On the Ineffable Unity of Morality and Politics in Kant

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Abstract

Unable to overlook Agamben's gloss of Kant's moral philosophy as a vector of ontological delirium, the article scrutinises Kant's choice of the well-known expression 'categorical imperative' as the prescriptive cornerstone of moral praxis. The article's central claim is that the linguistic formulation of the categorical imperative in such terms on Kant's part is not determined by pleonastic redundancy or overabundant formality. It depends on Kant's well-aware need to voice and get logically rid of, as best as possible, within the available language in the wake of the philosophical tradition, an ontological conundrum whose evidence can already be traced back to Socrates's trial. The categorical imperative attempts to convey the results of Kant's inquiry of human ontology linguistically, requiring a hendiadys to express the somewhat ineffable – since counterintuitive for us as finite beings – equivalence between human freedom and morality. By engaging with Agamben's critique, the article not only refutes it by referencing other scholars like Rawls, Korsgaard, Ferraris, and Habermas, but also sheds

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new light on Kant's moral philosophy regarding the intrinsic morality of human beings whose adoption of the universal moral law would rationally be natural expression and necessity. This interrogates the Kantian scholarship, which, despite its best intentions, may not have yet taken due account of such a record which, we argue, suggests an inseparability between political and moral philosophy whereof contemporary political theory has probably not yet fully grasped its significance, at least in a strictly Kantian sense.

Keywords: Immanuel Kant, Moral Law, Accusation, Categorical Imperative, Pleonasm, Giorgio Agamben, John Rawls.

Statements and Declarations

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Unable to overlook Agamben's gloss of Kant's moral philosophy as a vector of ontological delirium, the article scrutinises Kant's choice of the well-known expression 'categorical imperative' as the prescriptive cornerstone of moral praxis. The article's central claim is that the linguistic formulation of the categorical imperative in such terms on Kant's part is not determined by pleonastic redundancy or overabundant formality. It depends on Kant's well-aware need to voice and get logically rid of, as best as possible, within the available language in the wake of the philosophical tradition, an ontological conundrum whose evidence can already be traced back to Socrates's trial. The categorical imperative attempts to convey the results of Kant's inquiry of human ontology linguistically, requiring a hendiadys to express the somewhat ineffable – since counterintuitive for us as finite beings – equivalence between human freedom and morality. By engaging with Agamben's critique, the article not only refutes it by referencing other scholars like Rawls, Korsgaard, Ferraris, and Habermas, but also sheds new light on Kant's moral philosophy regarding the intrinsic morality of human beings whose adoption of the universal moral law would rationally be natural expression and necessity. This interrogates the Kantian scholarship, which, despite its best intentions, may not have yet taken due account of such a record which, we argue, suggests an inseparability between political and moral philosophy whereof contemporary political theory has probably not yet fully grasped its significance, at least in a strictly Kantian sense.

1. Introduction

Giorgio Agamben has suggested that the ontology of the original linguistic act, which he recognises in the imperative mood, has remained misunderstood and underexplored to a certain extent. Accordingly, he states that the imperative mood expresses a 'pure' ontological relation between language and world (Agamben, 2019, pp. 58-9). The imperative, while non-denotative, i.e. while not referring to something actual, nevertheless intimates something important, namely, itself: what has been referred to as the 'simple semanteme' (*nudo semantema*) of any given verb, when employed imperatively, does not relate to something beyond itself (out there in the world, as it were), but only to its own commanding force. Thus, Agamben writes, "*The ontological relation between language and world here is not asserted, as in apophantic discourse, but commanded*" (Agamben, 2019, p. 59). It is not clear what Agamben means by purity. What is nevertheless clear for him is that in the self-referentiality, the imperative form expresses, an ontology of 'what ought to be' rather than of 'what is' is expressed. This, in turn, is consequential since, already in *Homo Sacer*, Agamben had suggested that, in Modernity, life and bare life become gradually conflated:

> '[T]he decisive fact is that, together with the process by which the exception everywhere becomes the rule, the realm of bare life – which is originally situated at the margins of the political order – gradually begins to coincide with the political realm, and exclusion and inclusion, outside and inside, *bios* and *zoe*, right and fact, enter into a zone of irreducible indistinction' (Agamben, 1998, p. 9).

Echoing this thought, in *Creation and Anarchy*, the self-referentiality of the command is of consequence because, Agamben insists, the ontologies of what is and what ought to be also become gradually indistinct. An ontology that in the past one would have most readily

associated with religion, magic, and law becomes increasingly dominant in Modernity –
Agamben, citing Freud, refers to it as "a return of the repressed". While this is clear in techno-
democratic societies where obedience to the ontology of the command takes the underhanded
form of cooperation, it is perhaps even more explicit in what Agamben refers to as the Kantian
knot: an intertwining of void modal verbs that acts as the cornerstone of Immanuel Kant's entire
practical philosophy. It is untangling this 'Kantian knot' that interests us here.

The stake, for Agamben, is about rendering life possible or impossible to ourselves.
Kant approached this not by questioning life as such, but by questioning – and ultimately
entangling – modal verbs (can, will, must) in such a way that fundamental ethical injunctions
become, according to Agamben, 'entirely delirious': "man muss wollen können" (Kant, 2012
[1757], AA 4, p. 424). Kant's delirium, presumably, consists of either one of the following two
options, both warranted by the broader discussion in Agamben's text. That 'one must be able
to will' might be said to be delirious to the extent that its hyper-formality prevents it from doing
the grounding work Kant wants it to do. Along Hegelian lines, this would amount to accusing
Kant's practical philosophy of being unable to provide us with any meaningful ethical content.
The Kantian prerogative would, at most, offer us the form of an ethical law, but no concrete
matter regarding right action. But 'one must be able to will' may also be delirious because it
posits a willing subject and a willed object that utterly coincide. Since the agent doing the
willing and what the agent wills are one and the same thing, themselves, the will is deliriously
split into two principle-begging, mutually implicating parts. This recursiveness is only
compounded by the use of void verbs that, instead of being accompanied by non-void ones
(walk, talk, eat), combine with one another: one 'must' 'be able' 'to will'. Indeed, the latter of
these two options seems to be in Agamben's mind when he translates Kant's injunction into an
equally delirious phrase: "I command myself to obey" (Agamben, 2019, p. 63).

