Duties to Others from Love (TL 6:448–461)

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Make no mistake: It is impossible to interpret Kant's account of duties of love in \$\$23-26 of the *Tugendlehre* in just twenty pages or so. I will not even try to provide such an interpretation. I will provide, however, a partial interpretation that shall demonstrate *why* it is impossible to interpret Kant's theory in only a few pages. At the same time, I will sketch a research program to show what kind of work needs to be done.

A preliminary though superficial understanding of the overall structure will be necessary; thus I begin with a very brief overview (1.); I will then analyse §23 in detail (2.); I conclude with a sketch of a research program concerning some other sections (3.).

Anyone familiar with reading texts in the original language that they are written in knows that one cannot do serious research on a text without a very solid knowledge of its language; this should go without saying (though, I am afraid, this commonplace has lost its wide acceptance, mostly because of the 'analytic' approach to the history of philosphy). Even if there were a translation of Kant's Tugendlehre that were as good as its gets it would still be unable to bring across all the nuances and connotations, not to mention that some words simply cannot be translated (say, 'accessorisch') and that others have, for grammatical reasons, possible references that cannot be brought across. Again, all that's trivially true. In reality, of course, translations are far from being perfect. That they are not, indeed, I will demonstrate in passing by reference to Mary Gregor's translation of the Tugendlehre¹. This is not to say that translations are not useful in certain contexts, e.g. for introductory classes on Kant (as a matter of fact, a new translation of the Tugendlehre would be very worthwhile); but it is to say that serious research can only be done using the original text, and with an excellent facility in the language in which it was written.

¹ In: Kant (1797) [1999].

1. The Structure of \$\$23-36 and Two Central Concepts—an Overview

The Structure of \$\$23-36

§\$23-36 constitute the first section (*Abschnitt*) ("On the Duty of Love to Other Human Beings" (TL 6:448.7)) of chapter I ("On Duties to Others Merely as Human Beings" (TL 6:448.5)) of part II ("Duties of Virtue to Others" (TL 6:448.3)) of the "Doctrine of the Elements of Ethics" (TL 6:448.1) §\$23-36 can quite clearly be divided into four parts:

- 1. In \$23, Kant begins with a "division" (TL 6:448.8) into the duties of love and respect. He briefly introduces duties of love as wide (meritorious) duties and duties of respect as narrow (owed). For the most part (as I will show), he discusses how these duties are connected accessorily. In \$24 and 25, both kinds of duties are further elaborated upon in quite a general manner.
- 2. §\$26-28 deal with "the duty of love in particular" (TL 6:450.14), and although these sections already focus on duty (or duties) of love they do so by discussing these duties still quite generally. \$26 once more puts emphasis on the practical character of love for human beings and introduces some concepts relevant to this practical concept of philanthropy (friend of humanity, enemy of humanity, selfishness, misanthropy). \$\$27-28 discuss problems that arise from the maxim of love of one's neighbor: first, the problem that this love must also somehow be directed towards oneself (\$27); sec-

² Let me make the preliminary remark that 'accessoric' and 'accessoric connection' might not be acceptable expressions in English. As we will see, Kant says that duties of love are "accessorisch geknüpft" (TL 6:448.22) with duties of respect, and vice versa; note that 'accessorisch' is an adverb here, and this I translate as 'connected accessorily.' The German expression ("accessorisch geknüpft" (TL 6:448.22)) is translated by Gregor as "joined to it as accessory." I will explain what Kant means by this; in any event, if those expressions are not standard English, take them as a neologism (the term 'accessoric' is derived from the Latin 'accedere').

³ On the distinction between duties of love and duties of respect in §25, cf. Sensen's contribution to this volume as well as Bacin, forthcoming. – It is, by the way, remarkable that Kant treats duties of love first and only then duties of respect, but it is not obvious why that is so; thanks to Stefano Bacin who pointed this out to me.

- ond, the problem that despite the universality of the required love of human beings certain degrees of obligation must be allowed, partly because one human being can be closer to oneself than another (§28).
- 3. In what follows, Kant presents the "division of duties of love" (TL 6:452.10) and their treatment: beneficence (\$\$29-31), gratitude (\$\$32-33), and sympathetic feeling (*Teilnehmung*) (\$\$34-35).⁴
- 4. Section I concludes with \$36 on several vices stemming from hatred for human beings (envy, ingratitude, malice).

Two Central Concepts in \$\$23-36: Love and Benevolence

Kant's use of the concept 'love' is extraordinarily complex—in Kant's philosophy, one has to distinguish four different contexts or basic meanings of love and twelve or so aspects or connotations. With regard to \$\$23-36 the following distinctions are crucial: The most important concept in this context is, of course, 'duty of love' (*Liebespflicht*); as a matter of fact, it is only in the heading of section I of the *Tugendlehre* that this concept is used in a systematic manner for the very first time. Of duties of love, though not only of them, Kant claims that they are "usually called duties

⁴ Note that the discussion of the duty of beneficence concludes with casuistical questions (cf. TL 6:454) as does the discussion of sympathetic feeling (*teilnehmende Empfindung*) (cf. TL 6:458); the treatment of gratitude, however, has no casuistical questions.

⁵ Cf. Schönecker, 2010.

⁶ Kant mentions "duties [...] of love for one's neighbor" (TL 6:410.16 f.) in the "Introduction;" only in passing, Kant uses "duties of love" (TL 6:432.10) in the chapter on avarice; see also TL 6:448: "On the Duty of Love to Other Human Beings." Both in TL 6:450.1 ("duty of love") as well as in TL 6:450.3 ("duty of love") Kant uses the singular. – All in all, Kant makes a rather sparse use of the term 'duty of love' in his writings; note, however, that the concept shows up in the Grundlegung (cf. GMS 4:430, note). In Erläuterungen Kants zu A.G. Baumgartens Initia philosophiae practicae primae (Acadamy Edition, vol. 19) the concept of 'Liebespflicht' appears several times. In Kant's Physischer Geographie one finds an interessting example: "Dagegen wird es in Lappland für eine ausgezeichnete Liebespflicht gehalten, wenn der Sohn seinen auf der Jagd verwundeten Vater mit einer Sehne vom Rennthiere tödtet, daher sie derselbe auch allezeit seinem geliebtesten Sohne anvertraut" (PG 9:164.20–23).

