



The Dialectics of Kant's Duty and de Sade's Rights

Lutz Goetzmann

Imperatives of the New Millennium

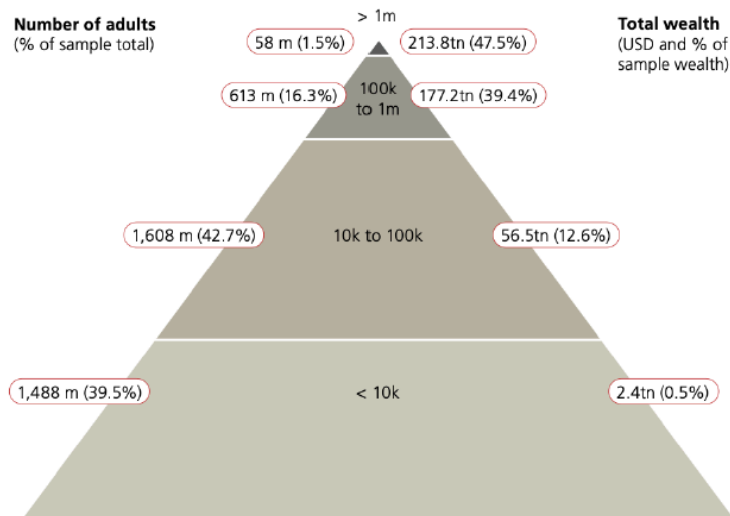
At the turn of the millennium, I felt that an uncomfortable and unsafe time lay ahead of us. Somehow the 20th century - for all its abysses and abysmal depths - still had an alternative concept that contained the idea of egalitarianism, i.e. the universal idea of the equality of all human beings. We were all equal - whether man or woman, queer, diverse, coloured or white, old or young, and everyone had the same rights, which were primarily political. Today, a quarter of a century later, we live in a world scarred by the terrible wars in Ukraine and the Middle East. Berlin - the city where I live and work - is full of refugees, and the majority of the areas in the capital's neighbourhood vote for a fascist or right-wing extremist party. We know that with climate collapse we are heading for a global catastrophe in which most human beings as well as animals and plants will die. We know that huge streams of migrants will intrude from the uninhabitable areas of the earth. But what is happening on the streets of Germany? Everywhere, Green politicians are being brutally beaten up.

Today, the greed of, as the saying goes, neoliberal capitalism celebrates its crazy excesses, and we are told incessantly that there will be no alternative to this all-encompassing development. We, the people of the Global North are exploiting the rest of humanity. We concentrate on the jouissance, the enjoyment and utilisation of the other: Man for man, drop for drop of water, breath for breath, until nothing will be left. As the French philosopher Alain Badiou (2016: 17) stated, capitalism has emerged as the "undisputed form of domination over the entire globe".

According to Badiou (ibid., 31), this process is having a massive impact on the world's population in the form of shocking inequality. The middle class is trapped between a largely invisible oligarchy and the increasingly visible mass of destitute people who are fleeing from the destroyed zones of colonial territories to the affluent areas of the world or are being picked up for a certain surcharge in the camps of authoritarian intermediate states. Figure 1 shows the current distribution of global wealth:

The global wealth pyramid 2023

Split by wealth band in USD



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Figure 1: The global wealth pyramid (UBS, Global Wealth Report, <https://www.ubs.com/global/en/wealth-management/insights/global-wealth-report.html>)

The corona crisis and the invasion of Ukraine, inflation and climate change, which serve as a "crisis multiplier", have of course further escalated this process. However, impoverishment is also spreading within the countries of the West, which contrasts with the wealth of the upper classes, as the website of a Berlin daily newspaper illustrates in this typical combination of journalistic report and advertisement in **Figure 2**:

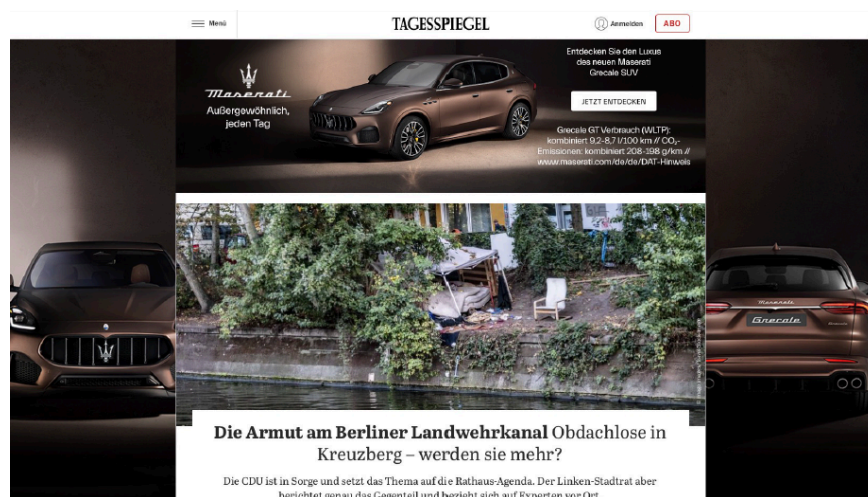


Figure 2: Impoverishment and wealth in Western Countries (Jensch, 2022).