This paper seeks to speak to the second one of these possibilities. As discussed in the second section, it does not entirely eschew the first. Still, it occupies itself primarily with the accusation levelled by Agamben that the Kantian knot described above "defines the impossibility of articulating something like an ethics within it" (Agamben, 2019, p. 63). First, it is a question of showing the understandable but unjustifiable reason why Agamben may not have grasped the crux of the matter signalling Kant as epitomising an impossible ethics. Second, in doing so, one arrives at doing justice to the correct Kantian reading of it that Agamben misses. Therefore, the paper initially concedes to Agamben that, because of its complexity, there is some space for considering Kant's practical philosophy predicated on a semantic overlap between the willing agent and the object of the will. It depicts this conundrum in relation to Kant's compound binomial expression 'categorical imperative' and, more specifically, in relation to John Rawls's understanding of it. With Christine M. Korsgaard, it shows that while Rawls' procedural approach to the three formulations of the categorical imperative sheds much-needed light onto the supposed syntheticity of the supreme moral principle, it nonetheless assumes that the principle itself contains within it *one single* thought. Yet, Rawls' assumption prevents him from recognising the distinctiveness of the categorical and imperative dimensions of the moral law and the complex nuances that link to each in Kant's practical ontology. Thus, in the second section of the first part, the article returns to Agamben to claim that an inquiry into the ontology of the commander and obeyer is indispensable if one is to make sense of Kant's categorical imperative as anything other than a linguistic pleonasm that unnecessarily voices the same thought twice[3].

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[3] By pleonasm is here meant a communicative speech act through an "expression containing superfluous words" (Mautner, 2005, p. 474). The superfluity, excessiveness, overabundance (πλεονασμός from πλεονάζω, i.e. I overflow, exceed) of the deriving *pleonastic hypothesis* expresses the possible detection of a logical/conceptual/semantic overlap between different parts of a sentence. In the case of the *categorical imperative*,

This second part, thus, claims that the categorical and imperative dimensions of the categorical imperative are not mutually reducible to or derivative from one another, nor are they, as some commentators have suggested, ultimately derived from some common ground. Instead, through a closer reading of Kant, this second part offers reasons for thinking that while the categorical dimension of the formula is more closely linked to human finitude, its imperative dimension is more closely linked to the modal force of necessitation. From this, the argument develops what amounts to a Kantian response to Agamben's concern: not only is it overly simplistic to reduce Kant's categorical imperative to a single ontological dimension, but it also misconstrues the compound nature of free rational subjectivity that Kant has in view. We, free rational subjects, do in fact command ourselves to obey, according to Kant, but this is not so much an unwarranted assumption of his practical philosophy, as it is the culmination of an argument built upon an ontological inquiry into freedom.

The reading of Kant offered here not only aims at showing *contra* Agamben that Kant indeed explores and even actualises the possibility of articulating a moral doctrine within the space of so-called void verbs, but it also aims at drawing attention to some of its implications. First, it interrogates the reception of the categorical imperative, knowing that, regardless of Agamben's approach, Kant's moral philosophy does not inanely express linguistic pleonasms. Instead, it conveys the results of an inquiry into human ontology that linguistically imposes and requires a hendiadys to express the somewhat ineffable equivalence between human freedom and morality. Second, it interrogates the Rawlsian scholarship, which, despite its best intentions, may not have yet taken due account of such a requirement. Third and last, it reveals the inseparability between political and moral philosophy in Kant and questions the contemporary

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it consist in determining an overabundance between common dimensions equally signified by the terms *katēgoria* and *imperium*.

scholarship's ability to grasp, in a Kantian way, the complementarity of the political and the moral.

2. The Origin of a Danger

Is there anything that entitles Agamben to assume the impossibility of articulating ethics by intertwining modal verbs? A possible answer may rest upon two reflections: the first of *method* and the second of *context*.

Regarding the first, Rawls' approach to the (triple) formulation of Kant's *categorical imperative,* as found in the *Groundwork to the Metaphysics of Morals*, constructs the difficulty Agamben identified differently. Rawls, like Agamben, shuns the purported self-evidence of the core of Kant's practical philosophy. But, unlike Agamben, the problem for Rawls is one of semantic irreducibility: "The problem is that those formulations [*of the categorical imperative*] are not the same. In particular, the second formulation introduces new and quite different concepts" (Rawls, 2000, p. 181). It is essential to grasp Rawls' analytical method: "We need an explanation, surely, of how this formulation, with its three concepts of a person, of humanity, and of treating humanity as an end (an end-in-itself), can be equivalent to the first and third formulations. There is also the further difficulty that, taken by itself, the discussion […] preceding the second formulation is quite obscure" (Rawls, 2000, p. 182). Rawls tackles this *obscurity* by trying to read Kant's *categorical imperative* through Kant's lenses[4]. The categorical imperative should be understood, according to Rawls, as a procedure or strict method that would bring moral maxims closer to intuition. This procedure or strict method depends on the identity between the three formulations found in the *Groundwork*:

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[4] "I think it is best to interpret it in the light [emphasis added] of what Kant claims in other places" […] (Rawls, 2004, p. 196 – authors' translation).

> "[...], whenever we try to check what the categorical imperative requires of us by testing maxims, we are always to apply the CI-procedure. The other formulations cannot add to the content of that imperative ascertained in that way. We are not to read them so that they yield any requirements not already given by our most usable expression of the strict method" (Rawls, 2000, pp. 182-3).

If other formulations cannot add anything, however, then what need is there to hold onto them? Rawls justifies this need as follows: "The point of the other formulations, then, is to look at the categorical imperative procedure from different points of view. [...] Viewing ourselves as subject to moral requirements, we want to check whether acting on our maxim is permissible" (2000, p. 183). In turn, the need for the permissibility test would derive from two of Kant's claims:

> "First, [...] Kant says that if we wish to gain access, or entry, for the moral law, it is useful to bring one and the same action under all three formulations, and in this way, so far as we can, to bring 'it [the action] nearer to intuition.' The second [...] that it is better when making a moral judgment to proceed always in accordance with the strict method and take as our basis the universal formula of the categorical imperative [...]" (Rawls, 2000, p. 182).

Rawls's conclusion, then, is unsurprising: the triple linguistic formulation of this strict method *expresses* the categorical imperative itself (2000, p. 182). However, establishing a tautological relationship between the strict method and the categorical imperative requires Rawls to clarify:

"Yet since we are finite beings with needs, we cannot apply that imperative to our actions directly but can do so only after we have interpreted it in terms of the law of nature formula by setting out the categorical imperative procedure. While this procedure is not the categorical imperative itself, it does provide us with the most usable expression of the strict method based on it" (Rawls, 2000, p. 182).

