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Kant on Love and Law – Including a Glance at St. Paul

In his letter to the Romans, as well as in his letter to the Galatians, St. Paul presents us with an insightful account of antinomianism, that is, a critique of the law. It poses a very interesting challenge to Kant's law conception of ethics. In fact, the Paulinian caveat seems to anticipate some of the criticism that Kant's confidence in the moral law has encountered. To this day, Friedrich Schiller's objection (cf. Schiller 1962) may have wielded the most powerful influence. For Kant, as is well known, the law of practical reason grounds morality. Nonetheless, he considers love as a possible source of morality – as do Paul and Schiller.

In order to invalidate any supposition concerning the scope of St. Paul's endeavour, it is worth drawing attention to a few points. Paul does not, as one might suspect, adopt a narrow perspective on law, focusing, for instance, on specifically religious aspects of abiding or non-abiding by the Torah. On the contrary, Paul discusses the function and purpose of law in general. He makes this clear from the outset. He emphasizes that he addresses 'every human being' who does good or evil (Rom. 2,9), and he explicitly includes Gentiles in his analysis. They 'are a law to themselves', he notes, and 'they show that the work of the law is written in their hearts' to which, among other things, 'their conscience [...] bears witness' and 'their conflicting thoughts' that 'accuse or excuse' one another (Rom. 2,14–15).¹

Given his acknowledgment of the law, however, what is at the core of Paul's sceptical and at times bitter thoughts on law – in contrast to Kant's overall appreciative approach? Paul says, for instance, that all 'who rely on works of the law are under a curse' (Gal. 3,10). This is for at least two reasons. First, Paul holds that 'through the law comes knowledge of sin' (Rom. 3,20). Conversely, 'where there is no law, there is no transgression'. Thus, 'the law brings wrath' (Rom. 4,15). Second, no human being will be able to comply with the law: 'None is righteous, no one, not one' (Rom. 3,10). Hence, 'by works of the law no human being will be justified' (Rom. 3, 20). Paul concludes from this diagnosis that any salvation for which human beings might hope has to be sought elsewhere: in love, originating from faith, and in God's grace. According to Paul, the law was the tutor or 'guardian' in the infancy of man; but we have proceeded towards a new age, in which 'we are no longer under a guardian'

1 Kant takes up this formulation. Cf. MS, AA 6: 438.

(Gal. 3,24–25). In fact, as Paul states (Rom. 7,6): ‘But now we are released from the law, having died to that which held us captive, so that we serve in the new way of the Spirit (*en kainótēti pneúmatos*) and not in the old way of the letter² (*ou palaiótēti grámmatos*).’

Kant, by contrast, holds very different views on the value of the moral law. He attributes ‘majesty’ and ‘holiness’ to it (KpV, AA 5: 77), as does, in fact, Paul. But it is far from Kant’s mind to wish that human beings get rid of the law. In his understanding, this would be tantamount to casting off their inner compass (GMS, AA 4: 404), the ‘standard’ (*Maßstab*) they set for themselves regarding their right- or wrongdoing (KpV, AA 5: 77). Kant agrees with Paul in that the moral law is written in the human heart (RGV, AA 6: 84, 104). To be precise, according to Kant, the law is self-given. As a free being, Kant argues, the human being ‘binds himself through his reason to unconditional laws’ (RGV, AA 6: 3). Reason is, Kant aims to show, first and foremost a faculty of legislation. It legislates our cognition of empirical objects as it legislates our agency through the determination of our will. While (theoretical) laws of nature are descriptive and explanatory, the moral or practical law is normative. In the guise of the moral law, human beings raise claims against themselves by which they may or may not abide. This constitution implies that rifts within one and the same individual may occur at any time. On the one hand, there is the law of pure practical reason telling us what we ought to do. On the other hand, there is what Kant calls self-love, a driving force propelling us towards actions that we believe will contribute to our individual well-being or happiness. Let us take a closer look at the principle of self-love first.

