

Turning from Plato's normative psycho-politics to Kant's practical philosophy might seem a move to a completely different and even opposed philosophical account of the relations that constitute the self. To begin with, Plato is not a major reference in Kant's thinking about the constitution of the practical self. (And neither is Aristotle.) The ancient background for Kant's ethics is Stoicism and hence an individualistic ethics rather than the integration of ethics into a larger, essentially political conception of worthy human life to be found in Plato (and in Aristotle). Kant's reception of Plato's *Republic* seems limited to the latter's function as a paradigm for the regulative function of a "concept of reason" (*Vernunftbegriff*) or "idea" (*Idee*), i.e., an infinitely removed but orienting as well as motivating "arch-image" (*Urbild*) after which finite human endeavors are to strive without ever reaching it.³⁷ With respect to practical ideas, such as "the Platonic Republic" (*die platonische Republik*), the striving is itself practical or a matter of human action. By contrast, speculative ideas, chiefly those of the soul, the world as a whole and God, are the object of infinite striving in cognitive approximation through the acquisition of ever more extensive and intensive knowledge.³⁸

³² 441e.

³³ 442a-b.

³⁴ 444d-e.

³⁵ It is a telling circumstance that Plato employs the partitive designation for the articulation of the soul, "part," which otherwise he is careful to avoid, for the description of the deficient state in which one element of the soul has torn loose from its integration into the whole of the soul and rendered itself independent.

³⁶ 444a-b. See also 440e (ψυχῆς στάσις).

³⁷ See B 370-377/A 316-320.

³⁸ On the possible transmission of Plato's theory of forms to Kant through Moses Mendelssohn's dialogue, *Phaedo, or the Immortality of the Soul*, see Klaus Reich, *Kant und die Ethik der Griechen*, Tübingen 1935. On the general significance of ancient philosophical theories for the development of Kant's critical philosophy, see Ulrike

Moreover, Kant's political and legal philosophy seems entirely unrelated to the ideal or real accounts of life in the city state to be found in Plato (and Aristotle). The historical context of Kant's political and legal philosophy is the sovereign territorial state of the modern era. Its theoretical background are the realist and idealist accounts of the nature of statehood in Machiavelli and Hobbes and in Locke and Rousseau and especially the modern tradition of praeter-positive, "natural law" (*Naturrecht*) or "law of reason" (*Vernunftrecht*).

Most importantly, at the center of Kant's practical philosophy lies a conception of freedom as the capacity for absolutely spontaneous inner and outer action that is alien to the ancient world in general and to Plato's (and Aristotle's) outlook on the human being in particular. In ancient, Greek and Roman philosophy human thinking and acting is considered an integral part of the world's natural order and even consists, to large extent, in discovering and heeding the cosmic order. Even the philosopher's vision of the Forms in Plato, the life of quasi-divine contemplation in Aristotle or the self-sufficient life of the wise one in stoicism does not depart from the natural order but represents supreme modes of conforming to it.

By contrast, Kant's practical philosophy is grounded in a conception of freedom as anti-nature. The prerequisite for this radical reversal in the relation between the human being and nature is a changed understanding of nature and of the place of the human being in it. The scientific revolution of the early modern period had replaced the teleological cosmology of the ancients, chiefly preserved and passed down in Aristotle's *Physics*, with the mechanistic image of a world made up of matter and governed by universal laws that lend themselves to mathematical representation. Modern philosophers from Descartes through Leibniz to Kant contributed to the philosophical foundations of the new scientific worldview and sought to address its implications and consequences for a specifically modern understanding of human existence. In assigning the natural world, consisting of objects in place and time that stand under universal laws of nature, to the domain of "appearances" (*Erscheinungen*), Kant intentionally had left vacant the realm of the things as they are in themselves (*Dinge an sich*, *Dinge an sich selbst*). While entirely inaccessible to theoretical cognition (*Wissen*), which is constitutively limited to the (scientific) knowledge of spatio-temporal appearances, the intelligible or noumenal world (*Noumena*, *mundus intelligibilis*) provided a conceptual space for the mere thought – as opposed to the determinate, intuitively warranted knowledge – of non-natural or free beings and their dynamic interactions in terms of substantiality, causality and reciprocity. Kant went on to argue that the rational concept of absolutely unconditioned causation or "cosmological freedom" (*kosmologische Freiheit*), which remained a merely regulative idea in the sphere of theoretical cognition, assumed a reality of its own as the practically real idea – as "practical freedom" (*praktische Freiheit*) – in the sphere of human moral agency.³⁹

A further feature of Kant's radical reconceptualization of nature and freedom in the aftermath of the scientific revolution is the correlation of the newly established supra-natural freedom, which defines the human being in opposition to natural determination, with laws of its own, different from the laws of nature accounted for by modern natural philosophy and discovered by experimental physics. The strict character of the newly found or discovered

Santozki, *Die Bedeutung antiker Theorien für die Genese und Systematik von Kants Philosophie. Eine Analyse der drei Kritiken*, Berlin/New York 2006.