On the one hand, Rawls interprets the triple formulation as the necessary procedural means to comply with the strict method of implementation of the single meaning common to every single formulation of the categorical imperative. On the other hand, Rawls attests to the complexity of the matter by taking back this interpretation and, in doing so, retracting what he had originally offered. Having thus explained the threefold formulation of the categorical imperative as a procedural matter, Rawls must, therefore, deflate the tension:

"This reading departs from Kant's text in one respect (although I don't think it distorts his main point). He says that the various formulations are equivalent in that each includes the other two. But if we take the law of nature formulation as the most usable procedure for us to work out what the categorical imperative asks of us, the second and third formulations are not alternative ways of specifying the same content, nor can they add to its content. Rather, they depend on the categorical imperative procedure and its content – the maxims it accepts – as already laid out. Our task today is to see whether this suggestion is true to Kant's account of the second formulation" (Rawls, 2000, p. 183).

Rawls's initiative gives rise to an understandable idiosyncrasy for Agamben's allegation of obscurity. For Rawls, the three formulations cannot result from chance or Kant's distraction.

Furthermore, their alleged overlap cannot be accidental, even more so considering that overlap is only partial. In his legitimate and enterprising effort to clarify Kant's alleged obscurity, Rawls nevertheless exposes himself to the risk of missing the heart of the matter. The interpretation of the triple formulation solely in terms of agents' procedural needs can be commented on through Korsgaard's words:

> "[I]t has sometimes been claimed that the categorical imperative is an empty formalism. And this has in turn been conflated with another claim, that the moral law is an empty formalism. Now that second claim is false. Kant thought that we could test whether a maxim could serve as a law for the Kingdom of Ends[5] by seeing whether there is any contradiction in willing it as a law which all rational beings could agree to act on together. I do not think this test gives us the whole content of morality, but it is a mistake to think that it does not give us any content at all, for there are certainly some maxims which are ruled out by it. And even if the test does not completely determine what the laws of the Kingdom of Ends would be, the moral law still could have content. For it tells us that our maxims must qualify as laws for the Kingdom of Ends, and *that is a substantive command* [emphasis added] as long as we have *some* way of determining what those laws would be. And there are other proposals on the table about how to do that: John Rawls's to name only one. But it is true that the argument that shows that we are bound by the categorical imperative does not show that we are bound by the

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5 Observing the three formulations of the categorical imperative – an expression of the subjects' rational adhesion to the moral law –, one enters the *Kingdom of End* that Kant defines an ideal, supersensible, and unconditional place constituting the Highest Good: the perfect communion between men.

moral law. For that we need another step. The agent must think of *herself* as a

citizen of the Kingdom of Ends" (Korsgaard, 1996, p. 99-100).

While Korsgaard recognises the value of the 'procedural' approach to the categorical imperative,

she notes that the obscurity in question is not simply about whether the categorical imperative

is an empty formalism. Korsgaard's prescription for thinking of oneself as a citizen of the

Kingdom of Ends does not seem to allude to the sole awareness of the categorical imperative

as a procedural means of knowledge and implementation of the moral law, but rather to the

ontological status of the categorical imperative itself. Indeed, Korsgaard emphasises it as a

matter of appropriate *self-consciousness* (1996, p. 100):

> "When you deliberate, it is *as if there were something over* [emphasis added]
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> and above all of your desires, something which is *you*, and which *chooses* which
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> desire to act on. This means that the principle or law by which you determine
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> your actions is one that you regard as being expressive of *yourself.* To identify
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> with such a principle or way of choosing is to be, in St Paul's famous phrase, a
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> law to yourself" (Korsgaard, 1996, p. 100).

In other words, a connection between the law and the expression of one's being establishes an

important epistemological channel: supposing the possible application of the categorical

imperative, this would correspond to the most representative form of humanity available to

whoever attains knowledge of themselves. In this perspective, the triple formulation would be

expressive of two things rather than one, a *hendiadys* as it were, rather than a *pleonasm.* Indeed,

what is expressed in any of the three passages is the ontological nature of man expressing itself

through the law that man himself endows. Thus, applying the categorical imperative means implementing one's rational nature, of which the human subject has rationally become aware.

The reflection moves us toward investigating what the three formulations tell us of the (ontological) status of the categorical imperative and the rational being who conceives and implements it. Concomitantly, an even precedent question arises as to why the ontological status of the moral law (and thus of 'man' adopting it) may require a hendiadys-like structure, especially considering the correlative danger fuelling Agamben's claim regarding Kant's obscurity. Is Kant not just resorting to a superabundant formulation? In this regard, Korsgaard provides an essential element of reflection:

> "So how can it have any reason for making one law rather than another? Well, here is Kant's answer. The categorical imperative […] tells us to act only on a maxim which we could will to be law. And *this*, according to Kant, *is* the law of a free will. To see why, we need only compare the problem faced by the free will with the content of the categorical imperative. The problem faced by the free will is this: the will must have a law, but because the will is free, it must be its own law. And nothing determines what that law must be. *All that it has to be is a law.* […][T]he categorical imperative is the law of a free will. It does not impose any external constraint on the free will's activities, but simply arises from the nature of the will. It describes what a free will must do in order to be what it is" (Korsgaard, 1996, p. 98).

We take Korsgaard to be saying that the triple formulation describes the ontology of (moral) law as consistent with the (moral) nature of the agent himself. The tripartite formulation that Rawls is uncomfortable with does not require a simplification through a procedure guaranteeing

moral decision-making. It requires, instead, the problematic synthesis of the agent's perhaps arduous but nonetheless *inevitable* effort to transpose their ontology into law. In filigree with the categorical imperative, one can witness a logical tension between the subject's freedom and their inevitable obligation at the limits of aporia: we are obliged to freely be what we are since free willing, paradoxically, brings about an inherent obligation to human expression of it, of its binding freedom. It would be tantamount to saying that man can only be free insofar as man *is* its freedom, or that humans can only express what they must express or be what they are. Maurizio Ferraris' comment on Kant's moral law appears helpful in grasping such an aporia. For him, Kantian morality involves the categorical imperative to allow human access to the 'world of freedom' by implying the subject's split into the multiple and simultaneous roles of the accuser and accused. Ferraris considers the categorical imperative as Kant's fundamental moral principle, making ourselves judges, defendants, and (even) police officers (Ferraris, 2011, pp. 33-5). If the categorical imperative is a law whose ontology voices the ontology of man[6], the question cannot solely be about the formal equivalence of the three formulations but must be about what the three formulations say of human ontology. This leads us to believe that Kant's expressive choices reflect the ontological premises underlying his maxims.