I

It is indisputable that we all strive for happiness. ‘We can safely presuppose’, says Kant, we all ‘actually do have’ this one end as human beings ‘by a natural necessity’ (GMS, AA 4: 415). This is because we are ‘finite’ and ‘dependent’ beings (KpV, AA 5: 25); constantly, we stand in need of something – food, shelter, recognition, whatever. By nature, we are endowed with all kinds of inclinations serving as relevant incentives. It is also natural that we seek to satisfy them. In fact, in the first *Critique* (A 806/B 834) Kant defines happiness as follows: ‘Happiness is the satisfaction of all of our inclinations (*extensive*, with regard to their

² The King James translation and also the English Standard version write: ‘not in the old way of the written code’.

manifoldness, as well as *intensive*, with regard to degree, and also *protensive*, with regard to duration).’ The natural foundation of our inclinations, however, does not imply that dealing with them is a matter of pure nature. As Kant sees ever more clearly, human reason is involved at any time when we relate to our inclinations, shaping or cultivating them or letting them wither, being their master or allowing them to master us (cf. RGV, AA 6: 58–59). In other words, self-love as Kant conceives of it always includes the efficacy of reason and never rests on nature alone.

Kant became increasingly aware of the sophistication that distinguishes human self-love. In a pivotal passage from the first piece of *Religion within the Boundaries of Mere Reason* (AA 6: 27), he spells out self-love as ‘comparative self-love’ (*vergleichende Selbstliebe*). It ‘is physical and yet involves comparison (for which reason is required): that is, only in comparison with others does one judge oneself happy or unhappy’.

We can see that Kant recognises the social dimension of individual self-love, and he realizes the intricacy that this dimension adds to human desire. Inclinations concerning reputation and rank among others arise from comparative self-love, bringing about worries that we may be falling behind and precautions that we should stay ahead. All these contribute to feeding a propensity for ‘acquir[ing] superiority for oneself over others’ (RGV, AA 6: 27). Assisted by reason, rivalry, now interwoven with self-love, produces inclinations towards envy and jealousy, the addiction to power (*Herrschaft*), towards open or secret hostility. Kant calls them ‘vices of culture’ (RGV, AA 6: 27, 93–94). He does so because he thinks that competitiveness or antagonism, as he says elsewhere (IaG, AA 8: 20), do not in themselves preclude ‘reciprocal love’ (*Wechselliebe*). Nature itself, Kant suggests, uses the ‘idea of such competitiveness’ (*die Idee eines solchen Wettseifers*), which more or less pervades human relations, only as ‘an incentive’ to boost cultural development (RGV, AA 6: 27).

II

The principle of self-love is the most obvious principle driving human activity. Yet Kant argues that there is another source of agency, which is, at the same time, the epitome of authentic human freedom. While the pursuit of happiness certainly includes freedom of choice (*freie Willkür*), this kind of freedom is nonetheless confined to the margins of individual desires and needs pushing for fulfilment. Reason acting as prudence is concerned with ‘curbing’ and ‘harmonizing’ diverse inclinations ‘into a whole called happiness’ – ‘so that they will not wear each other out’ (*damit sie sich untereinander nicht selbst aufreiben*)

(RGV, AA 6: 58). Thus far, prudential reason (as a sub-competence of theoretical reason), in trying to accommodate the ‘fluctuating’ (*schwankend*) and therefore elusive idea of happiness (GMS, AA 4: 399, 418), is a source of normativity.

Yet human dignity seems to rest solely on the capacity for pure practical reason. It differs from rank and orders of rank that emerge along with comparative self-love and reflect comparative worth. Pure practical reason operates independently from all inclinations and consists in freedom understood as autonomy or self-legislation. In contrast to freedom of choice, which is informed by pragmatic (i.e. instrumental) reason, freedom as autonomy is about the determination of a person’s will through a self-given practical law alone. The moral law ought to govern the maxims of our actions – freely, that is without taking the interests of self-love, pertaining to our inclinations, into account. This is not to say, of course, that self-love somehow disappears when the moral law speaks. As Kant clarifies particularly in *Religion*, the human being ‘naturally (*natürlicherweise*) incorporates’ both incentives of his sensuous nature according to the principle of self-love as well as the moral law ‘into the same maxim’. What matters is which of the two incentives the agent ‘subordinates’ to the other or, to put it another way, ‘*which of the two he makes the condition of the other*’. (RGV, AA 6: 36; cf. KpV, AA 5: 73)

If we were only capable of acting according to the principle of self-love, questions of what is good or evil, and questions of what is just or unjust could not even arise. Every one of us would be merely concerned with what is good or bad within the narrow limits of individual self-love, probably allowing for the inclusion of our nearest and dearest. But human beings are able to reach beyond such boundaries – in thinking and, hopefully, in doing as well. Thus, it makes perfect sense that Kant, in the well-known ‘Conclusion’ to the second *Critique*, likens ‘*the moral law within [us]*’ to the ‘*starry heavens above [us]*’, both of which represent worlds that have ‘true infinity’ (KpV, AA 5: 161f.).