7 According to this passage (cf. section XVIII of the "Einleitung" (TL 6:410)),

According to this passage (cf. section XVIII of the "Einleitung" (1L 6:410)), Kant distinguishes between "duties of self-love and of love for one's neighbor" (TL 6:410.16 f.), such that the latter would also include duties of respect (at least as far as the content of the duties is concerned, their 'material').

[...] of love for one's neighbor" (TL 6:410.16 f.). Accordingly, in \$25 Kant speaks again of the "duty of love for one's neighbor" (TL 6:450.3), and in \$36 he mentions "love for our neighbor, which is incumbent on us as a duty" (TL 6:460.11); however, Kant emphasizes, this expression ('love for one's neighbor,' (Nächstenliebe)) is an expression "used inappropriately [in uneigentlicher Bedeutung], since there can be no direct duty to love, but instead to do that by which a human being [der Mensch] makes himself and other human beings [andere] his end" (TL 6:410.17-20, trans. D.S.).8 Thus, the love which duties of love are about, is taken to be "the maxim of benevolence (practical love)" (TL 6:449.20 f., italics D.S., emphasis in the original erased); this love, which in the context of duties Kant understands as "practical" (TL 6:450.16), he also calls "love of human beings [Menschenliebe] (philanthropy)" (TL 6:450.16) or "practical love of human beings" (TL 6:450.31). In §§25-26, this practical love of human beings is twice and clearly distinguished from "love that is delight [Liebe des Wohlgefallens]" (TL 6:449.18, 450.17). It is thus distinguished from the "love that is delight (amor complacentiae)" (TL 6:402.22), which in section XII of the "Introduction" is identified as that very love of human beings which is one of the four "natural predispositions of the mind [natürliche Gemüthsanlagen]" (TL 6:399.11) that enable human beings to be affected by the moral law and concepts of duty in the first place. Also, Kant discusses love in the context of friendship (\$26 and \$47).

It is obvious that next to the concept of love the concept of benevolence (Wohlwollen) plays a crucial role in Kant's theory of duties of love. Remarkably, love of human beings as a duty (generally speaking) is introduced as "the maxim of benevolence" (TL 6:449.20 f.) and "the law making benevolence a duty [Pflichtgesetz des Wohlwollens]" (TL 6:451.8 f., italics D.S.) although only one of the three basic kinds of duties of love is "beneficence" (TL 6:452.14) (§29 ff.). Maybe this suggests that the three basic duties of love (beneficence, gratitude, sympathetic feeling) are not on the same level; maybe Kant understands beneficence as the grounding duty upon which the others are somehow based (but that is

⁸ Gregor translates: "[...] by which *one* makes oneself and others one's end" (TL 6:410.19 f., italics D.S.).

^{9 &}quot;[A]mor complacentiae" (TL 6:402.22) is thus opposed both to "benevolence (amor benevolentiae)" (TL 6:401.27) and to "love of human beings (as an aptitude of the inclination to beneficence in general)" (TL 6:402.20 f., trans. D.S.). For a detailed interpretation of these moral predispositions see Schönecker, 2010; see also in this volume Goy.

a topic for another paper). In any event, the concepts of benevolence and beneficence are not easy to grasp. For there is, first, active benevolence (tätiges Wohlwollen) (cf. e.g. TL 6:401.27, 452.4); there is, second, benevolence in wishes (Wohlwollen des Wunsches) (cf. TL 6:452.1, 452.23) which is not a duty; there is, thirdly, mere heartfelt benevolence (bloß herzliches Wohlwollen) (cf. TL 6:455.1–22) which is a duty; and possibly there is, fourth, benevolence in the general love for all human beings (Wohlwollen in der allgemeinen Menschenliebe) (cf. TL 6:451.21) which might be identical with benevolence in wishes.

2. A kommentarische Interpretation of §23

The Division of Duties at the Beginning of §23

The "chief division" (TL 6:448.10) refers to the duties to others merely as human beings mentioned in the title of chapter I. This chief division of duties to others is the division of such duties to others by which others (i) are put under obligation towards oneself and (ii) those duties by which others are not obligated. The latter Kant calls "owed" (TL 6:448.14), the former "meritorious" (TL 6:448.13). Of course, this meritoriousness must not be understood as supererogatoriness, but in terms of wide or perfect duties; thus, in §25 Kant remarks that duties of love are "wide" (TL 6:450.2) whereas duties of "free respect toward others" (TL 6:449.31) are "narrow" (TL 6:450.1). 10 Roughly, meritorious duties "result in obligation on the part of others" (TL 6:448.12) because one is not obliged to perform a (this very) specific action that would be considered a wide duty (though of course a wide duty remains a duty) and so, if I do it, the recipient of my action is indebted to me for that specific action. Narrow duties, on the contrary, I must perform under all circumstances anyway. - I will not comment on this further; to the present day, there is no detailed and satisfying account of the basic distinction between wide and narrow duties on the one hand and duties of virtue and duties of right on the other.

¹⁰ See, for instance, the meaning of "wide [weit]" in the *Grundlegung* (GMS 4:424.11, 430.10).

What Is \$23 About?