Up to now we have been exploring the first methodological reflection about our original question (i.e. what is it that leads Agamben to assume that an ethics is impossible in the space of intertwining of modal verbs?). Now, the second *contextual* reflection follows. This one specifies why the juxtaposition does not constitute a pleonasm in the *particular context* of Kant's thought. Juxtaposing two related concepts, *katēgoria* and *imperium*, to constitute a third, single one may seem a naïve pleonastic gesture. However, the logic derived from our reading of the triple formulation of the categorical imperative helps us better understand Kant's grounds

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[6] "There is textual evidence to suggest that Kant held a literally legislative conception of the Imperative he was proposing" (Green, 1991, p. 164).

for the semantic choice for the categorical imperative itself. Considering that the hendiadys is, by definition, the expression of a single concept through two coordinated (and complementary) terms (*hén dià dyôin*), the expression of the moral law for Kant analogously requires three elements to, following the above, express the subsumed fleeting ontology. Determining the knot of the complexity in voicing such ontology and opting for the binomial law thus becomes indispensable, given that for Kant, knowledge of the moral law is not precluded to man from a practical standpoint (while it certainly is from a theoretical standpoint).

The philosophical tradition is familiar with the categorical and imperative terms. Indeed, long before Kant's use to assess the categories of judgment of the Transcendental Analytic, *κατηγορία* is per se the accusation, the imputation, mainly known for the use of the verb *κατηγορεω* (I accuse, I throw the accusation, I blame) in Plato's *Apology* (Burnet, 2019 [1903], Apology, 18e & 19a)[7]. It is important to emphasise that the accusations levelled at Socrates could probably appear today as problems (possibly crimes, faults, break-ins) of an essentially moral nature[8]. Because of this, there may be the risk of considering them, so to speak, just pretexts hiding more concrete but not necessarily legitimate or valid allegations. As if Socrates had been convicted of nonsense. Adopting this perspective risks missing the contextual dimension of the trial through which the accusative etymology of the term *category* is transmitted to us. This context is truly ontological since, in the *category* term, an almost indistinguishable interweaving between the subject's being and his being on trial, under accusation, is premised ("*how could I be guilty of that* [αἰ κᾰτηγορίαι] *merely in asserting that a voice of God is made manifest to me indicating my duty?*" (Xenophon, 1971, Apology, I.10-12)). This would amount to saying that in judging his adherence to the juristic/legal code of the *polis*, what is at stake is Socrates's very nature. As Kant's use of the term *category* illustrates,

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[7] In this regard, see Xenophon's *Apology* (1971, I.10-2).

[8] Socrates is charged with *impiety* (ἀσέβεια) and *corruption of the youth*.

the (twelve) categories of the understanding (of experienced and sensitive data) are always and inevitably subjected by the understanding itself to (as rational as possible) judgments. From the ontological perspective of both the subject and the object, man's being is already and always equivalent to being on trial, under judgment. The inability on the part of the Athenians to place Socrates in his right category within the *polis*, or to put *in order* Socrates' *political life* – indistinguishable for him, yet, from his 'bare life'*,* as he seems to be telling us – already signifies his alleged infringement of a natural, ontological order, or his natural inability to comply with an ordering command. Therefore, his alleged immorality would not constitute a simple judgment of behavioural (and, indeed, moral) non-conformity but a true revelation about the nature of his life. It would be like saying that Socrates, though ever under judgment, has never been an Athenian but that the Athenians are only truly aware of this by now. Following Agamben's logic, the bare semanteme expressed by Socrates' life would be a command that reveals its unnatural nature or a command that is not an order, whatever Socrates may say about it. The judged inability of Socrates to be moral precludes his actual existence and dignity as a human – and, as such, as a legitimate community member. Had it only been a question of customary extraneousness, hospitality, sacred to Athens, would have prevailed. Instead, the inflicted and consequently 'declined' penalty following the sentence is precisely exile, which coordinates, in punishment, the *univocity* of moral and natural disorder).

As per Agamben, such an obligation of correspondence between the subject's ontology and his intrinsic and go-thereto duty to be is present in his analysis of the *imperative* (as opposed to *indicative*)[9] modality of the first linguistic act. In other words, what the philosophical term

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[9] "Agamben's archaeology of human linguistic beginnings hypothesises that communication initially took an imperative rather than indicative form (Agamben, 2011). The infinitive statement 'to be' (by definition corresponding to the constative form of communication) would be successive to the primary form of communication, the imperative 'be!' (or the performative form of communication)" (Pusterla, 2016, p. 84).

'imperative' describes is a condition of being the object of a voluntary act which one can obviously (try to) adhere to or not. Any *subject* can issue fulfilled or unfulfilled orders – a decisive difference to reaching the (higher) *sovereign rank.* Notwithstanding, it is flagrant how the being of the subject and the object are linked in a (power) relationship that makes language their mutual ground and means of definition. Through the eventual exercise of this imperative modality, the subject can implement his alleged sovereignty over the creation and definition of the object from which his identity derives. Therefore, the subject's being depends on his ability to (linguistically) affect the object (even when that object is himself). The result is the ontological value and function of the imperative linguistic act, order, or command as a means for the free determination of the subject. It is through this, as Dave Mesing puts it, that "idea of 'linguistic being' (*essenza linguistica*) […*that one can assess*] how for Agamben […][10], 'language and life are co-implicative'" (Mesing, 2017, p. 43). This shows, unsurprisingly, for Agamben, how ontology depends on the affirmative character of the linguistic act and how language prescribes precise conditions to being[11]. It is, perhaps, more surprising that Agamben assumes these conditions as absent in Kantian language (as if Kantian language were not expressive of being)[12]. In other words, although Agamben shares with Kant a concern over the

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[10] Mesing addresses Agamben's reading of Debord's *Society of the Spectacle* (2004 [1967]) to assess his "speculation about language' and call for 'not the actuation of a power but the liberation of another power" (Agamben, 2000, p. 80).

[11] Mesing (2017, p. 43) emphasises "Agamben's synthetic and broad-sweeping claims, such as when he writes that 'the era in which we live is also that in which for the first time it is possible for humans to experience their own linguistic being – not this or that content of language, but language itself, not this or that true proposition, but the very fact that one speaks' (Agamben, 2000, p. 85)".