Given these tensions, is it any wonder that right-wing populist currents are gaining traction in many countries, the AfD in Germany, Giorgia Meloni and her Mussolini mania in Italy, the SVP's hysteria, the French Marie le Pen etc. - a current that is increasingly being joined by people who once voted left, including and especially in France (Eribon, 2023). It seems that in our everyday experience, neoliberalism, soft fascism and the destructive exploitation of the environment go hand in hand without any effective antidotes being found.

When the old order collapsed with the end of World War I, Freud tried to put these political and social upheavals into words. In terms of reflecting on the rapid disintegration of our civilization, we are likely 2024 to be living in a time that is even greater in terms of profound disruption. I believe that there is a struggle today between two imperatives that claim to be categorical: Kant's categorical imperative, which is related to the superego, and de Sade's imperative, which represents the id in all its aspects. It is the struggle between finite and infinite enjoyment (*jouissance*). Lacan presented this debate in his essay "Kant avec Sade," and I will trace his arguments in the first part of the following article. You can guess that de Sade's categorical imperative is derived more from the demands of the id. I will then refer to the final chapter of Freud's *The Ego and the Id* (1923: 56), where Freud explained the reasons for the lack of freedom based on the threefold dependence of the ego: It is the dependence on three masters: 1.) on the id, 2.) the superego and 3.) the external world. My conclusion will be that we need a site from which the ego can decide freely. Freedom would be that we decide based on our judgement which categorical imperative we follow: the imperative of the finite or the infinite enjoyment. At this crossing of superego and id, duty and right, law and desire, it should be possible to form a free judgement, independent of the demands of the id, the superego and the external world.

In *The Ego and the Id*, Freud compared the demands of the superego with the categorical imperative. Freud writes in *The Ego and the Id*: "As the child was once under a compulsion to obey its parents, so the ego submits to the categorical imperative of its superego." (Freud, 1923: 48). Freud emphasized that he was referring to Kant's categorical imperative a little later in *The Economic Problem of Masochism*: "The super-ego—the conscience at work in the ego—may then become harsh, cruel and inexorable against the ego which is in its charge. Kant's Categorical Imperative is thus the direct heir of the Oedipus complex." (Freud, 1924a: 167). Kant's categorical imperative reads, I quote here the variant from the *Groundwork of the Metaphysics of Morals*: "Act only in accordance with that maxim through which you can at the same time will that it become a universal law." (Kant, 1998 [1785]: 31; 4:421) And here is the quote from *Kant with Sade*; Lacan uses it to describe, as he says, the categorical imperative of the famous as well as infamous Marquis de Sade: "I have the right to enjoy your body, anyone can say to me, and I will exercise this right without any limit to the capriciousness of the exactions I may wish to satiate with your body." (Lacan 2007: 648).

Lacan links two works in *Kant with Sade*: Kant's *Critique of Practical Reason* (Kant, 1996 [1788]) with de Sade's *The Philosophy in the Boudoir* (Sade, 2015 [1795]). The *Critique of Practical Reason* was published in 1788, shortly before the outbreak of the

French Revolution. De Sade's book dates from 1795. He knew both the extremely unjust conditions of the *Ancien Regime*, the revolutionary chaos and the bourgeois-capitalist consolidation under Napoleon's rule. He was a writer who portrayed the depths of his time and contemporaries in a drastic and modern style. He had been a revolutionary judge in the years before, but his comparatively moderate stance was criticized and it was the fall of Robespierre that saved him from having a death sentence carried out in 1794 (Lever, 1998: 432 ff.). Kant grew up in a compulsively pietistic world. He had never left Königsberg in East Prussia, whereas the Marquis de Sade was born into the cosmos of a Parisian upper-class dancing on a volcano. It should not be overlooked, however, that the Marquis de Sade did indeed overdo it in the pre-revolutionary times and came into conflict with the law. There was already a death sentence upon him during his mature youth which he evaded by fleeing to Italy, incidentally with his wife's younger sister (ibid., 216).