Right after the "chief division" (TL 6:448.10), Kant continues: "Love and respect are the feelings that accompany [begleiten] the carrying out of these duties" (TL 6:448.14 f.). 'These duties' are the 'meritorious' and 'owed' duties mentioned before. In the first few lines, Kant does not use the terms 'duties of love' or 'duties of respect,' but of course, they are what is talked about. Thus, it is quite natural to think that love accompanies the carrying out of the duty of love, whereas respect accompanies the carrying out of the duty of respect; however, this is not the case. 11 That indeed a duty of love is *not* necessarily accompanied by a feeling of love becomes evident in Kant's analysis of the duty of gratitude. There, Kant writes very clearly that it is *not* the feeling of love that is connected with the duty of gratitude (which is a duty of love), but the feeling of "respect" (TL 6:454.33, 458.13): "Gratitude consists in honoring a person because of a benefit he has rendered us. The feeling connected with this judgment is respect for the benefactor (who puts one under obligation), whereas the benefactor is viewed as only in relation of love toward the recipient" (TL 6:454.31-455.1, italics D.S., emphasis in the original erased). 12 Thus a duty of love can be accompanied by a feeling of respect (and vice versa, one would think). But why then does Kant call wide duties duties of love and narrow duties duties of respect? There is, I believe, no strict philosophical justification; probably it simply is a reference to the Christian tradition. I will return to this question in due course.13

Love and respect, says Kant, are the feelings that accompany the carrying out of the duties of love and respect. As demonstrated, this can easily be misunderstood. In what follows, Kant is even more confusing:

¹¹ Cf. Gregor, 1963, p. 182: "Kant mentions that the duties are called duties of love and respect because of the feelings which accompany our observance of them" – but where does Kant 'mention' this? Nowhere, really. Forkl, 2001, p. 206, claims that love always accompanies the carrying out of duties of love and respect the carrying out of duties of respect: "Die Liebe begleitet stets die Ausübung der verdienstlichen Pflichten, die Achtung stets die Ausübung der schuldigen Pflichten."

¹² See also TL 6:458.12: "Gratitude is not, strictly speaking, love [Gegenliebe] toward a benefactor on the part of someone he has put under obligation, but rather respect for him." Still gratitude is a duty of love.

¹³ Beck even claims that Kant regards practical love "as equivalent to the love commanded by Christianity" (Beck ³1963, p. 233).

"They [Sie] can be considered separately (each by itself) and can also exist in this way [i.e. separately, D.S.]" (TL 6:448.15 f., trans. D.S.).

One very tempting interpretation is to take the demonstrative pronoun 'they' to refer to those feelings of love and respect, so that Kant's claim would be that the feeling of love and the feeling of respect "can be considered separately (each by itself) and can also exist separately" (TL 6:448.15 f.). Yet again, this is *not* the case. My central claim is this: Beginning with that sentence ('They can be considered separately ...'), the whole section (§23) is on the accessoric connection of duties, and not about the feelings of love and respect. To see this, we have to take a closer look. First, the German original:

Liebe und Achtung sind die Gefühle, welche die Ausübung dieser Pflichten begleiten. Sie können abgesondert (jede für sich allein) erwogen werden und auch so bestehen (Liebe des Nächsten, ob dieser gleich wenig Achtung verdienen möchte; imgleichen nothwendige Achtung für jeden Menschen, unerachtet er kaum der Liebe werth zu sein beurtheilt würde). Sie sind aber im Grunde dem Gesetze nach jederzeit mit einander in einer Pflicht zusammen verbunden; nur so, daß bald die eine Pflicht, bald die andere das Prinzip im Subject ausmacht, an welche die andere accessorisch geknüpft ist. – So werden wir gegen einen Armen wohlthätig zu sein uns für verpflichtet erkennen; aber weil diese Gunst doch auch Abhängigkeit seines Wohls von meiner Großmut enthält, die doch den Anderen erniedrigt, so ist es Pflicht, dem Empfänger durch ein Betragen, welches diese Wohltätigkeit entweder als bloße Schuldigkeit oder geringen Liebesdienst vorstellt, die Demüthigung zu ersparen und ihm seine Achtung für sich selbst zu erhalten (TL 6:448.14–449.2, bold D.S.).

Here's Gregor's translation:

Love and respect are the feelings that accompany the carrying out of these duties. They [Sie] can be considered separately (each by itself) and can also exist separately (one can love one's neighbor though he might deserve but little respect, and can show him the respect necessary for every human being regardless of the fact that he would hardly be judged worthy of love). But they [Sie] are basically always united by the law into one duty, only in such a way that now one duty and now the other is the subject's principle, with the other joined to it as accessory. – So we shall acknowledge that we are under obligation to help someone poor; but since the favor we do implies that his well-being depends on our generosity, and this humbles him, it is our duty to behave as if our help is either merely what is due him [sic!] or but a slight service of love, and to spare him humiliation and maintain his respect for himself (TL 6:448.14–449.2, bold D.S.).

Here's my translation:14

Love and respect are the feelings that accompany the carrying out of these duties. **They** [Sie] can be considered separately (each by itself) and can also exist in this way [i.e. separately, D.S.] (love of one's neighbor though he might deserve but little respect; likewise necessary respect for every human being regardless of the fact that he would be judged hardly worthy of love). But **they** [Sie] are really always united with each other according to the law in a single duty, yet only in such a way that now one duty, now the other constitutes the principle in the subject, such that one duty is joined to the other accessorily. – So we shall recognize ourselves as being obligated to be beneficent to someone poor; but because this favour also implies the dependence of his well-being on my generosity, which does humble the other, it is a duty to spare the recipient humiliation and to maintain for him his respect for himself, by means of a conduct that presents this beneficence either as something simply due to him or as a small service of love (TL 6:448.14–449.2, trans. and bold D.S.).