³⁹ See A 532/B 560-A 537/B 565 and A 801f./B 829f.

"laws of freedom" (*Gesetze der Freiheit*) resembles the universal and necessary validity of the laws of nature. But on Kant's account, the laws governing freedom are unlike the laws governing nature in that the latter are followed unfailingly and automatically, while the former are followed only contingently. To be sure, that the laws of freedom are followed only contingently and due to further conditions on the part of the beings following them (human beings), for Kant, is compatible with the unconditional status of these very laws as necessarily valid norms of human conduct. Laws of freedom have validity even if they happen not to be valued. In fact, the modal difference between the laws of freedom being valid strictly necessarily and their being followed only contingently is indicative of the complex constitution of the practical self in Kant's mature moral philosophy.

Like Plato before him, Kant resorts to political conceptuality to cast and characterize the specifics of the structure of the practical self. While Plato's account of the inner human being takes recourse to the city state as the human being writ large (*μακροάνθρωπος*), Kant's theory of practical subjectivity is conceived under the formative influence of modern political thought. In particular, Kant casts the constitution of the practical self and its relation to the laws of freedom in terms of the political powers that constitute the modern state and of the origination and efficacy of its laws. On Kant's account, the practical self stands to the laws of freedom in a twofold relation that can be expressed by the juridico-political distinction between the giving-out and the carrying-out of laws, i.e., of legislation and execution. The distinction goes back to Montesquieu's influential analyses of the origin and function of political laws in relation to the powers (*pouvoirs*) that constitute the state in *The Spirit of the Laws*.⁴⁰ Montesquieu's historically informed reflections on the formative interrelations between law and politics subsequently were reshaped into a normative account of the contractual origin and quasi-democratic exercise of state power in Rousseau's *On the Social Contract*, in which legislative and executive authority (*puissance législative*, *puissance exécutive*) were distinguished from each other and related to each other as will (*volonté*) and power (*pouvoir*).⁴¹

Kant, drawing on Rousseau, distinguishes in the individual self – more precisely, in the practical individual self – the sovereign that gives the law and the subject that is to follow it. In Rousseau's theory of the sovereignty of the people the same political body that has the power to issue laws, viz., the people, is also the political body to which they are addressed. Analogously, in Kant the practical self is both the sovereign lawgiver and the subject of obedience with respect to the laws of freedom. Kant also follows Rousseau's political philosophy in identifying the capacity involved in the act of legislation. In Rousseau this is

⁴⁰ See Montesquieu, *De l'esprit des lois*, ed. Robert Derathé, 2 vols., Paris 1973, vol. 1, p. 168 (Book XI, Chapter VI). Montesquieu here characterizes jurisdiction as a kind of executive power, viz., as the executive power regarding matters that depend on civil law (*droit civil*), as opposed to the executive power regarding matters that depend on public law (*droit des gens*).

⁴¹ See Jean-Jacques Rousseau, *Du contrat social*, ed. Pierre Burgelin. Paris 1966, p. 97 (Book III, Chpt. 1).

the will, more precisely the legislative will or the "general will" (*volonté générale*).⁴² In Kant the practical laws are issued by the will, more precisely by the "pure will" (*reiner Wille*).⁴³

Kant also takes over the political term for the sovereignty of the lawgiving will, "autonomy" (*Autonomie*), from political discourse into moral philosophy.⁴⁴ And he retains the apersonal, institutional understanding of the term, "autonomy." In Kant's practical philosophy autonomy in the strict, technical sense of independent legislative authority does not pertain to the practical self as such but only to the will as the faculty of lawgiving, in contradistinction from those functions, capacities or faculties due to which the self-given law is – or is not – being followed. Accordingly, the will in its legislative capacity as pure will – as morally pure and purely moral will – strictly and properly speaking is not free. Nor is it unfree.⁴⁵ Rather it is to be considered as the source of the laws of freedom or of those laws that govern the free exercise of the practical capacities and capabilities of the self.

Accordingly, Kant distinguishes between the legislative "will" (*Wille*) and the executive "faculty of choice" (*Willkür*), of which only the latter can be considered free in beings like us (human beings), who are capable of rational, reason-based conduct on the basis of deliberative choice.⁴⁶ By contrast, non-rational finite beings or brutes may operate on the basis of choice between competing instincts or impulses. But the choice is internally necessitated – by laws of nature – and does not involve a "faculty of free choice" (*freie Willkür*).⁴⁷ Moreover, beings like us, capable of free choice, are not only able to freely choose their conduct on the basis of practical reasoning – or reasoning about reasons for action in general. They are also able to act specifically on the basis of laws of freedom alone, unaided by further considerations and reasons. Kant terms the capability of finite rational beings to act not only on the basis of reasons of all kinds but specifically and exclusively on the basis of reason alone "pure practical reason" (*reine praktische Vernunft*).⁴⁸ Moreover, on Kant's quasi-political account of the matter, pure practical reason is both the legislative authority and the executive authority in establishing the laws of freedom.

