THE COMMUNITY WITHIN US: ABOUT THE DISTINCTION BETWEEN WILLE AND WILLKÜR

Alberto PIRNI*

I.

The main purpose of the essay – which focuses mainly on the *Critique of Practical Reason* and *Metaphysics of Morals* – is to develop some arguments devoted to the "rehabilitation" of the concept of community and its structural relevance within Kantian thought. In order to find a potentially fruitful theoretical "access" to the topic, it is appropriate to reconsider the Kant's presentation of the concept of *autonomy* within the context of the *Critique of Practical Reason*, and precisely in Paragraph Eight of the First Chapter of the *Analytic of Pure Practical Reason*.

Autonomy of the will [Autonomie des Willens] is the sole principle of all moral laws and of duties in keeping with them; heteronomy of choice [Heteronomie der Willkür], on the other hand, not only does not ground any obligations at all but is instead opposed to the principle of obligation and to the morality of the will. That is to say, the sole principle of morality consists in independence from all matter of the law (namely, from a desired object) and at the same time in the determination of choice [Bestimmung der Willkür] through the mere form of giving universal law that a maxim must be capable of. That independence [Jene Unabhängigkeit], however, is freedom in the negative sense, whereas this lawgiving of its own [eigene Gesetzgebung] on the part of pure and, as such, practical reason is freedom in the positive sense. Thus the moral law expresses nothing other than the autonomy of pure practical reason, that is, freedom, and this is itself the formal condition of all maxims, under which alone they can accord with the supreme practical law².

At least two theoretical points of this complex definition deserve to be schematically highlighted. In the *first* place, unlike the context of the *Grundlegung*, in which Kant relates both *autonomy* and *heteronomy* to the concept of *Will* (the German *Wille*),³ in the definition

quoted above the author connects for the first time unequivocally *heteronomy* to the notion of *choice* (*Willkür*). *Secondly*, Kant introduces here not only an important connection between *autonomy* and *freedom*, but also, immediately, a double notion both of *will* and of *freedom*. In other terms, we have the double notion of *Will* as *Wille* and as *Willkür*, and, contextually, the double notion of *freedom*, understood both in a *negative* and *positive* sense.

Let me first deepen the first duplicity. In order to understand the distinction and, nonetheless, the interconnection between these two concepts, we have to move away from the text of the *Groundwork* and to dwell upon the First Paragraph of the *Introduction to the Metaphysics of Morals*, significantly entitled *On the relation of the faculties of the human nature with the moral laws*. In this context, Kant finally outlines a first explicit distinction between *Wille* and *Willkür*:

The faculty of desire in accordance with concepts [Das Begehrungsvermögen nach Begriffen] [...] insofar as it is joined with one's consciousness [Bewußtsein] of the ability to bring about its object by one's action it is called *choice* [Willkür] [...]. The faculty of desire whose inner determining ground, hence even what pleases it, lies within the subject's reason is called the will [Wille]. The will is therefore the faculty of desire considered not so much in relation to action (as choise is) but rather in relation to the ground determining choice to action [zur Handlung] 4 .

By following this passage, while *Willkür* is the conscious volition of a specific object that immediately connects itself to the action oriented to the concrete achievement of that object, *Wille* locates itself on a higher level – or rather on a less immediate one – with regard to the concrete agency: It is in direct touch with practical reason, and produces by that relation a purely rational «determining ground» that the *Wille* indicates to the *Willkür*, so that the latter could choose to make it *its own* determining ground, or rather the ground in conformity with which the *Willkür* orientates the agency itself.

Confirming this issue, Kant goes about this topic in the *Fourth Paragraph* of the *Introduction*, in which he affirms, among other things, that «laws proceed from the will, *maxims* from choice»⁵. Quoting Allison, we can affirm that «Kant uses the terms *Wille* and *Willkür* to characterize, respectively, the legislative and executive function of a unified faculty of volition, which he equally refers to by qualifying it as *Wille*»⁶. *Wille* therefore implies a larger and more comprehensive meaning, connotating the entire faculty of volition, and a stricter and specific one, which Kant connects only to a specific function of that faculty.