What is meant by this categorical imperative formulated by Lacan can be illustrated by the so-called "Affair of Arcueil" (ibid., 157 ff) that builds the criminal background of the death sentence. It is Easter Sunday, April 3rd 1768, at the *Place des Victoires*, at 9 o'clock in the morning. In this scenario, a young man is leaning against the fence surrounding the statue. He carries a hunting knife by his side, a stick in his hand and a white lynx muff. From the *Church of the Petits-Pères* steps a woman, about 36, she is the widow of the confectioner's assistant Charles Valentin. Her name is Rose Keller and she is a yarn spinner by trade. She has been unemployed for a month and has to rely on begging. To cut a long story short, the young man is Marquis de Sade, and he finally manages to get the woman who begs him for alms to come with him. The two ride in a carriage to de Sade's country house in the village of Arcueil, a good 5 kilometres away. De Sade invites the woman into the house, organizes some food and takes her into a small room with a burning candle in his hand. He then says, "Come on, my sweet" and orders her to undress. She says no, he gets angry, threatens to kill her, throws her on the bed, ties her up (the police reports are somewhat divergent here), presses a pillow over her head and cuts wounds into her flesh with a knife which he then seals with hot wax. He proceeds to whip Rose, seven or eight times, it is said, alternating between flogging and cuts more and more quickly as the victim becomes more desperate.

De Sade abruptly stops the torture and leaves the room. Rose manages to escape by abseiling out of the window. She runs down the Rue de la Fontaine covered in blood. She meets a few women from the village who take her to the next police station. The Marquis had long since returned to Paris. Later, following two trials, he is imprisoned in a castle however in the end de Sade is pardoned by the king. The only reason given is that he belongs to the noble upper class. This story shows what is meant by the Sadien imperative (in Lacan's paraphrase): "I have the right to enjoy your body, anyone can say to me, and I will make use of this right without any limit stopping me in the capriciousness of demands if their satisfaction is to my liking." (Lacan, 2015: 293). **Figure 3** provides an overview of the authors I have mentioned and some of their key terms: There are the philosophers Kant and de Sade, who both formulate their categorical imperative, and the psychoanalysts Freud and Lacan, with the concepts of the superego and enjoyment. I add the metapsychological frame of reference, i.e. the idea of the Oedipus complex:

Kant Categorical Imperative	Freud Superego	Oedipus-Complex Stage 0 - III
De Sade Categorical Imperative	Lacan Jouissance	

Figure 3: The various ideas and their authors (including the Oedipus-Complex).

Kant with Freud: The World of Duty

Kant's categorical imperative: "Act only in accordance with that maxim through which you can at the same time will that it become a universal law" (Kant, 1998 [1785]: 31, 4:421) can be traced back to the Golden Rule: "Do not do to others what you would not have them do to you." (Assmann, 2018: 88 ff.) This golden rule can already be found at the end of the *Sermon on the Mount*: "Therefore, whatever you want people to do to you, do it to them! This is the law and the prophets" (Mt 7:12). Kant formulated this rule as an abstract precept: "Act only in accordance with that maxim through which you can at the same time will that it become a universal law." Kant understands an imperative to be a type of rule, prescription or instruction that is directed at beings who have a certain capacity for reason but are not always rational nor act rationally all the time.

The validity of this imperative rule is not dependent on a random or situational purpose. Rather, it applies unconditionally, without exception and generally. In this sense, and because this imperative is universally valid, it is called "categorical" (Kant, 1998 [1785]: 25, 4:414; Schönecker, 2015: 1152). The categorical imperative is an imperative because it is an objective, reasonable principle for determining the will. However, it also has a coercive character. It is a commandment that "compels" all sensory-reasonable, but not purely reasonable beings. Thus, the categorical imperative is reasonable, necessary and universally valid. The maxim according to which we act should therefore always generate a law that is valid for everyone. The maxim is not a law, but it creates a universally valid law in the form of an action. - But there is another point: this imperative takes no account whatsoever of what Kant calls our "pathological", i.e. sensual interests: Neither to our instinctual needs nor to our affects or passions. It takes no account whatsoever of desires, instincts, aspirations or needs (Kant, 1993 [1785]: 40, 4: 432). Rather, it is directed precisely at those sensual, rational beings who are unable to act rationally with a certain degree of reliability due to their "vicious inclinations" and, above all their "self-love" (Kant, 1991

[1797]: 376, AA VI). Here, Kant links the principles of freedom and duty: namely freedom from pathological interests, which have their source above all in the id, and the duty to be reasonable, i.e. the duty to apply the principles of reason to one's actions. In formal terms, the categorical imperative is a "synthetic-practical proposition a priori" (Kant, 1993 [1785]: 420, AA IV). It is synthetic because it "does not analytically derive the will from another, already presupposed (will, LG) (...), but links it directly to the concept of the will as a rational being, as something that is not contained in it" (Kant, 1993 [1785]: 420, AA IV).