The basic type underlying the manifold laws of freedom countenanced by Kant is that of the lawfulness of pure practical reason as such, which consists in the sheer form of universality. Laws of freedom realize freedom by restricting the latter to the formal condition of universality.

⁴² See Rousseau, *Du Contrat Social*, p. 54 (Book I, Chpt. 7.), pp. 63f. (Book II, Chpt. 1.).

⁴³ See Kant, *Practical Philosophy*, p. 46; *Kant's gesammelte Schriften*, vol. 4, p. 390 (*Groundwork of the Metaphysics of Morals*, Preface); see also Kant, *Practical Philosophy*, p. 164; *Kant's gesammelte Schriften*, vol. 5, p. 30 (*Critique of Practical Reason*).

⁴⁴ See Kant, *Practical Philosophy*, p. 89; *Kant's gesammelte Schriften*, vol. 4, p. 440 (*Groundwork of the Metaphysics of Morals*).

⁴⁵ See Kant, *Practical Philosophy*, p. 380; *Kant's gesammelte Schriften*, vol. 6, p. 226 (*The Metaphysics of Morals*).

⁴⁶ See Kant, *Practical Philosophy*, pp. 375, 380f.; *Kant's gesammelte Schriften*, vol. 6, pp. 213f., 226f. (*The Metaphysics of Morals*).

⁴⁷ See Kant, *Practical Philosophy*, p. 375; *Kant's gesammelte Schriften*, vol. 6, pp. 213f. (*The Metaphysics of Morals*). See also *Critique of Pure Reason*, A 801f./B 829f.

⁴⁸ See Kant, *Practical Philosophy*, p. 45; *Kant's gesammelte Schriften*, vol. 4, p. 389 (*Groundwork of the Metaphysics of Morals*, Preface); see also Kant, *Practical Philosophy*, pp. 139, 164; *Kant's gesammelte Schriften*, vol. 5, pp. 3, 30 (*Critique of Practical Reason*).

In subordinating the free exercise of willing to an order of conduct, laws of freedom substitute "wild" freedom with "ordered freedom" (*geordnete Freiheit*).⁴⁹ Kant employs the traditional term "morals" (*Sitten*) – corresponding to the Latin *mores* (customs) – to designate the ordered character of human conduct. But the plural form taken over from tradition should not be taken to indicate an ultimate plurality of orders regulating human conduct depending on time and place. Rather Kant unites the plural rules of conduct under the conception of a single, original "law of morals" (*Sittengesetz*) or "moral law" (*moralisches Gesetz*).⁵⁰

The plurality of laws of freedom recognized by Kant, then, is not a manifestation of a pluralistic conception of competing morals but results from the further specification of the single "law of morals" that posits the form of rational universality as such into plural, contentually specific laws of conduct. Moreover, the content and hence the plurality of moral laws do not originate in pure practical reason *per se*, which is essentially limited to the presentation and imposition of mere rational form (universality) to possible or actual principles of conduct that may originate outside and independent of reason proper. Kant terms such principles of conduct that govern the conduct of individuals prior to the formal supreme law of morals "maxims," resorting to the traditional term for maximally comprehensive rules of conduct.⁵¹ Strictly speaking, then, the autonomy of the will, conceived by Kant along the political lines of legislation in the state, is limited to the meta-principle that the conduct according to maxims has to be susceptible to take on the form of universal legislation. Moral conduct, however individually determined by given maxims, is to satisfy the minimal formal condition that the given maxims can be the object of universal legislation.

Having cast the origin and status of the moral law in terms of the political institution of state legislation, Kant goes on to characterize the status of the moral law with respect to the human being by means of another feature of modern political theory and practice, the bicameral system of legislation, in which different bodies cooperate or compete in the drafting and passing of laws. Kant views the practical self as constituted by two basically different modes for determining its conduct. The generic "faculty of desire" (*Begehrungsvermögen*), by means of which "representations" (*Vorstellungen*) operate as grounds for action, is divided into a "lower" and "higher" faculty of desire (*unteres Begehrungsvermögen, oberes Begehrungsvermögen*).⁵² While the higher faculty of desire is susceptible of purely rational grounds for action, the lower faculty of desire has its grounds for action provided by non-rational, sensory factors.

In view of the fact that in rational practical beings like us (humans) the sensory grounds for action do not by themselves constitute a sufficient reason for action but are subject to

⁴⁹ *Kant's gesammelte Schriften*, vol. 19, p. 276 (*Reflexionen zur Moralphilosophie*, No. 7202); see also Wolfgang Kersting, *Wohleordnete Freiheit*. Immanuel Kants Rechts- und Staatsphilosophie, Frankfurt/M. 1993.

⁵⁰ See Kant, *Practical Philosophy*, pp. 171, 173; *Kant's gesammelte Schriften*, vol. 4, pp. 38, 41 (*Critique of Practical Reason*).

⁵¹ See Kant, *Practical Philosophy*, 160; *Kant's gesammelte Schriften*, vol. 4, p. 27 (*Critique of Practical Reason*).