The crucial question simply is this: What do the two demonstrative pronouns "[t]hey [Sie]" (TL 6:448.15, 448.19) refer to? Depending on the answer, the meaning of the text changes completely (a very rare phenomenon when it comes to philosophical texts). This is not only a matter of how to interpret this passage; a correct understanding of this passage might have far reaching consequences for the interpretation of other passages as well (I will give an example in support of this claim later). It is a widespread misunderstanding to believe that close reading will at best disclose details that are, however, irrelevant to the philosophical argument or thesis. Arguments are not simply 'there;' they must be reconstructed by a detailed, interpretative effort, and numerous examples can be given that demonstrate how paying attention to (so-called) details can entirely

¹⁴ Let me point out the main differences: Gregor translates "Liebe des Nächsten" (TL 6:448.16 f.) with "one can love one's neighbor" instead of "love of one's neighbor" (more on this below); she misplaces "hardly" (TL 6:448.18), making it an adverb which it is not; she leaves "mit einander [with each other]" (TL 6:448.20, trans. D.S.) untranslated; "accessorisch" (TL 6:448.22) is an adverb to "geknüpft" (TL 6:448.22); she translates "to help someone poor" where it says "gegen einen Armen wohltätig zu sein [to be beneficent to someone poor]" (TL 6:448.23, trans. and italics D.S.); and the latter part of the last sentence contains some more minor flaws. Let me point out that I have the greatest respect for her translation of Kant's Metaphysik der Sitten; this is hard and tedious work. I hope that one can see, however, that serious research on Kant's text cannot be done without the ability to read German. – Many thanks to Richard Capobianco for helping with my translation and many thanks as well to Marcia Baron for checking the whole paper.

change our understanding of an argument.¹⁵ In any event, even if there were no far reaching consequences with regard to \$23, a correct interpretation is still at order.

Just looking at the first "They" (TL 6:448.15) (for short: They₁), there will be a strong tendency to think that it refers to "[l]ove and respect" (TL 6:448.14) (and thus indirectly to the "feelings" (TL 6:448.14)). This yields the following proposition:

(F1) The feelings of love and respect "can be considered separately (each by itself) and can also exist separately" (TL 6:448.15 f.).

Once this is assumed, the second "They" (TL 6:448.19) (for short: They₂) must also refer to those feelings because it clearly relates to the first noun which is They₁. Hence we get:

(F2) The feelings of love and respect "are really always united with each other according to the law in a single duty, yet only in such a way that now one duty, now the other constitutes the principle in the subject, such that one duty is joined to the other accessorily" (TL 6:448.19–22, trans. D.S.).

This is the *prima facie* way of reading those sentences. This reading cannot possibly be correct, though. In order to see this, it is important to read the whole section with the end of the section in mind. At the conclusion of this section, there is an example which certainly is *not* about the feelings of love and respect but about the *accessoric* connection of one duty to another. I will go into the details later, but the basic idea seems simple: One duty, which in the example is the duty of love to help as a specified duty of beneficence, entails—if that is not too strong a term (read: brings along)—another duty (which in the example is the narrow duty of not humiliating the recipient of one's help). Having to carry out a duty of love involves having to carry out a duty of respect; if I am to help a poor man, doing so brings along the duty not to humiliate that poor man (the recipient of my beneficence). In any event, the

¹⁵ For a recent example, cf. Schönecker, 2010b.

¹⁶ For grammatical reasons (because of "(jede für sich allein)" (TL 6:448.16, italics D.S.)), the reference can, if at all, only be to "[l] ove and respect" (TL 6:448.14, emphasis in the original erased, D.S.); I will get back to this later. In any event, love and respect are the feelings talked about.

¹⁷ Again, in German: "accessorisch geknüpft" (TL 6:448.22).

¹⁸ The same idea one can find in §31 of the *Tugendlehre*. Note, however, that in §31 Kant refers explicitly to "him [er]" (TL 6:453.22), which goes back to

"So" (TL 6:448.22) (both in German and English) clearly expresses that we are provided with an *example*. Now if the example is about this accessoric connection of one duty with another ("such that one duty is joined to the other accessorily" (TL 6:448.21 f., trans. and italics D.S.)), and if the example ("So" (TL 6:448.22)) exemplifies a thesis in the preceding sentence, then this sentence must be about the accessoric connection of one duty with another. Referring They₂ to duties rather than to feelings of love and respect, the meaning of that sentence then is:

(D2) Duties of love and duties of respect "are really always united with each other according to the law in a single duty, yet only in such a way that now one duty, now the other constitutes the principle in the subject, such that one duty is joined to the other accessorily" (TL 6:448.19–22, trans. D.S.).

If, however, They₂ does refer to *duties* of love and respect, and not to the *feelings* of love and respect, then They₁ also must refer to these duties (again, because They₂ picks up the noun They₁). Thus we get:

(D1) Duties of love and respect "can be considered separately (each by itself) and can also exist separately" (TL 6:448.15 f.).

But then the *whole* passage beginning with They₁ is about *duties* of love and respect, not about the *feelings* of love and respect that accompany these duties, and thus the *prima facie* interpretation must be given up.

Marcia Baron shares the *prima facie* reading and yet cannot help but note: "It is hard to believe that Kant really means that as *feelings* love and respect are 'united by the law into one duty.' So, although he says he is speaking of them as feelings at this point, I am not convinced that he is." But Baron *does* believe *that* Kant 'says' so, and so do Forkl, 2001, p. 206 and Burggraf, 2005, p. 159. Koch, 2003, pp. 147 f., on the other hand, simply assumes that D2 is the correct interpretation, not F2; but he says next to nothing about it. Horn, 2008, p. 166 mentions \$23 only in passing, without seeing the interpretative problem; the same is true for Anderson, 2008, p. 141, Malibabo, 2000, pp. 208 ff., Moors, 2005, pp. 64 f., Römpp, 2006, p. 225, Steigleder, 2002, pp. 260 f., and Witschen, 2006, p. 628. Esser, 2004, pp. 371 f., discusses \$24, but not \$23 (in a similar fashion, but very brief cf. Mairhofer, 1975, p. 47 and Murphy, 1994, p. 83 f.); Streich, 1924, pp. 36 ff., and Guyer, 2010, dis-

the beginning of the section where Kant introduces someone who is "rich" (TL 6:453.17).

¹⁹ Baron, 2004, p. 395.

cusses love in the *Metaphysik der Sitten*, but do not discuss §23. Gregor, 1963, p. 182, footnote 4, has a somewhat mixed interpretation: "The feelings of love and respect for others can occur separately, but practical love and respect are always united in a duty of virtue to others;" but she just states this without any interpretation. As far as I can tell, there is to the present day no detailed analysis of §23 (not even by non-*kommentarische* standards), and very little on the other sections on duties of love as well. (I will not discuss the literature regarding the other sections.)