Even though the moral law belongs to a world that ‘is perceptible only to the understanding’ (*die nur dem Verstande spürbar ist*) (KpV, AA 6: 162; my translation) and is based on reason alone, this fact does not entail, as a consequence, that the moral law does not resonate with any feeling. Our sensibility is involved in matters of morality as reason is involved in matters of self-love. Specifically, it is the feeling of ‘respect’ (*Achtung*) as well as ‘awe’ or ‘reverence’ (*Ehrfurcht*) towards our vocation as human beings that the moral law evokes, a vocation exceeding the pursuit of happiness and the satisfaction of needs (cf. KpV, AA 5: 73ff., 161f.).

III

As a matter of fact, however, living up to the demands of morality and, thus, to our vocation as human beings proves difficult. Kant is very much in line with Paul who emphasizes that ‘it is not the hearers of the law who are righteous [...], but the doers of the law who will be justified’ (Rom. 2,13). Yet who could in fact claim to execute the law? Kant reaffirms Paul’s lament that, maybe, none, not one, can honestly claim to do so (cf. GMS, AA 4: 407; RGV, AA 6: 39). Why? Kant identifies an ineradicable propensity (*Hang*) in human beings to subordinate the moral law to the principle of self-love instead of following, as they ought to, the reverse order of priority. As a result of this propensity, it may be true that despite a general acknowledgment of the moral law we nonetheless always only act from inclinations of self-love, though more or less often ‘in conformity with’ (*gemäß*) the moral law. If that were true, we would not grant the moral law actually to be the source and incentive of our actions as it ought to be. When assessing human conduct, we do not have the privilege – or perhaps the burden – of being able to look into the hearts of agents, so that we can reliably scrutinize their motives. We look at their actions from the outside, which at least allows for judging the conformity or non-conformity of those actions with the law.

Well, that’s not nothing, for sure. However, this state of affairs does not refute the presumption of a general ‘perversity’ (*Verkehrtheit*) of the human heart, as Kant puts it (RGV, AA 6: 37), referring to the reversion of the proper order, which places the demands of morality above the demands of self-love. We hear the law, but we don’t obey the law, often deceiving ourselves and others about the incentives of our actions. Only in exceptionally tough circumstances, when the costs of being in line with morality run high, betrayal or non-betrayal of truly moral principles might become more readily apparent. It seems crystal clear, though, that the susceptibility to deception and self-deception regarding the ‘determining ground’ (*Bestimmungsgrund*) of our actions (cf. KpV, AA 5: 85), which so often precludes immorality, is due to human reason, as always involved in self-love, and not to human sensibility. Kant is very explicit about this conclusion. The ‘enemy’ of morality, he writes in *Religion*, ‘is not to be sought in the natural inclinations, which merely lack discipline and openly display themselves unconcealed to everyone’s consciousness, but is rather as it were an invisible enemy, one who hides behind reason and hence is all the more dangerous’ (AA 6: 57).³ What is necessary, then, is a profound, a radical ‘change of heart’

³ For reasons of clarity, I added ‘is’ to Allen Wood’s translation in the final part of the sentence.

(*Herzensänderung*) to fight the inversion of priorities regarding morality and self-love.⁴ The question we must ask, however, is: Can we effect this ‘change of heart’ by means of the moral law alone?

As far as I can see, this is the very same question that is essentially bothering Paul. He is convinced that no human being is capable of bringing about a ‘change of heart’ by means of the law. Kant believes that there is no way of inducing a ‘change of heart’ except by means of the law. Yet Kant feels prompted to discuss love as an incentive of morality when thinking through this issue. He argues that, for human beings, the moral law is ‘a law of *duty*’ at any time (KpV, AA 5: 82). This means, as he explains, that it is effective in terms of ‘moral constraint’ (*moralische Nöthigung*) because it always involves resistance to any determination of the will by the needs and desires that come with our finite nature, and inevitably so. In view of this complex two-tier constitution of human beings, and to ensure, under these conditions, the sheer possibility that morality comes into force, Kant contends:

No other subjective principle (than respect for the law) must be assumed as incentive; otherwise the action can turn out indeed as the law prescribes, but since, though in conformity with duty (*pflichtmäßig*), it was not done from duty (*aus Pflicht*), the disposition (*Gesinnung*) to the action is not moral; and in this lawgiving it is really the disposition that matters. (KpV, AA 5: 82)

In other words, denying the claim that respect for the law is the only and sole incentive for moral actions is tantamount to denying the very idea of human morality – at least according to Kant’s understanding of what morality is.