[12] "Agamben's effort to make Kant partially accountable for what befell Western philosophy after 'having substituted an *ontology of command* [emphasis added] for an ontology of substance' (Agamben, 2013a, p. 162)" (Brophy, 2017, p. 162).

putatively normative dimension of ontology, he nevertheless diverges from Kant's construal of the relationship between ontology and language. Thus, convinced of having unprecedentedly identified the foundational ontological space in pure normativity, Agamben misses the core of Kant's practical philosophy. As we will continue to see in the next section, Kant not only recognises the normative space that Agamben acknowledges but goes so far as to elaborate on the nuanced structure of a self-commanding being that Agamben altogether misses.

3. The space in repetition

To grasp Kant's justification for speaking of an imperative in the *Critique of Practical Reason*, it is important to look at he calls the principles [Grundsätze] of pure practical reason. Practical principles are "*propositions that contain a general determination of the will, having under it several practical rules*" (Kant, 1997 [1788], KpV 20). These principles can be of two broad kinds: maxims or laws. Whereas maxims are subjective insofar as the subject regards the conditional as valid only for their particular will, laws are objective insofar as they are cognised as valid for the will of every rational being. In what Kant calls 'practical cognition', i.e. cognition of the determining grounds of the will, it is slightly difficult to think what constitutes a law. What could count as an unconditionally valid conditional? For example, if I desired to be the kind of person who never lies, regardless of how noble the sentiment might be, it would be impossible for that sentiment to become law simply because the determination of the will is predicated on the condition afforded by desire. It would be a noble maxim, but nothing more. Instead, a law requires us to recognise two things: first, that all practical rules are products of reason, i.e. reason prescribes actions as means to a willed effect, and second, that in rational but finite beings like us, reason is never the sole determining ground of the will. From these two considerations, finite rational beings will cognise practical laws as a command because practical reason *objectively necessitates* an agent to act on the question. To clarify this, let us suppose

that we were beings driven purely by reason (not inclinations, desires, wishes, etc.). Were this the case, our margin of possible actions would be reduced only to that which reason prescribes. Therefore, we would not experience practical rules as commands (as 'oughts') at all –acting, instead, always and everywhere per the rule. However, because we are not beings driven merely by reason alone but rather beings for whom inclinations, desires, wishes, etc., often play a decisive role in the course of our actions, the prescriptions of reason manifest themselves to us as commands: we ought to do *x* for the sake of *y*. Thus, Kant's justification for speaking of an imperative is a distinctive and fundamental *lack* in finite rational beings: a lack of capacity for acting from reason alone. In other words, Kant's own, "imperatives are only formulae expressing the relation of objective laws of volition in general to the subjective imperfection of the will of this or that rational being, for example, of the human will" (Kant, 1999 [1781], AA 4:414).

However, even if the justification for speaking of imperatives when it comes to the principles of practical reason were satisfactory, something else is missing in the previous picture. Kant is after the fundamental ground of morality[13]. For a principle of reason to act as that grounding law, it needs to be devoid of any possible 'contamination' stemming from outside *pure* practical reason. The formulation utilised above ('we ought to do *x* for the sake of *y*'), however, does not rule out the possibility that following the command could be motivated by the desired effect (*y*) of action (*x*). Unless one can rule out such things as desires affecting one's actions with absolute certainty, we would lapse back onto the domain of maxims. To solve this problem, Kant further distinguishes between two kinds of imperatives: hypothetical and categorical. Whereas hypothetical imperatives determine the will regarding some effect or other, categorical imperatives determine the will exclusively regarding the will itself. What Kant has

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[13] In this regard, see Kant's Akademie-Ausgabe: AA 4, 389; 4, 401; 4, 429; 4, 431; 5, 64; 5, 72; 5, 97-98; 6, 213; 6, 214; and 6, 222.

in mind here is not always clear. The explanation he provides of the distinction in the second *Critique* and the *Groundwork*, roughly reconstructed, is that, unlike hypothetical imperatives, a categorical imperative is cognised by rational agents as a command that holds independently of its end. This would seem to make hypothetical imperatives mere maxims. However, as Kant emphasises, hypothetical imperatives are not maxims because they are objectively valid, i.e. although determining the will pathologically, they nonetheless do so in an objective way. Like these, a categorical imperative is not a maxim to the extent it holds objectively. Unlike hypothetical imperatives, a categorical imperative does not determine the will pathologically, i.e. a categorical imperative determines the will so that exterior considerations drop out of the picture altogether. Differently put, a categorical imperative determines the will autonomously – contrary to heteronomously.

One may wonder how this 'categorical' relates to the categorical one finds in the first *Critique*. As is known[14], although in the inaugural *Dissertatio* from 1770 Kant still speaks of "principles of the faculty of understanding" or "intellectual concepts" as distinct from the "principles of the faculty of sensibility" (Kant, 2018 [1770], AA 2, p. 395; AA 2, pp. 407-11), in an early *Reflexion* from circa 1773, Kant refers to the category of substance as being fundamental in grasping the transition between different perceptions (Kant, 2017 [1775], AA 17, p. 663 [R4679])). In the so-called silent decade, this understanding of 'category', closely linked to Aristotle's κατηγορίαι or *praedicamenta*, would be developed between 1774 and 1778, as the *Duisburg Nachlaß* attests, onto what we find in 1781: a category is no longer a general concept, as it was in Aristotle's τὰ λεγόμενα, but an *a priori* pure concept of the understanding that transcendental philosophy gets, through a "metaphysical deduction" (Kant, 1999 [1781], B159), from the different functions of judgment. It is precisely to the table of judgments that one can most directly link the use of 'categorical' Kant makes in practical philosophy: the first

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[14] In this regard, see Laywine (2003), Dyck (2016), Beiser (1992a, 1992b), Moledo (2016), and Washburn (1975).

kind of judgments from the group of 'Relation' are categorical judgments – opposed to hypothetical and disjunctive judgments. All judgments, for Kant, are logical unifications of representations. Categorical judgments are the kind of unifications that bring together a subject and a predicate through a copula (*x* is *z*). In this case, the subject acts as the objectively valid condition under which the predicate will be subsumed (Kant, 1992 [1800], §29). As such, categorical judgments are subject to the principle of non-contradiction as formulated by Kant: "*no predicate contradictory of a thing can belong to it*" (Kant, 1992 [1800], B190). In the case of the formula of the universal law, and as briefly mentioned above, unlike in hypothetical imperatives where ends act as conditionals, in a categorical imperative, only the will itself is both the condition determining an action and what moves us to go for one action over another. In other words, the categorical imperative is categorical, in the narrow sense discussed here, because what determines the objective validity of the predicate is the will itself, as we saw with Korsgaard.