Let us now have a closer look at the text of \$23. Not only do the grammatical reasons just provided speak for the claim that most of it is about duties, not about feelings; read this way, it also makes much more philosophical sense.

Duties of Love and Respect as Accessorily Connected

No doubt, the example ('So we shall recognize ourselves ...') is about duties and their accessoric connection. Once this is recognized, it will come as no surprise that the preceding sentence (to which the example refers) is also clearly about duties and their accessoric connection. Let us look again: "[T]hey are really always united with each other according to the law in a single duty, yet only in such a way that now one duty, now the other constitutes the principle in the subject, such that one duty is joined to the other accessorily" (TL 6:448.19-22, trans. D.S.). On close reading, it is very hard to see how this can be read as a statement about feelings (in terms of F2). The latter part of this sentence is about duties ('now one duty, now the other (duty),' 'such that one duty is joined to the other (duty) accessorily'). The former part of the sentence could, just at its semantic surface, be read as referring to feelings in terms of F2, maybe saying that the feelings of love and respect are "really always united with each other according to the law in a single duty yet only in [...] a way" (TL 6:448.19-21, trans. and italics D.S.) that sometimes the duty of love, sometimes the duty of respect "constitutes the principle in the subject" (TL 6:448.21 f., trans. D.S.). So on this reading the idea would be that because those duties are 'accessorily connected,' the feelings that accompany these duties are also 'united,' to wit, united 'in a single duty,' that is, a single (one) duty inasmuch it connects two duties one of which is accessoric. - But this reading is highly implausible. First of all, if the real theme of that sentence were the connection of feelings, then that theme would, quite confusingly, receive no treatment in the example; the example simply is *not* about such a connection of feelings but about the connection of duties (which the latter part of that sentence speaks very clearly about). Second, even if that charitable reading is assumed, it remains opaque what exactly it would mean that the feelings of love and respect are "really always *united* with each other according to the law *in a single duty*" (TL 6:448.19 f., trans. and italics D.S.). Third, the new reading also fits much better with the rest of the sentence, because the claim then is that really (*im Grunde*) duties of love and of respect are 'united with each other,' '*only* in such way' that one is joined to the other as accessory. Kant's formulation that the duties are 'accessorily connected' is a specification of the preceding formulation that they are 'united with each other'.

What then does Kant say about the accessoric connection expressed in D1 and D2? Let us try to look at the details of Kant's theory of the accessoric connection of duties of love and respect; this will further strengthen our alternative (*secunda facie*) reading.²⁰

(i) Kant: Duties of love and duties of respect "are really always united with each other according to the law in a single duty" (TL 6:448.19 f., trans. and italics D.S.). - This is a strong claim: Every duty to beneficence, gratitude and sympathy is always (jederzeit) connected accessorily with a duty of respect; whenever I (have to) carry out a duty of love, I (have to) carry out a duty of respect, and vice versa. But is this really true for all duties of love and respect, and is it true in both directions such that all duties of love are connected with duties of respect, and vice versa, one of them constituting "the principle in the subject" (TL 6:448.21, trans. D.S.)? As for the duty of beneficence, its accessoric connection with the duty of respect seems to make sense right away. For if I carry out such a wide, meritorious duty, the recipient of my beneficence is put under obligation, and this humbles him and can be detrimental to his self-respect. Hence, I must follow the duty of respect not to humiliate him. However, what exactly is this duty of respect? If the duty of respect is a negative duty (avoid arrogance, defamation, ridicule),²¹ what exactly is then the connection with the duty of love? Kant says very little about this; as a matter of fact, all he says about the accessoric connection of duties of love with duties of respect is in §23.22 How about this: When it

²⁰ For further interpretations see Bacin, forthcoming.

²¹ Cf. §§42-44.

²² The term 'accessorisch' (as such) appears only once in Kant's opus (to wit, in §23).

comes to beneficence, arrogance (entailing humiliation) must be avoided; as for gratitude, defamation is the lurking vice; and concerning sympathy (teilnehmende Empfindung) all three vices must be actively avoided. One can easily see that this is far from obvious; as often with Kant, the example works fine, but the general claim behind it is much less convincing. Even less striking is Kant's thesis that duties of respect are accessorily connected with duties of love—what could that possibly mean with regard to the specific duties of love and respect?

- (ii) Kant: Duties of love and duties of respect "are really always united with each other according to the law in a single duty" (TL 6:448.19 f., trans. and italics D.S.). What does 'according to the law' (dem Gesetze nach) mean? It can not mean that the accessoric conncetion between duties is always the case; this is true, says Kant, but this aspect is already expressed by 'always.' Rather, the idea must be that duties of love and respect are founded on a general law, i. e. the moral law or the categorical imperative. This is a well known claim of Kant's; what exactly it means, I cannot discuss here.
- (iii) Kant: Duties of love and duties of respect "are really always united with each other according to the law in a single duty" (TL 6:448.19 f., trans. and italics D.S.). - This is just the claim that duties of love and duties of respect are connected, such that they build a conjunctive duty, and in that sense a 'single' (or 'one') duty. However, Kant is eager to stress in the latter part of D2 that they are one duty, but "only in such a way that now one duty, now the other constitutes the principle in the subject, such that one duty is joined to the other accessorily" (TL 6:448.21 f., trans. and italics D.S.). Recall that D2 in the original formulation says: "But they[2] [duties of love and respect, D.S.] are really always united with each other according to the law in a single duty" (TL 6:448.19 f., trans. and italics D.S.). The 'but' refers to D1 in opposition to which D2 is stated: "They[1] [duties of love and respect, D.S.] can be considered separately (each by itself) and can also exist in this way [i.e. separately, D.S.]" (TL 6:448.15 f., trans. D.S.). So these duties are separate (abgesondert) duties, but on the other hand they are accessorily connected and in this respect 'a single' duty. Note that the 'but' provides additional evidence that D1 is about duties, not about feelings; the general topic in these sentences is the separateness and connection of those duties.
- (iv) Kant: In accessorily connected duties there is one duty that "constitutes the *principle in the subject*" (TL 6:448.21 f., trans. and italics D.S.). Let us again look at the example: Note that it says: "we shall recognize ourselves as being obligated to be beneficent to *someone* poor