It's also necessary to underline that the attribution of the *executive* character to the *Willkür* doesn't imply that the latter has to be considered as a function constantly determined by something other than itself, namely by a determining ground coming from the *Wille*, that the *Willkür* would set simply on the level of effectiveness. It must not be forgotten that the *Willkür* remains always firstly defined by the character of *spontaneity*, namely by the capacity of starting by itself a process whatsoever; in other words, it is defined by the character of constituting itself the first cause of a series of effects. Rather, the *executive* qualification means that the *Willkür* turns to the *maxims* of agency, namely it deals directly with the execution of the action.

II.

Bearing in mind this broad theoretical framework, we can now try to enlighten the remaining part of the new conceptual panel presented in Paragraph Eight, by focusing on the double meaning of the notion of *freedom* (*negative* and *positive*), developed by Kant in the same context of the definition of *autonomy of the will* and in conjunction with the double qualification of that unique faculty of volition known as *Wille* and as *Willkür*. Nevertheless, before focusing on this second theoretical point, it's preliminarily necessary to underline a further aspect, which Beck (in his *Commentary on Kant's Critique of Practical Reason*) doesn't seem to recognize adequately, but which is however relevant – as suggested by Landucci – in order to reach a full understanding of the complete meaning of the concept of freedom⁷.

It is important to specify that both meanings of freedom mentioned by Kant in *Paragraph Eight* are connected to each characterization of the notion of *Wille*. This issue could *prima facie* astonish Kant's reader,⁸ since there are very explicit passages, mostly in the *Metaphysics of Morals*, in which Kant seems explicitly – and exclusively – to attribute the *negative* meaning of freedom to *choice* and the *positive* one to *will*.⁹

On the other hand, narrowing in this moment the analysis to the context of the *Critique* of practical reason, we are convinced about the possibility of acknowledging a double meaning of the concept of freedom for each of the two functions of will distinguished above, although Kant dwells upon this point in a mostly implicit or very concise form. I would also like to highlight that the clarification of this double definition is not devoted to denying the issue from the Metaphysics of Morals, but intends only to contribute to its enlargement and integration.

This definition emerges in immediate form with regard to the *Wille*, while it appears more indirectly in relation to the *Willkür*. The freedom of the *Wille* is derived by Kant from the concept of its *autonomy*. In fact, if we come back to the position of that «sole principle of morality», we meet the affirmation that morality «consists in independence from all matter of the law (namely, from a desired object)». ¹⁰ In this independence, as Kant affirms later on, we have to recognize the *negative concept* of freedom, namely the one traditionally indicated as "freedom from". This is the freedom *from* any possible compulsion or external intervention, the independence *from* something or someone that could oblige us, but that we can also not take into account. ¹¹ In the last case, this is the possibility of not articulating a law that would be commanded to us by a material principle, that is, a law that would find its determining ground in the sensible matter or in the object desired.

The *autonomy of the will* includes also a *positive meaning* of freedom, consisting of the «determination of choice through the mere form of giving universal law»¹². It is recognizable in this short quotation what we usually define as the "freedom of", namely the capacity of doing single actions such as the faculty of operating effectively in order to implement plans of action. In this case, we find here the possibility of offering to the *choice* a universally valid legislation, i.e. valid for the *choice* of every being capable of reason, since exclusively grounded in the legislative form that is common to every possible *Maxim* each person could articulate.

But the double negative-positive explication regards also the *Willkür*, the second function of that single faculty of volition. However, in order to recognize and specify this double definition it is necessary to leave behind the *Critique of Practical Reason*, and to turn to the first *Critique*, dwelling particularly upon an important passage of the *Antinomy of Pure Reason*, the second Chapter of the Transcendental Dialectic. We are now referring to the paragraph with the title – surely not immediately understandable – *Resolution of the cosmological idea of the totality of the derivation of occurrences in the world from their causes*.

Here Kant recovers the thematic core handled in the *Third Conflict of the Transcendental Ideas*, where had been placed the dialectic – more precisely, «the conflict» – between liberty and necessity with regards to causation of the phenomena of the world. The discussion of that «conflict» had essentially led to «admit» the idea of «an *absolute* causal *spontaneity* [*absolute Spontaneität*] beginning *from itself* a series of appearances that runs according to natural laws, hence transcendental freedom»¹³. Therefore, it has to be admitted «a transcendental idea of freedom», on which – as Kant affirms now – «the practical concept of freedom is grounded».