We must therefore link our volition with the will that is appropriate for rational beings. This linking is the synthetic achievement, which certainly has a practical side (concerning its relevance for action). The apriority consists in the fact that the categorical imperative is based neither on sensory experience nor on subjective interests (Schönecker, 2015: 1157). Kant therefore speaks of a "compass" (Kant, 1993 [1785]: 420, AA IV) or a kind of "touchstone" of reason (Kant, 1991 [1797]: 376, AA VI), which can be used to verify any maxim, including the correct payment of a host bill (Schönecker, 2015: 1154). Please bear in mind: The categorical imperative is not a law, but it calls for or prescribes the establishment of a reasonable law with the respective action (Nancy, 2017: 24).

It is only in Kant's later writings that a tendency to personalize this formal, abstract and procedural rule becomes apparent. For example, the concept of conscience appears in the *Metaphysics of Morals* from 1797. Kant now says: "Every man has a conscience and finds himself observed, threatened, and, in general, kept in awe (respect coupled with fear) by an internal judge; and this authority watching over the law in him is not something that he himself (voluntarily) makes, but something incorporated in his being." (Kant, 1991 [1797]: 233; 438) He speaks of an "internal court in man ('before which his thoughts accuse or excuse one another')." (ibid., 233, 438). Here, Kant is approaching the idea of an introject, and of course, there would be no problem whatsoever in connecting this concretistic idea with Freud's concept of the superego. More interesting is the question of how the earlier, abstractly formulated categorical imperative relates to the superego.

Firstly, there are some *similarities*: 1) Neither the Kantian nor the Freudian subject are completely rational. Both are motivated in their behaviour by "pathological", i.e. sensual interests and drives; 2) Both the superego and Kant's categorical imperative imply coercion. Kant speaks of duty, and in the fulfilment of this duty lies exactly our freedom. In *The Ego and the Id*, Freud (1923: 263) says that the "compulsive character of the superego" expresses itself "as a categorical imperative". In this respect, Freud understands the categorical imperative as a coercive expression of the superego that is intent on "domination"; 3) Furthermore, the demands of the superego as well as the will of a rational being initially approach the ego from the outside. In the case of the superego, an "inner heteronomy" arises based on the introjection of the external will.

The *differences* are as follows: 1) In contrast to the superego, which is a result of oedipal development and is therefore based on sensual interests that are a posteriori because they are sensual, Kant's categorical imperative must be understood a priori. It is free of pathological interests that are fought against, repressed and subjugated to some lazy

compromises. This also applies to the incestuous desire (Freud 1923: 260 f.). The prohibitions of the superego are based on experience with parental figures that have been internalized, repressed and reworked. Indeed, the superego itself is a "pathological" and libidinal formation whose energetic sources lie in the id. Kant's imperative, on the other hand, suspends everything sensual, everything pathological; 2) Another fundamental difference between Freud's superego and Kant's categorical imperative is that the Kantian imperative is universal, i.e. "categorical". It is universally valid, whereas the superego arises individually as well as it acts individually (Freud, 1923: 261); 3)

The inner heteronomy of the superego can be at first glance understood as a synthetic achievement, i.e. as a combination of individual and rational volition. However, it proves to be particularly precarious since the persons (usually the parents) who serve as models are sensual beings, i.e. they are quite fallible in terms of their reason. Thus, as Freud says, the superego can certainly be "hard" and "cruel" (Freud, 1924a: 380); 4) Kant's categorical imperative is merely a general, procedural rule that is intended to support the occasionally unreasonable being, who is in principle endowed with reason, in the endeavour to act reasonably. Freud's superego, on the other hand, is an internalized instance that demands, rewards or punishes. The superego is only reasonable in exceptional cases. It is more like Kant's "inner judge": It is the voice, the shadow or the court that Kant outlines in *The Metaphysics of Morals* (Kant, 1991 [1797]: 233; 438).