[gegen einen Armen]" (TL 6:448.22 f., trans. and italics D.S.), not 'to the poor.' Thus, there is an actualized duty to beneficence, 'actualized' in the sense that a wide duty must be fulfilled specifically given a specific situation. This duty is what I recognize (erkennen) and which moves me; contrary to this duty, the duty "to spare the recipient humiliation and to maintain for him his respect for himself" (TL 6:448.25-449.2, trans. D.S.) is a secondary duty which only applies because the wide duty to beneficence is actualized. If in a given case I do not recognize myself as obligated to be beneficent to this particular poor person, then I am not obligated 'to spare that person humiliation and to maintain for him his respect for himself' simply because I cannot behave in a way that presents my beneficence "either as something simply due to him or as a small service of love" (TL 6.448.26-449.1, trans. D.S.) (still I must not humiliate him in other ways, of course). Thus in the example the duty of beneficence constitutes "the principle in the subject" (TL 6:448.21, trans. D.S.) inasmuch it is the primary duty that entails the secondary.²³

- (v) Kant: Duties of love and duties of respect are *accessorily* connected. This has been accounted for: The connection is accessoric because one duty (in the example the duty of respect not to humiliate) accedes, as it were, to another, (in the example: to the duty of love to be beneficent); the former would not apply without the latter.
- (vi) Kant: Although duties of love and respect are accessorily connected, "[t]hey can be considered separately (each by itself) and can also exist separately" (TL 6:448.15 f., italics D.S.). It is to be expected that Kant will put forward such a claim, if only for the reason that indeed he does treat duties of love and duties of respect separately in different chapters. There is a certain tension, though, between this claim and the central claim that duties of love and respect are accessorily connected. Once more, let us look at the example: Certainly, there is no difficulty to consider the duty of beneficence and the duty not to humiliate "separately" (TL 6:448.15), i.e. "each by itself [jede für sich allein]" (TL

²³ In *Der Streit der Fakultäten* there is a passage in wich Kants distinguishes between what belongs "zum Wesentlichen (*principale*)" (SF 7:64.9 f.) and "zum Beigesellten (*accessorium*)" (SF 7:64.10). – The term 'accessoric' is often used in juridical contexts. In *Pierer's Universal-Lexikon*, vol. 12, Altenburg, 1861, pp. 188–189, I find (online) the following note: "Jede Obligation ist ferner entweder eine selbständige, für sich bestehende, od. accessorische, welche erst einer anderen O. hinzutritt, z. B. eine Bürgschaft." In (German) jurisprudence, there is still a 'Prinzip der Akzessorietät'; for this juridical context see RL 6:268.

6:448.16).²⁴ However, how shall the duty not to humiliate also 'exist like this,' i.e. exist separately, if "exist [bestehen]" (TL 6:448.16) means something like 'apply,' 'to be in force' or 'to be valid'? There is, it seems, a dilemma: Either a duty of love (likewise, a duty of respect) "can [...] exist separately" (TL 6:448.15 f.), in which case it is neither "accessori[c]" (TL 6:448.22) nor the "principle in the subject" (TL 6:448.21, trans. D.S.); or it is part of such an accessoric connection of duties, in which case it can*not* "exist separately" (TL 6:448.15 f.).

(vii) Kant: They (duties of love and respect) can be considered separately (each by itself) and can also exist like this ("love of one's neighbor though he might deserve but little respect; likewise necessary respect for every human being regardless of the fact that he would be judged hardly worthy of love" (TL 6:448.16-19, trans. D.S., emphasis in the original erased)). - I would now like to analyze what is said in parenthesis about love and respect. Again, it all depends on how one reads the 'They' (i. e. They₁). If it refers to the feelings of love and respect, then what is said about love and respect in parenthesis is also about those feelings. Here, it is worthwhile to take a closer look at Gregor's translation of the passage: "[...] (one can love one's neighbor though he might deserve but little respect, and can show him the respect necessary for every human being regardless of the fact that he would hardly be judged worthy of love)" (TL 6:448.16-19). In German, there is no hint that one can love one's neighbor" (TL 6:448.16); it simply says "Liebe des Nächsten" (TL 6:448.16) which should therefore be translated with 'love of one's neighbor.' (The term is no less strange in German than it is in English.) Gregor's translation strongly suggests that it is the feeling of love that one can bring up against someone who deserves not even respect ("one can love" (TL 6:448.16)), and "likewise" (TL 6:448.17 f.) the other way round. However, on the assumption that "They" (TL 6:448.15) at the beginning

²⁴ I already pointed out that the grammatical form of the parenthesis "(jede für sich allein)" (TL 6:448.16) only allows the reference to "Liebe and Achtung" (TL 6:448.14), provided that one refers They1 to the feelings of love and respect at all. If the reference were "Gefühle" (TL 6:448.14), it would need to say 'jedes für sich allein'; note, by the way, that this is a grammatical point that gets lost, and must get lost, in the translation. Still, the reference of "jede" to "love and respect" would be awkward, for then one must read (in German; again, that's not translatable): 'jede, sowohl die Liebe wie auch die Achtung, für sich allein ...' If, however, one refers They1 to the duties of love and respect and, accordingly, "jede für sich allein" to these duties as well, the reference is easy and smooth.