⁵² See Kant, *Practical Philosophy*, p. 144 note; *Kant's gesammelte Schriften*, vol. 4, p. 9 note (*Critique of Practical Reason*); Kant, *Practical Philosophy*, pp. 373-376; *Kant's gesammelte Schriften*, vol. 6, pp. 211-214 (*The Metaphysics of Morals*); Immanuel Kant, *The Critique of Judgement*, transl. James Creed Meredith. Oxford 1988, p. 16; *Kant's gesammelte Schriften*, vol. 5, p. 178.

approval – or disapproval – by the "faculty of free choice" (*freie Willkür*), the determining grounds of the lower faculty of desire are to be considered as "inclinations" (*Neigungen*). Their influence inclines the practical self without necessitating it. The "faculty of choice" (*Willkür*) can be called "free" insofar as it is independent from internal necessitation by prevailing desires.⁵³ Yet while such desires do not necessitate the faculty of choice, they still influence and "affect" (*affizieren*) it and thereby may make it decline with respect to the moral law.

Just as the faculty of free choice is not necessarily determined by desires, it does not necessarily follow the moral law either. In order to be able to prevail over competing inclinations as the sufficient determining ground of the will, the moral law as issued by legislative will has to present itself to the finite rational being as commanding adherence, and as unconditionally commanding it at that. The moral law appears under the quasi-political guise of an executive order instructing the practical self to follow it under all circumstances. The possible universality of maxims implied by the moral law thus takes on the outward form of the categorical imperative to act on those and only on those maxims that are susceptible to universal legislation.⁵⁴

Kant explains the intensional difference between the moral law and the categorical imperative in extensional terms: the moral law holds for all finite rational practical beings, including being like us (humans) but also morally perfect beings, if there are any, while the categorical imperative pertains only to those finite rational practical beings that are subject to inclinations contrary to the requirements of the moral law and that hence are inclined, although not necessitated, not to follow it.

Given the unconditional commanding character that the moral law takes on under conditions of finite, sensorily affected practical rationality, the categorical imperative functions not only as the principle for the cognition of how the human being is to conduct itself (*principium dijudicationis*). It also operates as the principle for the recognition, or acknowledgment, of such conduct and insofar serves to motivate the execution of the moral law (*principium executionis*).⁵⁵ Modally speaking, the "necessity" (*Notwendigkeit*) of the moral law takes on the further character of a "necessitation" (*Nötigung*)⁵⁶ that represents what is practically necessary but may not occur due to countervailing and prevailing inclinations as required and commanded by the moral law or as "duty" (*Pflicht*).⁵⁷

⁵³ See *Critique of Pure Reason*, A 801f./B 829f.

⁵⁴ See Kant, *Practical Philosophy*, pp. 67-72; *Kant's gesammelte Schriften*, vol. 4, pp. 414-419 (*Groundwork of the Metaphysics of Morals*); Kant, *Practical Philosophy*, pp. 153f.; *Kant's gesammelte Schriften*, vol. 5, pp. 19-21 (*Critique of Practical Reason*).

⁵⁵ See Immanuel Kant, *Lectures on Ethics*, transl. Louis Infield, Indianapolis/Cambridge 1963, p. 36; Immanuel Kant, *Vorlesung zur Moralphilosophie*, hg. von Werner Stark. Berlin/New York 2004, pp. 55f.

⁵⁶ Kant, *Practical Philosophy*, p. 165; *Kant's gesammelte Schriften*, vol. 5, p. 32 (*Critique of Practical Reason*).

⁵⁷ See Kant, *Practical Philosophy*, pp. 52, 55; *Kant's gesammelte Schriften*, vol. 4, pp. 397, 400 (*Groundwork of the Metaphysics of Morals*).

4. The Autocracy of the Self

In Plato's *Republic* what later came to be differentiated terminologically as ethics (ἠθικῆ) and political science (πολιτικῆ) found a unitary treatment attesting to the thoroughly political character of ethics in classical ancient thought, prior to the depolitization and privatization of ethics in Hellenistic Greece as well as Republican and Imperial Rome. Even Aristotle, who introduced the disciplinary distinction of practical philosophy into ethics, politics and economics, treats ethics as an integral part of a comprehensively conceived study of political matters and has the *Nicomachean Ethics* lead over into the wider field of things political.⁵⁸ The unitary conception of practical philosophy in Plato (and Aristotle) finds a late modified continuation in Kant, for whom "practical philosophy" (*praktische Philosophie*) coincides with "moral philosophy" (*Moralphilosophie*), at the exclusion of economics and other fields of technical knowledge that put theoretical cognition to practical use without relying on genuinely practical principles, which involve laws of freedom rather than laws of nature.⁵⁹