Freedom in the practical sense [Freiheit im praktischen Verstande] is the independence of the power of choice [Unabhängigkeit der Willkür] from necessitation [Nötigung] by impulse of sensibility. For a power of choice is sensible [sinnlich] insofar as it is pathologically affected (through moving-causes of sensibility); it is called an animal [tierisch] power of choice (arbitrium brutum) if it can be pathologically necessitated. The human power of choice is indeed an arbitrium sensitivum, yet not brutum but liberum, because sensibility does not render its action necessary, but in the human being there is a faculty of determining oneself from oneself [Vermögen von selbst zu bestimmen], independently of necessitation by sensible impulse¹⁴.

In this passage, Kant affirms the existence of a concept of «freedom in the practical sense» that regards and applies itself to the human *choice* – namely the *human power of choice*, following the translation of *Willkür* by Guyer. This new concept seems clearly to correspond to what in the context of the second *Critique* we could call the *negative freedom of the choice* – although this definition is not explicitly mentioned in that context. As in the case of the analogous meaning of freedom as applied to the *Wille*, basically we are dealing with a form of *Unabhängigkeit*, of an *independence from* something, namely, in this case, of a "freedom from" the natural inclinations and the impulses of sensibility.

Thus, *negative freedom* referred to *choice* is a form of freedom that animals do not attain – and their *Arbitrium* remains therefore *brutum* – but that regards indeed constitutively the *arbitrium* of a being capable of reason, which precisely in this sense is called *liberum*.

Moreover, there is a second sense in which we can predicate the freedom of *human choice*; a sense that – although not explicitly affirmed by Kant – is possible to gather from the same words with which ends the passage I just quoted. Kant firstly says that man can call himself "free" from necessitation by means of senses and sensibility. And this is freedom in a *negative sense* referred to *Willkür*.

But, secondly, Kant sustains also that «the human power of choice» [menschliche Willkür] is liberum since man possesses a «faculty of self-determination». In my opinion,

this is a somehow synthetic but unequivocal affirmation of a *positive* concept of *freedom*. In other terms, we are here not only in front of the "freedom from", the independence from the impulses of sensibility, but also, contextually, in front of the "freedom of", namely the capacity of making a choice and weighing up a possible determining ground of an action.

From this interpretative point of view, some clarifications are still needed. In relation to Willkür, it is legitimate to speak of positive freedom, but only, so to say, in the sense of second level positive freedom. We must remember, in fact, that, while Wille is the «faculty of laws» Willkür is the «faculty of maxims». Willkür is not allowed to "implement", or to put into effect a «universal legislation». In other words, it is conceptually not possible for it to formulate laws – and this is because we can never define it as autonomous: as it is well known, within the Kantian etymological framework, the law (nomos) does not spring from Willkür itself, but rather from Wille, which coincides with pure practical reason.

However, the freedom of *Willkür* is in any case a *positive* one, even if it could never be a freedom «as autonomy of pure practical reason». *Willkür* can in fact decide by which *law* – by the "law of sensibility" (namely, the sphere of inclinations) or by the law of reason – it wants to be determined or, in other words, it can decide from which source of determinations to infer the maxim of agency. Within this perspective, therefore, its freedom is not the "freedom of" formulating the *law*, but nevertheless it is a "freedom of" creating the *maxim* according to the law chosen by itself.

Anyway, only within this theoretical perspective acquires intelligibility the Kantian dichotomy between autonomy of the *will* and heteronomy of *choice*. Since there is no "autonomy of choice", it is self-contradictory to think of the existence of a "heteronomy of will", since this would be equivalent to thinking that the will as *Wille* – directly coinciding with *practical reason* – could give itself a law different from that given by the unique pure practical reason. In other terms, this would be equivalent to affirming that *practical reason* can turn into something other than itself, a sort of *non-reason* – an issue totally inconceivable within the Kantian universe.

Although the *negative* sense of freedom seems to stand out with more directness and evidence as referring to *Willkür*, and the *positive* one as referring to *Wille*, we have thus to conclude that both meanings of the concept of *freedom* are present in both two dimensions of the faculty of will. Both *Wille* and *Willkür* are legitimately called *free* – and both in the double sense of the term: everyone implies constitutively what we could call an "excluding side" – connected to the possibility of avoiding something, or of being able to avoid doing something – and a "proactive" one – which indeed expresses that we can do something with awareness and taking responsibility for it.