of that sentence refers to the duties rather than to the feelings of love and respect, there must be another interpretation of that sentence. A closer look reveals that this is not only possible, but obvious.²⁵ First of all, note that 'love of one's neighbor' is an expression that in the context of \$\$23-36 Kant uses (as he does elsewhere)²⁶ to refer to the duty of love of one's neighbor. Just two sections later (in \$2) Kant speaks of the "duty of love for one's neighbor" (TL 6:450.3, italics D.S.); and again a bit later (in §§27 and 28) he twice mentions the Christian duty to love one's neighbor (cf. TL 6:450.33, 451.29). There is no doubt that in the wider context of §\$23 ff. Kant explicitly understands love as a normative concept, not as a feeling: "In this context [hier], however, love is not to be understood as feeling [...] It must rather be thought as the maxim of benevolence (practical love), which results in beneficence" (TL 6:449.17-22, emphasis in the original erased, D.S.); and a few lines later: "Since the love of human beings (philanthropy) we are thinking of here is practical love [...]" (TL 6:450.16 f.). By the same token, there is a "duty of respect for one's neighbor" (TL 6:450.5). Of course, in §23 love and respect are first introduced as feelings ('Love and respect are the feelings that accompany the carrying out of these duties'). But as we have seen, right after that Kant (with They1) moves on to love and respect as duties,²⁷ so that 'love of one's neighbor' in that parenthetical clause of \$23 can and must indeed be understood as the 'practical love' (of beneficence) that is a duty. The same is true for the "respect [...] for every human being" (TL 6:448.18). Kant qualifies this respect as "necessary [nothwendige]" (TL 6:448.18), 28 as something that ought to be and thus as a duty; feelings are not 'necessary,' and so if Kant referred to respect as a feeling he could not call it necessary. Secondly, it is important to see that the sentence in parentheses is obviously meant as a com-

²⁵ It is therefore potentially misleading that Bernd Ludwig edits that parenthesis as a separate sentence (Kant (1797) [11990]); this is different in the Academy Edition.

²⁶ See, for instance, KpV 5:81-86.

²⁷ Things would have been easier, if Kant had written 'Diese' (These) rather than "Sie [They]" (TL 6:448.15). In TL 6:483.26–31 one finds another example of a sentence in which Kant uses "sie" (TL 6:483.31) where 'diese' would have been appropriate ("sie" (TL 6:483.31) there refers to "Pflicht" (TL 6:483.30)).

²⁸ The "necessary" (TL 6:448.18) really is an attribute to "respect" (TL 6:448.18), so the claim is that respect is necessary, but not that it is (as in Gregor's translation) "necessary for every human being" (TL 6:448.18, italics D.S.) (whatever that means).

ment on the main clause which is about the separateness of the duties of love and respect; thus it further elaborates upon that separateness. Note, however, that love and respect are not entirely separated: One shall love one's neighbor though she "might deserve but little respect" (TL 6:448.17); and one shall respect one's neighbor though she "would be judged hardly worthy of love" (TL 6:448.18 f., trans. D.S.). It is hard to see what Kant's point is, but maybe it can be formulated as follows: The wide duty of love must be fulfilled even if someone seems not even worthy of the narrow duty of respect that we owe him; and we owe every human being respect regardless of how much (or rather little) actions of love it deserves. The sentence in parentheses remains somewhat enigmatic; but it does so on any reading of its context. It would be much easier to understand if Kant meant to say that one must love one's neighbor whether she's worthy of love or not; and that one must respect one's neighbor whether she's worthy of respect or not.²⁹

Finally, one more note on love and respect as the accompanying feelings.³⁰ We have already seen that it is *not* Kant's claim that the feeling of love accompanies duties of love and that the feeling of respect accompanies duties of respect. But it is also not his claim that the only feelings that *specifically*³¹ accompany these duties are love and respect. Once more it is important not to discuss duties of love just generally, but to specify these duties as Kant does himself (duties of beneficence, gratitude, sympathy):

- (i) When it comes to beneficence, there is the "satisfaction [Vergnügen] in the happiness (well-being) of others" (TL 6:452.27, italics D.S.). In section XII of the "Introduction" Kant mentions "love of [...] [human beings, D.S.] [Menschenliebe] (as an aptitude [Fertigkeit] of the inclination to beneficence in general)" (TL 6:402.20 f.,) that results from beneficence; in Vorarbeiten zur Tugendlehre Kant understands love of human beings as the "Freude über das physische und moralische Wohlseyn eines Anderen" (VATL 23:407.34 f., italics D.S.).
- (ii) As already mentioned, the duty of gratitude as a duty of love is not accompanied by the feeling of love but by the feeling of respect; another term Kant avails himself of in this context is "honoring [Vereh-

²⁹ See \$27 where Kant says that practical love "is a duty of all human beings toward one another, whether or not one finds them worthy of love" (TL 6:450.31–33).

³⁰ See, once more, TL 6:454.32 f.: "The feeling *connected* with this judgment [...]" (italics D.S.).

³¹ Of course, all kinds of context-relative and subject-relative emotions and feelings can be involved in a concrete carrying out of a duty.

rung]" (TL 6:454.31), since gratitude (as "active" (TL 6:455.3) gratitude) is maybe defined as "honoring a person because of a benefit he has rendered us" (TL 6:454.31 f.).³² Next to this Kant also knows of another form of gratitude which very clearly is something like a feeling, sc. "affective [affectionellen] gratitude" (TL 6:455.3 f.).

- (iii) The duty of sympathetic feeling is the one most clearly accompanied by specific feelings; these are the feelings of "[s]ympathetic joy and sadness [Mitfreude und Mitleid]" (TL 6:456.20).
- (iv) Last but not least, one has to ask whether what Kant means by "carrying out [Ausübung]" (TL 6:448.15) duties of love and respect is just a *successful* carrying out of these duties (such that one really *is* beneficent, grateful, and sympathetic) or a *failing* of carrying out of these duties. In the latter case, "*envy, ingratitude*, and *malice*" (TL 6:458.23 f.) (\$36) need to be considered.