It seems unavoidable, then, that being moral need not, but may imply what Kant calls an ‘infringement upon’ (*Abbruch*) our inclinations, rejecting (*abweisen*) their requests. Thus, the moral law involves, naturally enough, ‘displeasure’ (*Unlust*). The law brings ‘humiliation’ (*Demüthigung*) on the ‘sensible side’ of our being, says Kant, even though this humiliation is countered with an ‘elevation’ (*Erhebung*) of our moral personality (KpV, AA 5: 78–79). Nevertheless, this elevation, going hand in hand with the knowledge of the moral law, is not at all a kind of splendid property on which we could happily rest. The sublimity (*Erhabenheit*) of our vocation as morally responsive beings, beautifully addressed in the ‘Conclusion’ to the second *Critique*, is seriously defied by our documented inability to live up to its demands, a failure of which Kant is only too well aware. He devotes quite some energy to discussing ‘human fragility’ (*Gebrechlichkeit*), which appears to be insurmountable.

⁴ Cf. RGv, AA 6: 47, 72, 76 and 37.

IV

Given this somewhat hopeless ambivalence of the human condition, Paul's assessment, stating that the law is a curse, doing no good to anybody, but producing false pride, fear, wrath and servitude insofar as it functions as our 'guardian', is comprehensible. Paul suggests a solution to the problem in terms of salvation without the law but through faith, love and grace instead.⁵ It builds on the idea of a transformation of the human being. A 'change of heart' is possible, argues Paul, through the grace of God, which materializes in Christ's death on the cross and is granted to all sinners. Grace provides those who want to accept it with a new kind of righteousness. It is a fruit of the spirit, which is love, rather than compliance with the letter of the law. Finally, for Paul, 'the whole law is fulfilled in one word: "You shall love your neighbour as yourself"' (Gal. 5,14; cf. Rom. 13,8–10). 'Dead to the law', we gain freedom according to Paul because we swap 'the spirit of slavery' for 'the spirit of childhood'⁶ (Gal. 4,5; Rom. 8,15).

It will not come as a surprise that Kant, by contrast, is sceptical about dismissing the law as the source and incentive of morality in favour of love. Picking up Paul's distinction between letter and spirit and referring to the commandment of loving one's neighbour in the chapter on the 'Incentives of Pure Practical Reason' from his second *Critique*, Kant explains that, in this context, love must be understood as 'practical love'. Differing from love as inclination, it requests practicing all duties towards one's neighbour '*gladly*' (*gerne*). It thus commands, Kant says, to '*strive for*' the corresponding moral disposition (*moralische Gesinnung*), rather than '*to have*' this disposition (KpV, AA 5: 83). From this we can see that practical love demands striving for 'the moral disposition in its complete perfection', a state of surmounting any resistance to law abidance (KpV, AA 5: 83). Complete perfection, though, is utterly unattainable for finite, dependent and vulnerable human beings. Kant argues that we should, nonetheless, retain the idea of perfection as it may serve as 'archetype' (*Urbild*) or model (*Muster*) guiding our moral endeavours. The transformation of literal 'respect for the law' (*Achtung fürs Gesetz*) into the spirit of practical love can and should be a prospect providing hope and encouragement. It does, however, not require us to dismiss the law, quite the contrary.

There is another relevant section in which Kant discusses the commandment of loving one's neighbour. It is to be found in the introduction to the *Doctrine of*

⁵ Paul presents diverse concepts of salvation, cf. Theißen/von Gemünden 2016, 227–296. We will be focusing on one of them.

⁶ Following Luther's translation of *huiiothesia*.

Virtue. In a chapter on the ‘*subjective*’, i.e. aesthetic ‘conditions of receptiveness to the concept of duty’, Kant deals with ‘love of human beings’ (*Menschenliebe*) (MS, AA 6: 399, 401f.). The main idea of the chapter is that human morality is inconceivable without involving feeling. Kant argues that practical reason possesses ‘moral vital force’ (*sittliche Lebenskraft*) in that it manifests itself in the guise of corresponding feelings. Accordingly, reason is also practical in the sense of ‘exciting’ or ‘stimulating’ human feeling (MS, AA 6: 400). Lacking this sensible component, morality would be nothing but an intellectual glass bead game and could hardly be kept alive: Our ‘humanity would dissolve (by chemical laws, as it were) into mere animality and be mixed irretrievably with the mass of other natural beings’ (MS, AA 6: 400), as Kant presumes.