If we want to establish a synthesis of Kant's categorical imperative and Freud's superego, the first step ought to be to question the a-priori-status of Kant's imperative. It was Freud's achievement (from a positivist point of view) that he reduced the "higher, moral and supra-personal" to the "pathology" of the sensual (Freud, 1923: 264). Under this assumption - and only then - Kant's imperative can be understood as the a-posteriori-result of a twofold repression: The first act of repression concerns the third party, such as the father figure. As a result of this repressive act, only the rule remains. This rule is universally valid (categorical), it is a "compass" or "touchstone of reason", it is the "name of the father", so to speak, as a trace that is the subtle return of the repressed. The second act of repression concerns the content, i.e., the Oedipal content of the desires. Therefore, it is not only the figure that is repressed, of which only a frame: the formalized form remains, but also what is framed. Perhaps the following "frame" by the New York artist Harry Leigh illustrates the result of this process (see **Figure 4**):



Figure 4: Harry Leigh: Untitled (1984)

These ideas could be put into the Oedipal framework: Freud distinguished three stages of the Oedipus; I am using the Lacanian interpretation here (Lacan 2017: 179 ff.; see also Recalcati 2000: 62 ff.):

- In the *first stage*, we find the imaginary identification of the child with the object of desire. This object is the adult's object of desire that represents the third party: The boy identifies with the paternal phallus desired by the mother whereas the girl identifies with the positive characteristics of her mother, with her femininity or cleverness that is desired by the father. The first stage comprises the "imaginary position of omnipotence".
- The "stage of symbolic prohibition" is the second stage: The child, whether boy or girl, encounters a prohibition that forbids the fulfilment of its (incestuous) desires. The child links this veto to the fantasized punishment of castration. The oedipal prohibition is imposed by the third party. This third party is part of the social triad, but usually, the third is also present as an introject (above all in the shape of the superego) on the side of the adult, i.e. the second party whose desire is desired by the child. Thus, both parties, the child and the beloved second, shy away from their desire. Under these conditions, the remnants of the imaginary wishes, i.e. the remnants of desire from the first stage are now repressed and controlled by the superego that is established for this purpose (Freud, 1924b: 399). The second stage is the stage of the "castration complex".
- In the *final stage 3*, the third instance has the function of a law that is like a gift (Recalcati, 2000: 94). The child rediscovers the (former) love for the third and renounces their desire for the second party. In this respect, desire and law are reconciled. The prohibitions and prescriptions of the third

continue to exist as a symbolic structure, for example in the shape of laws. Thus, this stage comprises "the position of symbolic reconciliation".

Kant's categorical imperative would then be, under this Freudian a-posteriori condition, which Kant of course would not recognize – and only under this positivistic condition, the imperative of the superego. In this respect, the superego is a "relay station between the castration complex and its consequences." (Green, 1996: 9, translation LG). Castration anxiety arises as a warning signal when "the temptation to violate the prohibition threatens to become virulent." (ibid., 10). Due to the displacement, it can have a widespread effect so that a variety of symptoms arise. Instead of this idea of displacement, which identifies Kant's golden rule as a symptom, we can see here an important difference: Kant's imperative is based on reason, and his nature is not pathological (affective). Kant's rule seems not to operate with anxiety and the "black pedagogy" of the cruel superego - or only in a very subtle way.

It would be a particularly reasonable variant of the superego effects, namely condensed into a procedural rule that calls on us to be reasonable. To be more precise, it would be condensed into a procedural rule that implies the prescription to shape one's maxim and the corresponding act in such a way that this individual maxim could be a general law. Thus, castration, incest, law and society seem to form "a solidary whole" (ibid., 147).

Sade with Lacan: The World of Rights

I would like to come to Lacan's de Sade. In my opinion, there is a large step from the *duty to be reasonable* to the *human right to enjoy*. Lacan derives this categorical imperative from de Sade's *Philosophy in the Boudoir*. This means that he refers to philosophical or literary sources, and not to the affairs that play an inglorious role in de Sade's biography. The imperative reads as follows: "I have the right to enjoy your body, anyone can say to me, and I will exercise this right without any limit to the capriciousness of the exactions I may wish to satiate with your body." (Lacan 2007: 648).

There are two speakers: the speaker (I) who proclaims the imperative and the one (II) who is being spoken about. Sade makes the figure of the master (I) visible, so to speak, from the position of the servant (II). In the "Affair of Arcueil" de Sade would be the speaker I ("I have the right to enjoy your body"), and Rose Keller would be the speaker II ("... anyone can say to me"). This categorical imperative does not proclaim any orders reminding us of duty but celebrates the right to enjoyment. It celebrates the human right to jouissance: the enjoyment and utilisation of the other and their body. Kant places human reason above pathological interests. De Sade, on the other hand, places the pathological interests at the absolute top. Kant supports reason which would otherwise be lacking among people who are rational but often act unreasonably. De Sade chooses pleasure and its principle (in the sense of indefinite jouissance). For Kant, freedom does not consist in following sensual interests. For de Sade, freedom consists in enjoyment, in asserting and living out the respective interest (Zupančič, 2000: 23). The categorical (universal) appears in both variants: For Kant in the form of general law, for de Sade as a right of enjoyment that can be claimed

by any individual ("anyone can say to me"). While Kant traces the subtle precursors of the superego, de Sade is the discoverer of the Freudian id. - Albert Camus comments on Sade's pathological (i.e. emotional) logic in the famous essay "The Rebel":

