

Summary

Kant ein Pythagoreer?

Reflexionen zu Form und Inhalt der Rechtslehre (1797)

by Reinhard Brandt

Kant – a Pythagorean? Of course not. It is only strange that Pythagoras and Kant both place the oath at the fourth position; as Kant does in the III. Chapter of the Private Law. But this position can be explained differently. In Kant's school of thought, the oath has the same function within the structure of legal relationships as modality has within the table of judgments. The oath seals the deal on an agreement without adding new contents to it. From this functional point of view, modality can also be considered a postulate, as this has already been done in the Critique of Pure Reason, in particular in the "Refutation of Idealism". With this concept, one can happily recognize that the three pieces on Private Law are followed by the postulate of Public Law in fourth position; thus, the overall composition is also predetermined by the table of judgments. In the Critique of Practical Reason, the tripartite analytics was analogously followed by dialectics and the doctrine of postulates, which disproves the suspicion that morals are, in the end, chimeric. From this perspective, however, the supernatural and the State become astonishingly proximate to one another.