From the previous discussion, two things will hopefully be clear. *First*, it is unsurprising that Kant would reach for the word 'imperative' to describe the prescriptions afforded by pure practical reason. Grammatically speaking, the imperative mood in German, just as much as in English, contrasts with, amongst others, the indicative and the hypothetical moods in its modality: the imperative (*imperare*) and the jussive (*iubere*) belong to the same modal domain, namely, the domain that can issue orders. *Second*, Kant places a hefty burden on what he calls the objectivity and necessity of laws. It is objectivity that allows him to speak of an imperative to the extent that practical reason objectively necessitates, or commands, the will to determine itself; and it is necessity allowing him to speak of a categorical rather than hypothetical imperative to the extent that the former must sufficiently determine the will while ruling out motivations only contingently linked to it. Putting this second point differently, whereas the imperative nature of the formula of universal law is justified by Kant in terms of its supposed

objectivity, as opposed to the subjectivity of maxims, the categorical nature of the formula is justified in terms of its supposed necessity, as opposed to the contingency of hypothetical imperatives[15].

At this point, we might want to ask whether the difference between 'categorical' and 'imperative', if any, is one of substance or one of emphasis. This question seems warranted to the extent that Kant has been taken to draw the justification for adopting each of these terms, as elucidated above, from a single well of 'universality'. If the objectivity grounding the imperative mood and the necessity grounding the categorical formula are dependent on a supposed common ground for all rational beings, the distinction between the two seems tenuous at best[16]. Unless some difference between the two can be identified, the proximity between the *objectivity* through which Kant distinguishes the universality of pure practical reason's commands and the *necessity* through which Kant distinguishes categorical from other forms of imperatives would suggest that speaking of such a thing as a 'categorical imperative' is redundant to the point of senselessness, as Agamben would have it.

The first temptation to respond to the charge would be to claim that the expression is not redundant but that the difference between the categorical and the imperative elements is one of emphasis: whereas the imperative nature of the expression should suggest to us a force of law that contrasts with the force of maxims, the categorical nature of the expression should suggest to us an unconditionality that contrasts with the conditionality of hypotheticals (Habermas, 1991). This way of answering the question above, along Habermas' lines, would grant that both components of the formula ultimately derive from the supposed universality of law but would justify the use of both terms insofar as each draws our attention to slightly

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[15] Whether reading that formula as Guyer (2007), Korsgaard (2009), O'Neill (2004), Wood (2006) or Kleingeld (2017) do, the categorical and imperative nature of the formula itself remains justified as above.

[16] An appeal to universality *simpliciter* leaves us with little room to build a prescriptive ethics (Rawls, 2003).

different dimensions of the same thing. On the one hand, the universality of reason makes the imperative that, and it is the apodictic status, as opposed to the assertoric or problematic status of the hypothetical element, that makes it categorical.

However, the "difference of emphasis reading" does not altogether appease the redundancy worry. To the extent that the objective necessitation appealed to in justifying the imperative character of the formula is grounded on the same necessity that warrants the apodicticity of its categorical character, by speaking of a 'categorical' and 'imperative', we would be effectively voicing the same thing twice, i.e. a universally agreed objectivity compels us to act in this or that way. As Habermas puts it when discussing what he thinks is "the basic intuition contained in Kant's categorical imperative":

> "The moral principle is so conceived as to exclude as invalid any norm that could not meet with the qualified assent of all who are or might be affected by it. This bridging principle, which makes consensus possible, ensures that only those norms are accepted as valid that express a general will. As Kant noted time and again, moral norms must be suitable for expression as 'universal laws'. The categorical imperative can be understood as a principle that requires the universalisability of modes of action and maxims, or of the interests furthered by them (that is, those embodied in the norms of action). Kant wants to eliminate as invalid all those norms that 'contradict' this requirement" (Habermas, 1991, pp. 63-4).

Universalisability, in other words, acts as that against which one determines whether any given norm could be imperative (as opposed to, say, indicative) and whether that same norm could also be categorical (as opposed to, say, hypothetical). This does not mean that any

universalisable, normatively loaded statement will *eo ipso* make the cut. Indeed, Habermas's

position displays genuine sensitivity in recognising this:

> "[t]he grammatical form of normative statements alone, which does not permit
> such sentences to refer to or be addressed to particular groups or individuals, is
> not a sufficient condition for valid moral commands, for we could give such
> universal form to commands that are plainly immoral" (Habermas, 1991, p. 64).

It does mean, however, that an appeal must be made on some form of objective, universally

necessitating ground for any maxim to become law. In Habermas' reformulation of the

categorical imperative[17], universalisability alone remains the determining criterion for the

objectivity that compels us to act morally.

Now, while justifying Kant's use of the expression in terms of universalisability offers

the advantage of being able to link moral prerogatives with the force of reason shared by all, it

nonetheless risks overlooking the two separate dimensions that Kant draws together when

articulating the moral law as a 'categorical' and an 'imperative'. It risks, in other words, being

unable to respond to Agamben's charge. We should, therefore, conceive of the difference

between the formula parts in a more substantive way. To do so, it is worth recalling what was

said above concerning the formula's categorical and imperative character. Starting with the

latter, Kant does not so much speak of an imperative because of its connection to a hypothesised

universality. At least not directly. Instead, Kant speaks of an imperative because of what he

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[17] "[r]ather than ascribing as valid to all others any maxim that I can will to be a universal law, I must submit my maxim to all others for purposes of discursively testing its claim to universality. The emphasis shifts from what each can will without contradiction to be a general law, to what all can will in agreement to be a universal norm" (Habermas, 1991, p. 67).

thinks is a fundamental feature of our rationality: its finitude. Unlike holy beings, for finite rational beings, maxims are not also and automatically laws. A lack of capacity to 'purify' our will from all contingent elements makes the imperative mood the only suitable one for representing how we cognise truly moral principles. For the gods, we may presume, a moral principle is not cognised as a command – such cognition is the exclusive province of finite beings: they are the kind of being bound to subject themselves, and if they are rational finite beings, then they are bound to subject themselves *to themselves*. When it comes to justifying the categorical side of things, and as the 'emphasis reading' would have it, Kant does indeed appeal to necessity[18]. However, because of Kant's insistence on distancing the categorical from the hypothetical, it is the specific objective necessity of what he calls the 'mere form of law' that does the justifying and not the subjective necessity that could be predicated of some instances of instrumental thought. As seen above, a categorical posits no conditionals (be those grounds or ends) save for the will itself. Kant also puts this in the following way: for rational beings to think of their maxims as practical universal laws, they have to think of the determining grounds of such law as being purely formal and not material[19]. The necessity of formality ultimately allows Kant to distinguish the categorical from the hypothetical.