Against this systematic background, Kant discusses our capacity for love of human beings. St. Paul understands this capacity as a gift (*charisma*) and a result of God’s grace granted to all of us through Christ’s death on the cross (Rom. 5,15–17). Kant includes in his analysis the ‘sad remark that our species, regrettably! on closer acquaintance, should not be found particularly lovable’ (MS, AA 6: 402).⁷ Nonetheless, or rather just because of this assessment, he insists that we must not indulge in ‘misanthropy’ (*Menschenhaß*). Conversely, we are requested to treat ‘any member of the human species’ in ways that are determined by ‘benevolence’ (*Wohll wollen*) towards them. It is a duty ‘to *do good* (*wohlthun*) to other human beings insofar as we can [...], whether one loves them or not’. (MS, AA 6: 402) This duty, as it is general and required by the moral law, also pertains to the misanthrope. Kant believes that we cannot indeed love this misanthrope – in contrast to a God who might be capable of unconditional love. But we certainly ‘can still do good’ even to a misanthrope (*ihm doch Gutes erweisen*) (MS, AA 6: 402). Thus, we can conclude: Without relying on the efficacy of the law, there is no good that would be humanly possible in a situation like this.

Given these limits of human capabilities, what, if anything, could the Christian commandment of love mean? Because ‘doing good’ (*Wohlthun*) is a duty, argues Kant, it is possible that ‘someone who practices it often and succeeds in realizing his beneficent intention eventually comes actually to love the person to whom he has done good’ (MS, AA 6: 402).⁸ Kant explains his interpretation of the biblical command as follows:

So the saying ‘you ought to *love* your neighbor as yourself’ does not mean that you ought immediately (first) to love him and (afterwards) by means of this love do good to him. It

⁷ My translation.

⁸ My translation.

means, rather, *do good* to your fellow human beings, and your beneficence will produce love of them in you (as an aptitude of the inclination to beneficence in general). (MS, AA 6: 402)

Practical reason, then, proves efficacious not only because it can determine our will freely and of its own accord but also because it can exert influence on our feeling, nudging it towards aligning to moral ends and thus cultivating it. The implication is that the human capacity for love can only develop by following, not by dismissing the moral law. Hence, Kant seems to undercut Paul's and, maybe also, the Christian concept of love, which was meant to constitute a genuine source of righteousness that differs from the law.

Another strong reason for Kant's reluctance to compromise the authority of the law lies in his disgust at 'moral enthusiasm' (*moralische Schwärmerei*). The abandonment of the idea that 'respect for the law' is the proper source and incentive of morality may, in Kant's view, result in 'roving among fancied moral perfections', thus nourishing 'self-conceit' and side-lining due 'humility' without which there is no 'self-knowledge' (KpV, AA 5: 86). Kant's conception does not suggest a revolutionary 'change of heart', something that St. Paul has in mind and that Kant, taking up Paul's talk of the 'old man' (*alter Mensch*) versus the 'new man' (*neuer Mensch*) (Rom. 6,6; Eph. 2,15 and 4,22–24), discusses in *Religion* (AA 6: 71–78). Instead, what practical reason may achieve points towards the perpetual reformation of human nature.

To summarize, Kant does not think that human beings can be aware of any moral claims and be motivated to carry out what they demand only 'from love' (*aus Liebe*).⁹ Not from self-love, obviously, nor from 'love as an inclination' towards others, which cannot be commanded and which may or may not be in place. Yet such awareness and such motivation cannot spring solely from 'practical love' either, which is an ideal to strive for while engaging in efforts towards elevating ourselves to the ranks of true moral integrity. It seems as if we cannot do without 'respect for the law' because we are imperfect beings who cannot but struggle for a 'change of heart'. Finally, it looks as though we need to rely on them all: the law of pure practical reason providing for moral principles, moral feeling without which the idea of morality would gradually decay, and the ideal of love which helps us keep sight of what Kant calls the 'disposition of goodness' (*die gute Gesinnung der Gütigkeit*) (AA 27: 417), a disposition we ought to develop – step by step.

9 Cf. GMS, AA 4: 397; KpV, AA 5: 81; MS, AA 6: 401.

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