In a manner reminiscent of the ancient divide of practical philosophy into politics and ethics Kant distinguishes "right" (*Recht*) and "ethics" (*Ethik*) as the two parts of practical philosophy. Yet unlike Plato and Aristotle, who had limited a priori knowledge to the natural and supernatural objects of theoretical philosophy (τὰ φυσικά, τὰ μετὰ τὰ φυσικά), Kant maintains the susceptibility and even the need of practical philosophy to specify a body of non-empirical practical knowledge.⁶⁰ The latter takes the form of a priori principles of law and ethics or of "the metaphysics of morals in two parts" (*Die Metaphysik der Sitten in zwei Teilen*), consisting of "Metaphysical First Principles of the Doctrine of Right" (*Metaphysische Anfangsgründe der Rechtslehre*) and "Metaphysical First Principles of the Doctrine of Virtue" (*Metaphysische Anfangsgründe der Tugendlehre*).⁶¹

The unity of practical philosophy, and specifically that of the two-part metaphysics of morals, is assured by the shared function of the categorical imperative as the supreme principle of law and ethics. A further generic feature of practical philosophy, regardless of the difference between law and ethics, is its concern with a "legislation" (*Gesetzgebung*)⁶² that involves laws of freedom or laws that make possible the realization of freedom. The specific difference between juridical and ethical legislation comes in through the parallel distinctions between "inner" and "outer actions" (*innere, äußere Handlungen*)⁶³ and between that legislation which makes only the action itself a duty and that legislation which, in addition to making the action a duty, also makes the action being a duty the motivating force ("incentive", *Triebfeder*) for the action. The former legislation, which refrains from motivational prescriptions, is juridical

⁵⁸ *Nik. Eth.* 1180a-1181b.

⁵⁹ See Kant, *The Critique of Judgement*, p. 8; *Kant's gesammelte Schriften*, vol. 5, p. 171; Kant, *Practical Philosophy*, p. 372; *Kant's gesammelte Schriften*, vol. 6, pp. 217f. (*The Metaphysics of Morals*).

⁶⁰ See Kant, *Practical Philosophy*, pp. 371-373; *Kant's gesammelte Schriften*, vol. 6, pp. 214-218 (*The Metaphysics of Morals*).

⁶¹ Kant, *Practical Philosophy*, pp. 365, 509f.; *Kant's gesammelte Schriften*, vol. 6, pp. 205f., 375-377 (*The Metaphysics of Morals*).

⁶² Kant, *Practical Philosophy*, p. 383; *Kant's gesammelte Schriften*, vol. 6, p. 218 (*The Metaphysics of Morals*).

⁶³ *Ibid.*

and involves all those and only those obligation ("duties"; *Pflichten*) that can be legislated externally, through one or more persons or an institution imposing their legislative will on others, typically the subjects of a political community or state. By contrast, the legislation that cannot be external and does not involve the imposition of someone else's will is "ethical" (*ethisch*).⁶⁴

In drawing on the conceptuality of legislation and executive will for the entire sphere of the practical laws, under inclusion of the specifically ethical laws of freedom, Kant extends the usage of juridico-political concepts deep into the sphere of ethics. To be sure, the originally juridical or political concepts undergo specific modifications when carried over from law to ethics. Yet they retain sufficient features from their antecedent or underlying signification to import a juridico-political basic element into Kant's ethical discourse in the second part of the *Metaphysics of Morals*.

Most importantly, Kant takes over the juridico-political notion of "constraint" (*Zwang*) – and specifically the "constraint [...] of the faculty of free choice through law" (*Zwang [...] der freien Willkür durchs Gesetz*) – from law and politics into ethics.⁶⁵ The term expands on the generic characterization of moral obligation involving a "necessitation" (*Nötigung*) by introducing the juridico-political term for the legal and political measures taken to assure the effectiveness of legislation. In the sphere of law and politics the common, generic feature of practical legislation, viz., the law-based and law-governed constraint of free choice, occurs as "external constraint" (*äußerer Zwang*) or "constraint through someone else" (*Zwang durch einen Anderen*).⁶⁶

By contrast, the constraint involved in the sphere of ethics is internal. It does not involve someone else exercising the constraint. Rather the constraint is exercised by the very being that undergoes the constraint. Ethical constraint is "self-constraint" (*Selbstzwang*).⁶⁷ More precisely, the constraint peculiar to ethical obligation or ethical duty is "free self-constraint" (*freier Selbstzwang*),⁶⁸ as opposed to the unfree self-constraint involved in one's faculty of free choice being constrained by a law of nature. The latter is the case when one "natural inclination" (*Naturneigung*)⁶⁹ endeavors to constrain another one. By contrast, in the case of free self-constraint the constraint on the faculty of free choice is not exercised by competing inclinations but through "pure practical reason" as the legislative will power that is able to constrain the influence of inclinations internally.⁷⁰

⁶⁴ Kant, *Practical Philosophy*, pp. 383-385; *Kant's gesammelte Schriften*, vol. 6, pp. 218-221 (*The Metaphysics of Morals*).

⁶⁵ Kant, *Practical Philosophy*, p. 512; *Kant's gesammelte Schriften*, vol. 6, p. 379 (*The Metaphysics of Morals*) (translation modified).