What follows is that, although perhaps not downright mistaken, it is nonetheless slightly misleading to justify Kant's adoption of the expression 'categorical imperative' merely in terms

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[18] Necessity understood mostly as unconditionality (Kant, 1997 [1788], KpV 29). Necessity in pre-critical philosophy, for example in the *Beweisgrund*, differs from this. And so does the necessity of critical theoretical philosophy where it is articulated as the first part of the third category under the group of modality. See (A80/B106).

[19] (Kant, 1997 [1788], KpV 27). This implies, amongst other things, that if we tried undoing the formalism associated to Kant's moral philosophy (the formalism that Habermas uses as a basis for criticising Kant), we would thereby undo the categorical dimension of the categorical imperative. We would be left with, in the best-case scenario, a set of hypothetical imperatives. While this would not necessarily preclude the possibility of morality (Foot, 1972), it would nonetheless preclude the possibility of morality in the Kantian sense.

of two aspects of universality worth emphasising. Importantly for present purposes, understanding the distinctiveness of the two components of the formula substantively allows us to see how that formula will voice what Agamben wrongly thinks remains unthought and, down the line, articulate with Kant's broader moral-political concerns. The difference between these two, the categorical and the imperative, opens a space for reflection about the conditions that Kant thinks will be suitable for a moral community, the political side of which answers precisely to the imperative, and not indicative, mood and to the categorical, and not hypothetical, status of Kant's moral law. An opening stride in that direction will start by acknowledging that if what distinguishes one finite rational being from another are contingent and subjective conditions, then it would seem implied that necessary and objective conditions are what rational beings have in common. Kant's affirmation that "a rule is objectively and universally valid only when it holds without the contingent, subjective conditions that distinguish one rational being from another" (Kant, 1997 [1788], AA 5, p. 21) seems to imply precisely that. It should thus be clear that Kant's moral and political philosophy is not just tainted by what Agamben designates as the "ontology of the ἔστω" (Agamben, 2013b, p. 41), but rather, that moral and political philosophy is fundamentally rooted in the hendiadys of κατηγορέω and *impero*. In this ontology, rational beings are, on the one hand, simultaneously *κἄτήγορος* and *κἄτηγορεόμενος* (I, as rational being, collect/speak (*ἄγείρω*) over and against myself (*κἄτἄ-*)), and, on the other hand, simultaneously *imperator* and *imperatus* [*civis*]. Finite rational beings such as ourselves are, for all practical purposes (moral, legal, political – in that order), accusers and accused, rulers and ruled.

On the categorical, accusing/accused side of things, and as noted above, unlike hypothetical imperatives, categorical imperatives sufficiently determine the will *as will* (even before one asks oneself whether one has the ability required to bring about a given effect). This property of the categorical, over and against the hypothetical or the disjunctive, allows Kant to

claim that only categorical imperatives contain objective universal necessity. As noted above (cf. *Jäsche Logic*), in categorical statements, the grammatical subject acts as the condition of objective validity under which the predicate will be subsumed. In this sense, the will acts as the condition for the objective validity of reason. Moreover, what is implied in the distinction between the categorical and hypothetical is equally as important: if an object (matter) is presupposed as the determining ground of the will, then, no law whatsoever will be derivable from the latter – only an empirical practical principle (even if that 'object' were the very relation between a representation and the subject, it would still be dependent on the matter of the faculty of desire). In a practical law, reason must determine the will without mediation (i.e. without the mediation that feeling or desire would provide), and it is precisely the fact that reason can do this, as pure reason, i.e. be 'practical' in the Kantian sense, that allows Kant to think of reason as lawgiving (Kant, 1997 [1788], KpV 25).

On the imperative, ruling/ruled side of things, the lawgiving capacity of reason 'forces' upon us the mere *form* of law. It does so, following the discussion above, quite literally out of *necessitation* [Nöthigung]: insofar as practical rules have to be thought of as products of (practical) reason, the movement from the indicative to the imperative occurs in the prescription of a rule that expresses objective necessity indicated by an 'ought'. As Kant puts it in the Introduction to the *Metaphysics of Morals*:

> "An imperative is a practical rule by which an action in itself contingent is made
> necessary. An imperative differs from a practical law in that a law indeed
> represents an action as necessary but takes no account of whether this action
> already inheres by an inner necessity in the acting subject (as in a holy being) or
> whether it is contingent (as in the human being); for where the former is the case
> there is no imperative. Hence an imperative is a rule the representation of which

makes necessary an action that is subjectively contingent and thus represents the

subject as one that must be constrained (necessitated) to conform with the rule"

(Kant, 2017 [1775], AA 6, p. 222).

Transforming contingency into necessity is the fundamental task of *imperans*. Insofar as the

self-governing subject lacks a purified will able to determine itself *solely* through the act of

willing that determination, what was put above in terms finitude, moral prescriptions appear to

us as precisely that, i.e. prescriptions, 'oughts'. Mirroring the way described above – in

opposition to Rawls's reading of the tripartite formulation of the categorical imperative from

the *Groundwork* – whereby the triple formulation of the imperative answers to the laborious

but unavoidable task that the agent has of transforming his or her ontology into law[20], the

imperative dimension of the supreme moral principle answers to the unavoidable task of being

ontologically free. In other, more precise words, the depth and relevance of the fact that the

categorical imperative is a synthetic a priori proposition comes to the fore only when the

purported objectivity of this form of judgment is linked to the grammatical mood in which it

must be articulated for finite rational beings. Indeed, the synthetic a priori status of the

categorical imperative justifies that Kant thinks it will require a transcendental (as opposed to,

say, a metaphysical or juridical) deduction that will show its objective universal validity.