"The only logic known to Sade was the logic of his feelings. He did not create a philosophy, he pursued a monstrous dream of revenge. Only the dream turned out to be prophetic. His desperate claim to freedom led Sade into the kingdom of servitude; his inordinate thirst for a form of life he could never attain was assuaged in the successive frenzies of a dream of universal destruction." (Camus, 1960: 32 f.).

In a first step, de Sade justifies this attitude with the disastrous nature of God. But fundamentally, he does not need the old rubbish of God to establish his categorical imperative. He denies God in the name of nature. He insists on natural instincts and combines nature and its power of sexuality with destruction: "His logic leads him to a lawless universe where the only master is the inordinate energy of desire." (ibid., 34). However, the idea of human rights, which de Sade advocates, was absolutely contemporary to his time. Thus, the American Declaration of Independence of 1776 states: All men are created equal. They are endowed by their Creator with inalienable rights, such as the right to life, liberty and the pursuit of happiness (Assmann, 2018: 64 f.). In 1789, the proclamation of human rights was made in the French National Assembly, and in Haiti, the slave revolt which took place between 1791 and 1804, led to the proclamation of the first free republic of colored people.

De Sade incorporated this development into his literary and philosophical works, partly from a socially critical position, partly to make money ("sex sells"), and partly, I suspect, to portray his childhood traumas in a grotesque and exaggerated way. How could this imperative of the "Divine Marquis" (as Guillaume Apollinaire said) be located in an oedipal context? There are two speakers: Speaker I, who claims the right to dispose of the other: He is an imaginary figure who accepts no limits. In the first stage of Oedipus, the child, i.e. the speaker II, would be at the mercy of this omnipotent figure. However, in the event of identification, the child will switch to the side of the libertine, the imaginary speaker I. There is still no law, as it would be the case with Kant's imperative (if one were to neglect the a-priori condition). Sade's imperative therefore reveals actually what is repressed in Kant: With Sade's imperative, which comes from the "stage of imaginary omnipotence", we gain an insight into the repressed of stages 2 and 3, where otherwise only a procedural, in this sense empty Kantian framework (as a rule) would be visible. Following Freud's "ego - id - super-ego" topology, there are three variants of the categorical imperative.

Each instance formulates its maxim:

- Kant's imperative links the singular action with the universality of the law that derives immediately from this action. The Kantian imperative, which is to be understood as a priori, refers to the maxim of the ego, i.e., the conscious and rational subject that follows the guidelines of its conception of duty. It is the subject of German idealism - as well as the non-barred and non-split subject (S) in Lacanian terminology (Lacan, 2002: 129). The maxims of the

barred subject arise as a result of a bifurcation: on the one hand, the maxims of the superego (Freud) arise here, which is built up from introjections, this “harsh taskmaster” (Freud, 1923: 52), this “stern lord” of the ego, who issues are more or less reasonable, more or less strict prohibitions.

- On the other hand, there are the maxims of the id, i.e., the rights that a subject possesses. This is Sade's imperative, which we were already able to familiarize ourselves with on the excursion to the Parisian neighbourhood.
- However, we should not overlook the fact that the Oedipus myth began with severe trauma. King Laius was famously cursed that his son would kill him and marry his mother, Queen Iocasta. Laius therefore wanted the child away after it was born. But it was Iocasta who instructed a certain shepherd to abandon her baby in the wilderness. Danielle Quinodoz (1997) described a doubling (“dédoublement”) of parental introjects in the place of this trauma (see **Figure 5**):

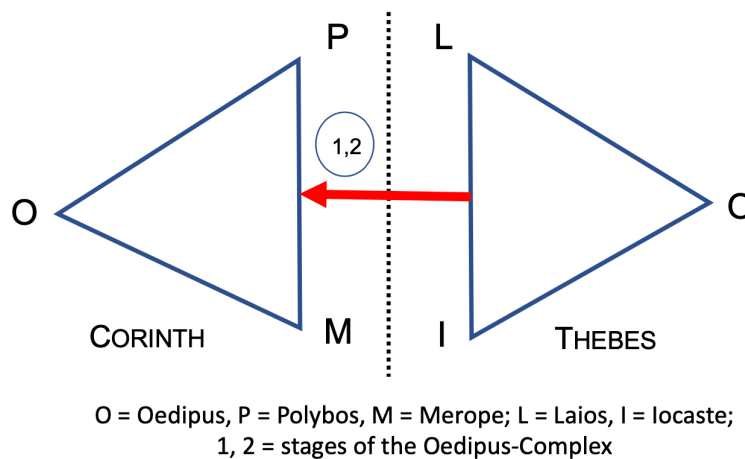


Figure 5: The dédoublement of the parents; the letters refer to the initials of the actors, the digits to the stages of the Oedipus complex (name of the author, 2023)