III.

The recognition of a double dimension of free will, if on the one hand leads us to distinguish an *arbitrary* from an eminently *voluntary* level, on the other hand can direct us to reflect on the two different operative modes which govern these dimensions. Whilst "will" in

the sense of Willkür has its own specific difference in the articulation of subjective principles of single actions, "will" in the sense of Wille can be identified in the formulation of the moral law.

The *dialectic* that in this way appears to be established between *Maxime* and *Gesetz* leads us to interpret the distinction between «subjective principle» and «objective principle» with which the *Analytic of Pure Practical Reason* opens. This is not so much in the sense of the traditional metaphysical dialectic between *subject* and *object*, but rather – and eminently – in the sense of a more authentically ethical dialectic which originates between the single subject and a multiplicity of subjects, that is between *subjectivity* and *intersubjectivity*.

The perspective opened by *Willkür* remains in this sense anchored to the subjective and individual dimension, or rather substantially circumscribed to the single subject who must choose between their own individual inclinations — which takes the form of a unique and unrepeatable set of material and spurious reasons — and the *moral law*, which in itself however, as *Willkür*, does not directly contribute to formulating.

The perspective of *Wille*, indeed, assumes immediately the form of being constitutively open to the intersubjective dimension and of contemplating the existence of others. This occurs because the «action» proper to this function of will coincides with the formulation of a «universal legislation», or rather of a prescriptive restraint that derives from *autonomy*, from the self-legislation of each agent and that each person, as a being capable of reason, cannot but consider valid at a universal level, that is for every other being capable of reason.¹⁶

If I limit my awareness at the level of *Willkür*, Kant seems to suggest, I remain confined to *solipsism*, to a conflict between different reasons entirely within myself as a single subject¹⁷. If, however, I reach the awareness of possessing a *will*, or rather if I become certain that *pure reason* has in itself its *practical use* which determines in a purely rational way the will, I manage to open my subjectivity, to open myself immediately and constitutively to the other – the other individual, but also to all the other individuals – thanks to the awareness of the law of which we are custodians and which we contribute to make effective within a common restraint.

The affirmation of the practical law coincides here with the *sharing* of *this* law; the free and autonomous act reveals itself as an act sure determined by the single subject – and therefore constitutively *free* – but also *common*, as such as shared among single autonomous subjects: a free act that at the same time identifies with the determination of a reciprocal obligation.

The existence of this "legislative" capacity, which makes us subject of the law – reasonable beings able to formulate the fundamental law of pure practical reason –, involves us at the same time in the role of subjects to the law – reasonable beings «but finite» (in sense of limited), who must subject themselves to the law in the form of a categorical imperative. This, in other terms, reminds us that the legislator is also the addressee of the law, that the community of autonomous legislators is also the same entity which first of all – and in exclusive manner – is accountable for the respect of that law, and which must respect the commitments and obligations that are implicit in the law.

Still, the articulation of such a concept of *community* cannot lose sight of the fact that it is made up of single *autonomous* subjects, that is of subjects who are in themselves *free*. As

Esposito appropriately suggests, «the community is not a common subject or a substance, but the way in which single individuals who are irreducible among themselves exist together». ¹⁸

Community can never become a structure which encloses these subjects in a kind of "deadly embrace", but however it still has the dual role of constituting a bond which unites the different singularities in a single destiny and which, at the same time, guarantees their separateness and free expression.

On the one hand, if we must conclusively recognise that «the greatest discovery of Kant is that the law is not a mere restriction of freedom, but is in itself a product of freedom», ¹⁹ it is necessary, on the other, to admit that only the communitarian perspective opened by the idea of freedom of the will enables us to fully understand that discovery and the ultimate significance implicit in it.²⁰

However, the accomplished explanation of this idea leads us to recognise a further and perhaps not less relevant element of novelty elaborated by Kant with respect to the overall structure of the moral universe. If we return once again to reflect on the dual qualification of the will in the sense of *Willkür* and *Wille*, we can at this point legitimately claim that Kant intended to present in a new way the potentially conflictual but unavoidable relationship between *single* subject and the *multiplicity* of subjects that makes up the very essence of ethics, shifting it however towards the inside, towards the *interior forum* of the subject itself.