⁶⁶ Kant, *Practical Philosophy*, pp. 512, 526, 525; *Kant's gesammelte Schriften*, vol. 6, pp. 379, 396 and 394 (*The Metaphysics of Morals*) (translation modified).

⁶⁷ Kant, *Practical Philosophy*, pp. 512f., 525f.; *Kant's gesammelte Schriften*, vol. 6, pp. 379-381, 394, 396 (*The Metaphysics of Morals*).

⁶⁸ Kant, *Practical Philosophy*, pp. 515, 525; *Kant's gesammelte Schriften*, vol. 6, pp. 383, 395 (*The Metaphysics of Morals*).

⁶⁹ Kant, *Practical Philosophy*, p. 525; *Kant's gesammelte Schriften*, vol. 6, p. 394 (*The Metaphysics of Morals*).

⁷⁰ Kant, *Practical Philosophy*, p. 526; *Kant's gesammelte Schriften*, vol. 6, p. 396 (*The Metaphysics of Morals*).

But ethical self-constraint not only is negatively free, due to the absence of naturally based inclinations. Ethical self-constraint also can be considered free in the positive sense insofar as it is exercised in accordance with laws of freedom, which serve to realize freedom collectively by restricting it distributively. In the paradigm case of the external constraint exercised by juridical laws of freedom legal constraint makes possible "outer freedom" (*äußere Freiheit*)⁷¹ by limiting everyone's freedom through the concept of everyone else's freedom. In the parallel case of the internal constraint exercised onto oneself, the constraint exercised by ethical laws renders possible "inner freedom" (*innere Freiheit*)⁷² by limiting the influence of inclinations through the concept of the autonomy of the will. Based on the general consideration that the very possibility of intersubjective (juridical) or intrasubjective (ethical) freedom requires constraint through laws that realize freedom by restricting it, Kant measures the intensional magnitude of freedom in terms of the kind of constraint by law involved and states: "Self-Constraint is the highest degree of freedom (...)." ⁷³

Kant marks the difference between the generic "autonomy of practical reason" (*Autonomie der praktischen Vernunft*),⁷⁴ which holds throughout the domain of practical philosophy insofar as reason is the ground for the validity of the laws of freedom, and the specific legislation involved in ethics by resorting to the politically inflected term, "autocracy" (*Autokratie*),⁷⁵ to designate the latter. In the autocratic regimen of ethics, the autonomous legislation of the ethical laws goes together with the consciousness of one's ability or faculty (*Vermögen*) to prevail over those of one's inclinations that run counter to the law. Kant does not claim an immediate awareness of this faculty or ability as such but grounds the mediated, inferential consciousness of it in one's immediate awareness of the ethical categorical imperative.⁷⁶

By resorting to the originally political concept of autocracy Kant has chosen a term that conveys the unity of legislative and executive power in one and the same being. As Kant himself puts it: in the free self-constraint involved in ethical obligation and ethical duties one's own legislative reason "constitutes itself into a power *executing* the law" (*sich zu einer das Gesetz ausführenden Gewalt selbst constituirt*).⁷⁷ Kant designates the autocratic self-empowerment of legislative will to executive will in ethical matters with the traditional term, "virtue" (*Tugend*), for the "moral strength of the will" (*moralische Stärke des Willens*).⁷⁸ He continues the use of concepts of political rule for the constitution of the ethical self, when he identifies virtue with the command "to bring all one's faculties and inclinations under

⁷¹ Kant, *Practical Philosophy*, pp. 513, 526, 534; *Kant's gesammelte Schriften*, vol. 6, pp. 380, 396, 406 (*The Metaphysics of Morals*).

⁷² Kant, *Practical Philosophy*, pp. 526, 533f., 536; *Kant's gesammelte Schriften*, vol. 6, pp. 396, 405f., 408 (*The Metaphysics of Morals*).

⁷³ *Kant's gesammelte Schriften*, pp. 28,1, p. 100 (*Metaphysik Herder*): "Der Selbstzwang ist der höchste Grad der Freiheit (...)." ⁷⁴

⁷⁴ Kant, *Practical Philosophy*, 515; *Kant's gesammelte Schriften*, vol. 6, p. 383 (*The Metaphysics of Morals*).

⁷⁵ *Ibid.*

⁷⁶ See *ibid.*

⁷⁷ Kant, *Practical Philosophy*, p. 533; *Kant's gesammelte Schriften*, vol. 6, p. 405 (*The Metaphysics of Morals*) (translation modified) (emphasis in the original).

⁷⁸ *Ibid.*

one's (reason's) power" (*seine Vermögen und Neigungen unter seine [der Vernunft] Gewalt zu bringen*) or the "rule over oneself" (*Herrschaft über sich selbst*).⁷⁹ In particular, Kant names a twofold requirement for ethical autocracy: with respect to one's "affects" (*Affekten*), which constitute possible distractions from ethical obligation and ethical duties through feeling, one is to be "master of oneself" (*seiner selbst [...] Meister*); with respect to one's "passions" (*Leidenschaften*), which constitute possible distractions from ethical obligation and ethical duties through desires, one is to be "commander over oneself" (*über sich selbst Herr zu sein*).⁸⁰ In drawing on the political analogy involved, one might add that the point of self-mastery and self-command in ethical matters is not the extirpation of the affects and desires but their governance – just as the point of political rule, according to classical political thought, is not the abolition of the ruled but their control.