The importance of keeping in view the distinction between the categorical and the

imperative elements in Kant's formula, the importance of maintaining its hendiadys-like

structure, may most readily be seen in that Kant links the concept of duty first and foremost to

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[20] An inquiry into the relevance and down-the-line implications of Kantian ontology is vain if limited to the *Groundwork* since this seeks only to establish the necessity of the moral law once philosophy does away with psychology and anthropology (Kant, 2012 [1757], AA 4, p. 389).

the imperative side of moral law. This is not to deny that both the categorical and the imperative elements play a major role in Kant's understanding of practical duty. It is to say, however, that because what is involved in duty, understood technically as the matter of obligation [die Materie der Verbindlichkeit], is the process of *necessitation* through which finite rational beings are obligated to either carry out or not carry out certain actions, it is the *imperans* that bears the heavier burden. Indeed, Kant holds that some thinner form of duty may be derived even from hypothetical imperatives. This is because imperatives, as those rules the mere representation of which transforms an action into one that the represernter is obligated to carry out (or not), whether categorical or hypothetical, have built into them the normative force to elicit a command. This is not just important to assuage Agamben's concern in relation to how the ontology of *esto* has been misunderstood and underexplored, but it is also especially important considering that Kant goes on to derive obligatory laws, legislation, authorship of law, and imputation, or more succinctly, his *entire* doctrine of right, precisely from that normative force.

4. Concluding Remarks

We began by taking up Agamben's challenge regarding the deliriously redundant nature of the fundamental dictum of Kant's moral philosophy. The logical and semantic proximity of the categorical and the imperative components of the expression should not only prevent us from assuming the supposed clarity afforded by the simplicity of the moral law, but this proximity, instead, should beg for an inquiry able to rule out the possibility that mere redundancy is taking place in voicing such a thing as a categorical imperative. The proximity demands an inquiry that can exclude, even if in some minimal sense, what Agamben describes as the Kantian knot whereby rational subjects must be able to will. Such inquiry could give rise to worry. If indeed it is the case that Kant justifies the categorical and imperative dimensions of his moral dictum by appealing to finitude and necessitation, respectively, as opposed to appealing directly to

Rawls' strict procedure or Habermas' universality of the moral law itself, then the unity of the thought contained in the categorical imperative would seem jeopardised. The connection between one and the other is not, after all, self-evident since there does not seem to be any obvious ground for connecting the fundamental finitude of rational beings with what, for Kant, is the 'fact' [Faktum] that they are compelled by law to act in one rather than any other way. Lacking such connection, however, bringing together the bi-dimensional structure of the categorical imperative would amount to building on easily erodible sand since there would be no basis upon which to link the accusing and the ruling. What this inquiry has argued, however, is not so much that Kant's categorical imperative lacks the necessary unity that would allow it to act as the foundational touchstone of practical philosophy. Instead, what is argued here is that unity is being appealed to, but it is a unity answering to the fundamental ontology of the being that subordinates itself to law. It is the unity, put differently, that is thought of in the one [hén] expressed through [diá] the two [dyôin] fundamental dimensions of the ontology of finite rational beings: their accuser/accused condition and their ruler/ruled condition.

The problems raised by Agamben's provocation were partially illustrated by Rawls' interpretation of the triple formulation of the categorical imperative in Kant's *Groundwork*. While Rawls' reading of the triple formulation in terms of a strict procedure able to bring the moral law closer to intuition has the merit of recognising the proposition's synthetic character, it nonetheless can be understood as being committed to upholding the *singularity* of the thought contained in Kant's categorical imperative. While it could be thought that Rawls's endorsement of that singularity commits that reading *eo ipso* to endorse the analyticity of the categorical imperative, it was seen that such a charge would fail to do justice to the subtleties in Rawls' reading of Kant. Indeed, Rawls knows that the categorical imperative is a synthetic a priori proposition. Evidence of this is that his reconstruction of what he terms the categorical imperative procedure seeks solely to bring law, the mere form of law, closer to intuition. The

problem, thus, with Rawls' reading lies elsewhere. The problem lies in that, in addition to the need to assume that the three formulations of the categorical imperative found in the *Groundwork* state the *same* thing, that reading was seen as having to make an antecedent assumption: Rawls' equation of a 'strict method' and the categorical imperative itself is telling of a position unable to disentangle the distinct elements being voiced in Kant's fundamental practical ontology. In that reading, Kant's categorical imperative would thus be reduced to the expression of one thought containing the inevitable conditionality of the being proper to 'man' – a conditionality of being expressed not once but twice, and thus redundantly.

The reading of Kant offered here, by contrast, maintains the multidimensionality of the ontological conditionality to which human beings command themselves to be subordinate. Distancing itself from a reading of the categorical imperative that simply assumes its unity, such as Rawls', but distancing itself also from a reading of the categorical imperative that reduces its grounding to direct appeals to universality, such as Habermas', our reading offers a nuanced picture of pure practical reason whereby its accusing/accused and ruling/ruled dimensions are irreducible to one another. This irreducibility was made manifest in the objectivity, ultimately derivable from bare finitude, through which Kant seeks to distinguish the categorical from the hypothetical, and through the force of necessitation through which Kant seeks to distinguish the imperative from the indicative (and even exhortative) dimensions of practical reason. Not only is it true that Kant is often unclear concerning what other grounds could be substantiating the need for a hendiadys-like structure to be the most suitable to express the moral law, he is also in need of universality if the law is to hold for all rational beings. Thus, while much-needed clarity is sacrificed if the two are voicing the same thing, it is also ill-advised to drive a wedge between the categorical and the imperative sides of Kant's supreme principle. Hence the appeal to the hendiadys reading offered here: it hopefully manages to track

the multidimensionality of the ontology of our being while refusing to give up on the universality of its applicability.

The reading developed here should open up the possibility for Kant, or a Kantian, especially one inclined to construct a political theory predicated on autonomy, sovereignty, and right, to tackle Agamben's challenge head-on. Kant was not only fully aware that an ontology of freedom would have to be articulated in normatively forceful terms, but he also walked the walk, so to speak. It is Agamben, therefore, that equivocates the formality of Kant's thought and the supposed impossibility of an ethics. Kant's practical ontology is one indeed immersed in the semantics of the 'ἔστω' and not one that neglects that dimension. And while this is not equivalent to claiming that such ontology warrants, or justifies, force above right – indeed, Kant himself identifies drawing the equivalence to the *salto mortale* carried out by an unjust supreme political power (Kant, 1996, AA 8, pp. 306-7), it is nonetheless consequential: the reading presented here has tried to make clear that Kant conceives of different practical doctrines, i.e. moral (in both transcendental and metaphysical guises), legal, and political, as standing in a relation of subordination to one another. Being 'political' entails unambiguous subjection to the moral law in the specific sense discussed above. Understanding, thus, that moral law as articulating distinct, mutually irreducible ontological elements, understanding it as expressive of a being unable to conceive of him or her practical self save through the prerogative to subordinate that self to law, unlocks the possibility of thinking of the political in Kantian terms beyond a canon hitherto intent on justifying specific political configurations through an appeal to universal commonality.

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