This assumption seems to be further confirmed by the articulation of the theme of freedom elaborated within the context of the second *Critique* examined here, and particularly by application of the double concept of freedom to both functions of will. The presence of the *negative* concept of *freedom* in relation to *Wille* and of the *positive* concept – but only *of second level*, in the sense clarified above – in relation to *Willkür*, originates from that same interpretative framework. This presence appears substantially functional to developing and to emphasizing still more decisively the community tension and the dialectic between subjectivity and intersubjectivity within the same subject, duplicating it now also within the two functions of the will.

Still, the existence of a concept of *negative freedom* in the context of *Wille* – which Kant qualifies as «independence from all matter of the law (namely, from a desired object)» –, reproduces the unfailing necessity of excluding each matter – which can only be *subjective* – from the legislative activity of an *autonomous* will, which in this way can only produce a legislation of *pure practical reason* valid at a universal level – or rather at a level that is constitutively *common* to each reasonable being – and, in this sense, intrinsically harmonic and *communitarian*.²¹

The reciprocal and contrary existence of a *positive* concept of freedom in relation to *Willkür* does not constitute, just as in the previous case, the affirmation of a necessity, but rather, and exclusively, the *prospective of possibility* which, in effect, enables us to identify the existence of a community tension also at the level of *choice*.

In fact, whereas in the dimension of *Wille* we are already still and systematically open to intersubjectivity, in that of *Willkür* we are only potentially open to intersubjectivity, in that the latter dimension is perennially caught between forming the principle of acting, which start

from the sensitive inclinations of the single subject, and articulating a principle conforming to *common* moral law.

The dialectic between *solipsismus* and *community*, which originates within the faculty of the will – and is reasserted reverberating inside each of the functions of which it is composed –, therefore implies *a priori*, the shift of a relational dimension, both external and phenomenic, towards an internal and noumenic perspective.

That relation between different subjects, which must be realised in a categorical commitment for each person, thus goes beyond the character of historical-situational randomness or of mere legal-political exteriority, to assume the character of a real existential constitutivity by the being capable of reason. Such a relation is therefore compensated at the level of an *a priori communitarian character* of human existence, structurally delivered to individuality but also, at the same time, consigned to live together with others.

REFERENCES

Allison, Henry E.. Kant's Theory of Freedom, Cambridge: Cambridge University Press, 1990.

Beck, Lewis W.: A Commentary on Kant's Critique of Practical Reason, Chicago 1960.

Esposito, Roberto. "Libertà comune", Micromega, 4 (2000), 199-208.

----- *Communitas. The origin and destiny of community*, Trans. by T. Campbell, Stanford: Stanford University Press 2010.

Faggion, Andrea. "Remarks on 'The only Original Right Belonging to every man by virtue of his humanity", *Estudos Kantianos*, 3 (2015), n. 1, 57-66.

Gonnelli, Filippo, Guida alla lettura della 'Critica della ragion pratica' di Kant. Roma-Bari: Laterza, 1999.

Kant, Immanuel. *Critique of Pure Reason*, Trans. and ed. P. Guyer and A.W. Wood. Cambridge: Cambridge University Press, 2005⁸.

-----. Critique of Practical Reason, translated and edited by M. Gregor, Introduction by A. Reath, Cambridge, Cambridge University Press 2010¹⁰, 30].

-----. *The Metaphysics of Morals*, transl. and ed. by M. Gregor, Introduction by R.J. Sullivan, Cambridge, Cambridge University Press 2005⁷.

Ivaldo, Marco. "Volontà e arbitrio nella *Metafisica dei costumi*", in S. Marcucci (Ed.): *Kant e la morale. A duecento anni da 'La metafisica dei costumi*', Pisa-Roma: Istituti editoriali e poligrafici internazionali, 1999, 41-67.

La Rocca, Claudio. "Volontà e arbitrio". In Id., Strutture kantiane, Pisa: ETS, 1990, 75-99;

Landucci, Sergio. *La 'Critica della ragion pratica' di Kant. Introduzione alla lettura*, Roma: Nuova Italia Scientifica, 1993.

Pirni, Alberto. Il 'regno dei fini' in Kant. Morale, religione e politica in collegamento sistematico, Genova: il melangolo, 2000.