According to Kant, the self-constraint involved in ethical conduct exhibits a further feature that attests to the particularly conflicted nature of the practical self. For one, there is the *free* self-constraint exercised by pure practical reason or pure will on the faculty of free choice aimed at overriding the countervailing inclination. Due to the persisting "resistance of their inclination" (*Widerstand ihrer Neigung*), human beings, even when following the "moral law" (*moralisches Gesetz*), do so "*reluctantly*" (*ungern*).⁸¹ That is exactly why there needs to be constraint on the part of the legislative will in the first place. But, on Kant's assessment, there is also a constraint in the opposite direction involved in ethical conduct – a constraint that is not exercised against inclinations resisting ethical or free self-constraint but in support of the purely ethical determination of the will against those inclinations that were able to prevail over free, ethical self-constraint.⁸²

The reluctance with which human beings obey the commands of the moral law, if they do so, has its exact counterpart in the reluctance with which they disobey those very commands, if they do so. According to Kant, ethical transgression does not occur triumphantly or even contently and out of complete conviction but reluctantly and in cognition as well as recognition of the wrongdoing involved. Hence the practical self is caught in the middle of two types of constraint that necessitate it from within and therefore represent different types of self-constraint. Moreover, the two forms of self-constraint are opposites of each other, each of them operating on the "faculty of free choice" (*Willkür*) in opposed directions: one constraining the resistance on the part of the inclinations against compliance with the law, the other constraining the prevailing of the inclinations toward non-compliance with the law.

Kant himself characterizes the peculiar position of the doubly reluctant practical self – a self that is reluctantly ethical as well as reluctantly unethical – as one of "mutually opposed self-constraint" (*wechselseitig entgegengesetzte[r] Selbstzwang*) and places the internally

⁷⁹ Kant, *Practical Philosophy*, p. 536; *Kant's gesammelte Schriften*, vol. 6, p. 408 (*The Metaphysics of Morals*) (translation modified).

⁸⁰ Kant, *Practical Philosophy*, p. 535; *Kant's gesammelte Schriften*, vol. 6, p. 407 (*The Metaphysics of Morals*) (translation modified) (emphases in the original).

⁸¹ Kant, *Practical Philosophy*, pp. 512f., 512 note; *Kant's gesammelte Schriften*, vol. 6, pp. 379f. and 379f. note (*The Metaphysics of Morals*) (translation modified) (emphasis in the original).

⁸² See Kant, *Practical Philosophy*, p. 512 note; *Kant's gesammelte Schriften*, vol. 6, pp. 379f. note (*The Metaphysics of Morals*).

conflicted self at the "crossroads" (*Scheideweg[e]*) between "virtue and voluptitude" (*Tugend und Wohl lust*).⁸³ But while being structurally akin, the free self-constraint and the unfree self-constraint⁸⁴ that in their oppositional reciprocity make up the human condition are functionally asymmetrical and do not simply cancel each other out in a relation of equipollence. Kant cites the "phenomenon" (*Phänomen*) that the human being at the crossroads shows "more propensity to listen to inclination than to the law" (*mehr Hang [...] der Neigung als dem Gesetz Gehör zu geben*).⁸⁵ Kant here refers to an anthropological fact that he considers empirically confirmed but not susceptible of explanation. For any explanation of the phenomenon of anti-morality would involve its derivation from a cause according to laws of nature. But such naturalist explanation would contradict the assumed or presupposed freedom of our "faculty of choice" (*Willkür*), an assumption or presupposition made on strictly moral grounds and independent of the factual evidence of prevailing immorality.

Like Plato's innerly conflicted one-man *polis*, Kant's inner republic of strife faces the threat of contradiction and logical self-destruction. Moreover, like Plato, Kant resorts to an internal distinction of the self that allows assigning the opposed forms of self-constraints that the self exercises as much as undergoes to specifically different functions of practical subjectivity. In particular, Kant attributes the reluctance to obey the moral law to the status of human beings as "rational *beings of nature*" (*vernünftige Naturwesen*), who subordinate their rationality to extra- or even irrational desires.⁸⁶ By contrast, he traces the reluctance to disobey the moral law to the status of human beings as "*moral beings*" (*moralische Wesen*). In the latter capacity, the human being is not subject to natural laws but must be regarded – and has to regard itself – as a "*free (moral) being*" (*freies (moralisches) Wesen*): as free from outer as well as inner natural constraint and as free to undergo rational self-constraint based on the "*humanity in his own person*" (*Menschheit in seiner eigenen Person*).⁸⁷ The term "humanity" is here to be taken not extensionally, as including all human beings, but intensionally, as excluding those traits in human beings that stem from the "*animality of the human being*" (*Thierheit des Menschen*).⁸⁸

Kant further expands on the dual composition of the practical self by contrasting the "*human animal*" (*Thiermensch*) and the "*rational human being*" (*Vernunftmensch*).⁸⁹ In the former

⁸³ Ibid. (translation modified).