On the one side is the terrible, curse-ridden parental couple Iocasta (I) and Laius (L), on the other the loving, caring, but unfortunately barren couple of Polybos (P) and Merope (M), all of whom face their (adopted) son Oedipus (E). The "classical" Oedipus complex, i.e. the neurotic one, with stages 1 - 3 is therefore not set in Thebes, but rather in Corinth. Thebes is the City of Trauma; Corinth is the City of Neurosis. These situations are kept apart in the form of a doubling based on a split: Laios and Iocasta have disappeared behind a curtain of defence. They are, according to Lacan, the real objects a, and the Oedipal conflict - protected by this split - essentially develops between Oedipus and his parents in Corinth. We should therefore add a fourth time to the three stages of the Oedipus complex: the Time of Trauma, which is split off from the later, classical Oedipus (name of the author, 2023).

Now the Oedipal situation comes to a head when the trauma, i.e. the traumatic hole that formed at stage zero is activated by some kind of trigger such as when the splitting of the *dédoublement* fails. With the introduction of this trauma stage, the derailments of both Sade's and Freud's imperative can now be better explained: The trauma intensifies the following stages affectively. The Sadien imperative escalates into the criminal, the other is brutally and without consideration dominated, exploited and destroyed. The id uses the imaginary omnipotence for the enforcement of its interests which are boundless in view of the early, traumatic lack. The Freudian superego becomes cruel. It resembles the murderous Theban couple who accepted the death of their baby. In this case, castration as well as the feared threat of castration becomes traumatic.

No Sade without Kant

What de Sade teaches us is that there are no rights without the Kantian categorical imperative, which is close to Freud's a posteriori super-ego structure. This imperative forms a necessary counterweight to de Sade. There are no rights that are not limited by the complementary Kantian categorical imperative. This means that I enjoy the other only insofar and to the extent that my enjoyment could be a general law – for all human beings, including all the victims like the Rose Kellers of this world. What I mean by this is that the human rights of the others must not be violated by my right to *jouissance*/ enjoyment. This rule potentially transforms any infinite *jouissance* into a finite *jouissance*. Kant's rule transforms the infinite into a finite *jouissance*. Sade's categorical imperative, i.e. the imperative of the master who enjoys the body of the other - the body of the servants and slaves - without limitations leads to the catastrophe. I think that the inhabitants of the so-called northern hemisphere have been implementing Sade's imperative for many centuries. We overlook the fact that the categorical imperatives, in short: the rights and duties must be intertwined. The duty is the precondition of the right. The right is protected by the fulfilment of duty (Assmann, 2018: 78). This entanglement even has a transgenerational character: If we do not follow our duty today, we forfeit the rights of our children, the right to life, the right to happiness, the right to prosperity. The economy, however, and the way of life in the 21st century are nothing but the means to realize Sade's imperative.

But if, as Freud says (1923: 56), we are dependent on the (unconscious) demands of both the superego and the id as well as of the external world, the ego is by no means “the master in its own house” (Freud 1917: 143). This is more than annoying: the subject of German idealism, the subject of the Enlightenment, is abolished with the appearance of Sigmund Freud. But this crucial point is precisely where Kant and his philosophy come in. In the essay “What is Enlightenment?” he writes:

Enlightenment is man's emergence from his self-imposed immaturity. Immaturity is the inability to use one's understanding without guidance from another. This immaturity is self-imposed when its cause lies not in lack of understanding, but in lack of resolve and courage to use it without guidance from another. Sapere Aude! Have courage to use your own understanding! That is the motto of enlightenment.”
(Kant, 1992 [1784])

We must free ourselves from immaturity. This means that we must free ourselves from the claims of both the superego and the id. Kant says that this process will be possible by beginning to think: By using pure reason and applying it in practice.