-----. Kant filosofo della comunità, Pisa: ETS 2006.

------. "Sul fondamento, ovvero il non-luogo della comunità politica / About the Ground – that is, about the no-place – of political community", *Logos. Anales del Seminario de Metafisica*, 42 (2009): 37-70.

------. "Hacia una Crítica de la razón armónica", Con-Textos Kantianos – International Journal of Philosophy, 2 (2015), n. 2: 20-31.

ABSTRACT: Starting with an analysis of the concepts of *Wille* and *Willkür*, the essay distinguishes different meanings attributed to the freedom of the will (§ 1). Secondly, it distinguishes a *positive* from a *negative* dimension of that freedom, referred both to as *Wille* and *Willkür* (§ 2). Finally, the development of this aspect leads to a rethinking of the internal dynamics of the entire faculty of the will from a communitarian perspective (§ 3), by redefining as an *a priori* figure the relationship between *singular* subject and *multiplicity* of subjects, which Kant considered to operate already in the inner *forum* of every single being capable of reason.

KEYWORDS: Wille, Willkür, freedom, community, Critique of Practical Reason, The Metaphysics of Morals.

NOTES

- * Alberto Pirni (Ph.D. University of Genoa, Italy) is Affiliate Researcher of *Political Philosophy* at the Scuola Superiore Sant'Anna Pisa, where he is also Adjunct Professor of *Political Philosophy* and *Public Ethics*. During and after his PhD he was visiting scholar at the Universität Tübingen and the Universität Freiburg i.Br. Among his research interests: Kant; issues in contemporary practical philosophy (multiculturalism, public ethics, ethics and robotics). Since 1998 (foundation year) he is Scientific Coordinator of *Acqui Terme Summer School in Philosophy* (Alessandria, Italy) and member of Scientific and Editorial Committee of several journals and book series. Among his publications about Kant: *Il 'regno dei fini' in Kant. Morale, religione e politica in collegamento sistematico*, Genova: il melangolo, 2000; *Kant filosofo della comunità*, Pisa: ETS, 2006; *Immanuel Kant. Filosofia e religione*, Acqui Terme: Impressioni Grafiche, 2003 (ed. by, with D. Venturelli), Kant y las declinaciones de la armonía, «Con-Textos Kantianos International Journal of Philosophy», 2 (2015), n. 2 (ed. by). Contact: a.pirni@sssup.it; http://www.cdg-lab.dirpolis.sssup.it/en/staff/academic/alberto-pirni/. A different and preliminary version of this essay appeared as "Freedom of the Will in Communitarian Perspective", in S. Bacin, A. Ferrarin, C. La Rocca, M. Ruffing (Hrsgs.), Kant und die Philosophie in weltbürgerlicher Absicht. XI. Internationaler Kant-Kongress, Berlin: De Gruyter 2013, Vol. III, pp. 509-520.
- 2 KpV, AA 05: 33.9-25 [Critique of Practical Reason, translated and edited by M. Gregor, Introduction by A. Reath, Cambridge, Cambridge University Press 2010¹⁰, 30].
- 3 This appeared unequivocally since the titles of the first two short paragraphs of the Second Section of the work (GMS, AA 04: 440 f.), significantly titled: *Autonomy of the Will as the Supreme Principle of Morality* [Die Autonomie des Willens als oberstes Princip der Sittlichkeit] and *Heteronomy of Will as the Source of All Spurious Principles of Morality* [Die Heteronomie des Willens als der Quell aller unächten Principien der Sittlichkeit].
- 4 MS, AA 06: 213.8-12 [The Metaphysics of Morals, translated and edited by M. Gregor, Introduction by R.J. Sullivan, Cambridge, Cambridge University Press 2005⁷, 13]. Deserves to be remembered that Kant elaborates on the distinction even in the Vorarbeit zur Metaphysik del Sitten, the notes in preparation for what would become the Metaphysics of Morals (VAMS, AA 23: 248 f., 379, 383 f.). About the distinction between Wille and Willkür in the complex context of the Metaphysics of Morals, here only shortly taken into account, have to be considered firstly the researches by Claudio La Rocca, "Volontà e arbitrio". In Id., Strutture kantiane, Pisa: ETS, 1990, 75-99 and by Marco Ivaldo, "Volontà e arbitrio nella Metafisica dei costumi", in S. Marcucci (Ed.): Kant e la morale. A duecento anni da 'La metafisica dei costumi', Pisa-Roma: Istituti editoriali e poligrafici internazionali, 1999, 41-67.
- 5 MS, AA 06: 226.3 [The Metaphysics of Morals, 18].
- 6 Henry E. Allison, Kant's Theory of Freedom, Cambridge: Cambridge University Press, 1990, 129.
- 7 See Sergio Landucci, La 'Critica della ragion pratica' di Kant. Introduzione alla lettura, Roma: Nuova Italia Scientifica, 1993, 78-80 and n. 48.
- 8 In fact, just to mention one of the most influential contemporary readings, Beck seems to assign the concept of *positive* liberty only to the *Wille* and that of *negative* freedom only to the *Willkür* (see Lewis W. Beck, *A Commentary on Kant's Critique of Practical Reason*, Chicago: University of Chicago Press 1960, 180 f. and 202 f.). Among other convergent interpretations, see also Filippo Gonnelli, *Guida alla lettura della 'Critica della ragion pratica' di Kant*. Roma-Bari: Laterza, 1999, 83 f.
- 9 For example, see MS, AA 06: 213 f. [The Metaphysics of Morals, 13 f.]