⁸⁴ Kant himself does not use the term, "unfree self-constraint."

⁸⁵ Ibid. (translation modified).

⁸⁶ On the difference between a "rational being" (*vernünftiges Wesen*) and a "being of reason" (*Vernunftwesen*), see Kant, *Practical Philosophy*, p. 544; *Kant's gesammelte Schriften*, vol. 6, p. 418 (*The Metaphysics of Morals*) (translation modified) (emphasis in the original).

⁸⁷ Kant, *Practical Philosophy*, pp. 512f., 512 note; *Kant's gesammelte Schriften*, vol. 6, pp. 379f. and 379f. note (*The Metaphysics of Morals*). See also the related distinction between "*homo noumenon*" and "*homo phaenomenon*" in Kant, *Practical Philosophy*, pp. 544, 547; *Kant's gesammelte Schriften*, vol. 6, pp. 418 and 423 (*The Metaphysics of Morals*) (emphases in the original).

⁸⁸ Kant, *Practical Philosophy*, p. 545; *Kant's gesammelte Schriften*, vol. 6, p. 420 (translation modified) (emphasis in the original).

⁸⁹ Kant, *Practical Philosophy*, p. 557; *Kant's gesammelte Schriften*, vol. 6, p. 435 (*The Metaphysics of Morals*) (emphases in the original).

capacity, the human being is not just an animal but an "animal endowed with reason" (*mit Vernunft begabtes Thier*) capable of rationally informed conduct.⁹⁰ In the latter capacity, the human being is a "rational being" (*vernünftiges Wesen*) capable of conduct determined solely and entirely by reason.⁹¹

Also like Plato Kant resists dissolving the complex and conflicted constitution of the self into the compatibilist coexistence of distinct parts in an encompassing whole. Terms such as "humanity" and "animality", along with artificial coinages such as "human being as animal being" and "human being as rational being," manifest an attempt at a functional differentiation of the (practical) self. In line with this understanding Kant does not consider the presence of animality in the human being a case of partial inclusion but resorts to the unusual prepositional locution "the animal *about* the human being" (*[das] Thier[es] am Menschen*).⁹² Rather than partitioning the human being, Kant undertakes a functional differentiation by attributing to the human being, in a practical regard, a "twofold personality" (*zweifache Persönlichkeit*).⁹³

According to Kant, the numerically identical human being ("*numero idem*") functions in a twofold way and is insofar different in kind ("*specie diversus*"), viz., as a "subject of the moral legislation that originates in the concept of freedom" (*Subjekt der moralischen, von dem Begriffe der Freiheit ausgehenden Gesetzgebung*) and as a "sensory human being endowed with reason" (*der mit Vernunft begabte Sinnenmensch*).⁹⁴ The specific difference in the functioning of human practical subjectivity is attributable to the "faculties of the human being (the higher and lower ones)" (*der Fakultäten des Menschen [der oberen und unteren]*).⁹⁵ In thinking the concept of human being "not in one and the same sense" (*nicht in einem und demselben Sinn*) but as involving a dual sense of subjectivity, Kant links his moral philosophy, in particular his ethics, to the "distinction between the things as objects of experience from those same things as things in themselves" (*Unterscheidung der Dinge, als Gegenstände der Erfahrung, von eben denselben, als Dingen an sich selbst*)⁹⁶ undertaken in the *Critique of Pure Reason*. The "critical distinction" (*kritische Unterscheidung*)⁹⁷ makes a practical reappearance as the distinction, with respect to one and the same human being, between the internally free human being ("*homo noumenon*") and the causally determined as well as determining human being ("*homo phaenomenon*").⁹⁸ As in Plato, practical philosophy in Kant draws on first philosophy, just as in Plato as well as Kant ethics draws on politics and law.

⁹⁰ Kant, *Practical Philosophy*, p. 575; *Kant's gesammelte Schriften*, vol. 6, p. 456 (*The Metaphysics of Morals*).

⁹¹ *Ibid.*

⁹² Kant, *Practical Philosophy*, 566; *Kant's gesammelte Schriften*, vol. 6, p. 445 (*The Metaphysics of Morals*) (translation modified) (my emphasis).

⁹³ Kant, *Practical Philosophy*, p. 560f. note; *Kant's gesammelte Schriften*, vol. 6, p. 439 note (*The Metaphysics of Morals*) (translation modified).

⁹⁴ *Ibid.* (translation modified).

⁹⁵ *Ibid.* (translation modified).

⁹⁶ *Critique of Pure Reason*, B XXVII.

⁹⁷ *Critique of Pure Reason*, B XXVIII.

⁹⁸ Kant, *Practical Philosophy*, p. 544; *Kant's gesammelte Schriften*, vol. 6, p. 418 (*The Metaphysics of Morals*).