The Site of Freedom

But from where, from which site or place, if we would conceptualize the psychic world topologically, would this thinking be possible at all? Where can one find the point in Freud's topological model at which reason can begin to be used and from which reason can work? I believe it can only be the ego. But it cannot be a zone within the ego, i.e. the "actual seat of anxiety" which is dominated by the superego, the id and the external world (Freud, 1923: 57). It is a form of thinking that is detached from the ego and, in this sense, abstract, ideal, and depersonalized. From this site, the demands of the superego and the instinctual desires of the id, insofar as we are aware of them, and at least of their descendants, could be carefully judged. Here, in this square or site, reason could be put to practical use. No question: this Archimedean point belongs to the ego. It is an extime or external ego zone or an ego zone, that is situated outside the ego. It would be a site of the Lacanian lack that arises here, where the other has once turned away. This site is the site of freedom from the other that has turned away. It could be used as inner-psychic bridgeheads, i.e. as bridgeheads of the reason that are controlled neither by the id nor by the superego. I could imagine that a tolerable lack in childhood, i.e. a tolerable and well-dosed turning away or a well-dosed frustration could favor the emergence of such mental places. This is where freedom arises, where liberty takes the form of liberation, as Christoph Menke (2022) says. It is, with Hegel, the negation of negation: the superego and the id transform the original freedom of life into the negative state of servitude.

They negate freedom, and the servitude or dependence is to be negated again by regaining a new form of freedom (Menke, 2022: 37). This site always has something utopian about it. As the Site of Freedom, it is always at risk, namely that both the superego and the id restage their domination. The switch to domination is therefore inherent to freedom, even if freedom means to dominate others (ibid., 9 f.). Of course, it may be sometimes impossible to guarantee freedom from the impact of the external world. In the case of environmental disaster, dictatorship or war, the individual's freedom will be limited. But when the external world allies itself with the individual's internal world, the Site of Freedom gains importance. This is currently the case in the European democracies - and also in the USA, where voters decide whether to put their instincts and archaic superego formations at the service of fascist, soft-fascist or post-fascist ideology.¹ - The choice on the

¹ In his work on the castration complex, Green (1996: 129) comments on the Lacanian reconciliation of law and desire as follows: Lacan criticizes the Freudian solution (desexualization of the father-son-relationship and identification with the superego through the adoption of ethics) because this solution has the consequence that we would never be free from the masochistic fixation in oedipal stage 3. Instead, Lacan calls for the recognition of symbolic castration - "which, by the way," says Green, "can only please all the dictators on this planet, because they demand nothing else." I therefore go a step further: We decide whether we accept the superego's pathological law, which may wear the mask of ethics - or whether we reject it for the arguments of reason. July 20, 1944, is an example of whether an action is from the perspective of reason sensible or not.

site of freedom is not a question of morality. Rather, it concerns the freedom of the subject: the subject of the enlightened idealism. From this site of freedom, we can decide whether we follow the claims of both the id and the superego. From this site, we form a judgement as to whether we follow the categorical imperative of Immanuel Kant or the imperative of the Marquis de Sade. We decide whether we respect or despise, whether we are loving or unloving, tender or brutal: With our fellow human beings, with children, with minorities, with members of a different gender, a different ethnicity, with migrants, with the creatures of the earth, with the animals that suffer in large-scale facilities, with the jungle that we burn down, with the "skin ego of the earth" (Martin Weimer), which we either protect or destroy.

It is our freedom; it is our decision. So, from this site of freedom, we do not follow any laws but create laws with the help of our actions. The ego - this original seat of anxiety and fear, as Freud said, has to decide whether it accepts that the majority of others are becoming poorer and poorer - or whether it demands a cut in debt. In the age of economics, the ego decides whether it is okay to pile up nuclear waste or not, it decides whether the air is polluted down to the last bit of coal, down to the last drop of paraffin – or not. The ego decides whether Abel is killed or not: that is its freedom. We decide if we are fascists or not - if we throw the idea of brotherhood and equality overboard. I would argue that this decision should be absolutely clear to us and that it should be made in freedom, in the freedom of the enlightened ego.

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Lutz Goetzmann studied human medicine. He habilitated at the University of Zurich on psychosomatic aspects of organ transplantation and is professor at the University of Lübeck. From 2011 until 2020, he was in charge of the Clinic of Psychosomatic Medicine in Bad Segeberg, Germany. He is a member of the Swiss Society of Psychoanalysis and works in an own psychoanalytical practice in Berlin. He is the co-director of the Institute of Philosophy, Psychoanalysis and Cultural Studies (IPPK) in Berlin (<https://ippk.de>) and Co-Editor of the journal "Y - Journal of Atopic Thinking" (<https://www.ypsilon-psychoanalyse.de>). Numerous publications in the field of psychoanalytic psychosomatics and cultural theory. Address for correspondence: goetzmann@ippk.de