- 10 KpV, AA 05: 33.17-18 [Critique of Practical Reason, 30].
- 11 Among the recent studies about this topic see: Andrea Faggion, "Remarks on 'the only Original Right Belonging to every man by virtue of his humanity", *Estudos Kantianos*, 3(2015), n. 1, 57-66.
- 12 KpV, AA 05: 33.18-19 [Critique of Practical Reason, 30]
- 13 KrV, A 446 / B 474 [Critique of Pure Reason, Trans. and ed. P. Guyer and A.W. Wood. Cambridge: Cambridge University Press, 2005⁸, 484].
- 14 KrV, A 534 / B 562 [Critique of Pure Reason, 533].
- 15 As Kant will sustain explicitly in *The Metaphysics of Morals*: «laws proceed from the will, maxims from choice» (MS, AA 06: 226.3 [*The Metaphysics of Morals*, 18]).
- 16 The words of the *Remark I*, which follow the dictates of § 8, seem to allude directly to this double dimension: «Thus a practical precept that brings with it a material (hence empirical) condition must never be reckoned a practical law. For, the law of the pure will, which is free, puts the will in a sphere quite different from the empirical [...]. All the matter of practical rules rests always on subjective conditions, which afford it no universality for rational beings other than a merely conditional one (in case I *desire* this or that, what I would then have to do in order to make it real), and they all turn on the principle *of one's own happiness*» (KpV, AA 05: 34.1-14 [*Critique of Practical Reason*, 31]).
- 17 Kant mentions explicitly the latin term *solipsismus* in KpV, AA 05: 73.14 [Critique of Practical Reason, 31]. The term is connected to the notion of Selbstsucht (regard for oneself; egoism) and Selbstliebe (love for oneself; self-love). Both notions recur several times in the corpus of Kantian ethical-religious and political writings, and are essentially connected to the recognition of a non respectful conduct of the moral law.
- 18 Roberto Esposito, "Libertà comune", *Micromega*, 4 (2000), 199-208, 208. For a larger framework of the same issue see also Id., *Communitas. The origin and destiny of community*, Trans. by T. Campbell, Stanford: Stanford University Press 2010.
- 19 Beck, Commentary, 179.
- 20 I have reconstructed and articulated the metaphysical framework that lies behind a communitarian interpretation of practical philosophy by Kant also through a large analysis of the main writings and unpublished materials in my book *Kant filosofo della comunità*, Pisa: ETS 2006. From the political point of view, let me recall my essay: "Sul fondamento, ovvero il non-luogo della comunità politica / About the Ground that is, about the no-place of political community", *Logos. Anales del Seminario de Metafisica*, 42 (2009): 37-70.
- 21 I tried to developed this last point in Alberto Pirni, "Hacia una Crítica de la razón armónica", Con-Textos Kantianos International Journal of Philosophy, 2 (2015), n. 2: 20-31.

Recebido / Received: 02/07/15 Aprovado / Approved: 29/07/15.