A Possible Consequence: Accessoric vs. Intimate Union of Love and Respect

According to \$23, the connection of the duties of love with the duties of respect is accessoric. Kant goes on to discuss the duties of respect (up to \$36); part II (\$\$37-44), then, is about the duties of respect. Both these kinds of duties to others are duties to others merely as human beings; later, there is a very brief chapter (only one section, i.e. \$45) on ethical duties of human beings toward one another with regard to their condition. But that's not the end of part II of the doctrine of virtues to others; there is a "conclusion of the elements of ethics" (TL 6:469.13) which is about the "most intimate union of love with respect in **friendship**" (TL 6:469.14 f.), laid out in \$46-47.

These two sections are difficult and require an analysis no less detailed (or *kommentarisch*³³) then the one I tried for \$23. I cannot do this here, but I would like to draw attention to the following point. To begin with, friendship in this context (moral friendship anyway, "as dis-

³² I say 'maybe,' because active gratitude—similar to practical philanthropy—might not be an actual feeling in any proper sense (actual "honoring" (TL 6:454.31)), but just a maxim, whatever the feeling would be connected with it (or its effected action). Thus one could be gratitious without having the feeling of gratitude.

³³ On the idea of 'kommentarische' interpretations cf. Schönecker, ²2004, and Damschen/Schönecker, 2012, pp. 203–272.

tinguished from aesthetic friendship" (TL 6:471.26, trans. D.S.)³⁴) is understood as a "duty" (TL 6:469.23). Therefore, love and respect as the ingredients of friendship are not understood as feelings either; for instance, pointing out one's friend's faults to him or her is interpreted by Kant as a duty of friendship (which is a "duty of love" (TL 6:470.23)). He also describes love as "attraction" (TL 6:470.5) and respect as "repulsion" (TL 6:470.5), two concepts easily misunderstood as feelings too; but Kant explicitly says that "the principle of the former [i.e. of attraction resp. love, D.S.]³⁵ commands approach, the [principle, D.S.] of the second [i.e. of repulsion resp. respect, D.S.] requires to keep each other at a proper distance" (TL 6:470.5-7, trans. and italics D.S.). This "analogy" (TL 6:449.7) is already used in \$24. There too, Kant speaks of "attraction and repulsion" (TL 6:449.8), and there too he means that we are "commanded" (TL 6:449.9, trans. and italics D.S.) by the "principle of mutual love [Wechselliebe]" 6:449.9),³⁶ and that respect is something which we "owe" 6:449.10, italics D.S.) to each other; all of this cannot be true of feelings, but only of duties.³⁷ Whereas duties of love and respect are only accessorily connected such that in a given case there is one duty that "constitutes the principle in the subject" (TL 6:448.21 f., trans. D.S.), in friendship this accessoric union of duties is replaced by a "most intimate union [innigsten Vereinigung]" (TL 6:469.14, italics D.S.). This is how Kant describes the union of the duty of love and the duty of respect in friendship. In friendship, this union is not accessoric, rather it is essential to friend-

³⁴ Gregor translates "asthetischen [Freundschaft, D.S.]" (TL 6:471.26) with "friendship based on feeling;" this is probably what it means to say that a friendship is 'aesthetic', still it is not what the text says.

³⁵ Gregor's translation is faulty: "For love [jene] can be regarded as attraction and respect [diese] as repulsion, and if the principle of love [der ersteren] bids friends [there's no talk of 'friends' in German, D.S.] to draw closer, the principle of respect [der zweiten] requires them to stay [halten] at a proper distance from each other" (TL 6:470.4–7). Especially the replacement of "der ersteren" by "love" and "der zweiten" by "respect" is problematic; Kant might very well mean 'Prinzip der Annäherung' and 'Prinzip der Abstoßung' such that the principle of attraction is the principle of love and the principle of repulsion is the principle of respect (though \$23 suggests another reading). Here, this might only be a minor point; but again, one can see that translations are not trustworthy and potentially misleading.

³⁶ Cf. TL 6:471.15 and 473.6.

³⁷ Kant begins \$24 like this: "In speaking of *laws* of duty [...]" (TL 6:449.4, italics D.S.).

ship that love and respect are in an "Ebenmaß des Gleichgewichts" (TL 6:470.3, italics D.S.), in "equal balance required for friendship" (TL 6:470.3 f., italics D.S.). In §\$26–36 duties of love are treated 'separately,' and in §\$37–44 the same is done with duties of respect; they are treated 'separately' although they "are really always united with each other according to the law in a single duty, yet only in such a way that now one duty, now the other constitutes the principle in the subject, such that one duty is joined to the other accessorily" (TL 6:448.19–22, trans. D.S.) (D2). When it comes to friendship, however, there is no separateness, and there is no accessoric connection; there is an 'innigste Vereinigung'. 38

3. A Sketch of a Research Program

In what follows I will try to sketch a research program for some of the other sections in the chapter on duties of love; this is a sketch only, because there are simply too many questions to be raised and too many observations to be made. By 'research program' I mean (in this specific context) that there is a certain text highly in need of interpretation—up to the present day, there's practically no detailed analysis of those sections—, and that one can make textual observations that call for a coherent interpretation whatever eventually the actual interpretation will be. Such a textual observation is (at least to some extent) interpretatively neutral, i.e. it does not necessarily imply a certain interpretation; still, it is an observation to be made, to be paid attention to and to be taken into account. For instance, pointing out that those occurrences of the demonstrative pronoun "They" in \$23 (TL 6:448.15, 448.19) are, at least at first sight, ambiguous, is a textual observation (along with further observations related to this). An interpretation of the whole section that accounts for They, and They, was offered too, and, of course, one may very well find this (my) interpretation false. The crucial point, however, is that one has to provide reasons why one finds it false and why an alternative interpretation is better, that is, the alternative interpretation must pay attention to and explicitly account for the textual observations that have been made already. So anyone who writes an (interpretative) paper on

³⁸ Burggraf, 2005, p. 159, thus gets it quite wrong when he claims that love and respect are "really always united with each other according to the law in a single duty" (TL 6:448.19–21, trans. D.S.) and then calls this very same union on the basis of \$46 'friendship'.

\$23³⁹ must be aware of the literature written on this and must take into account, and account for, the textual observations that have been made in this literature; and then must offer a coherent interpretation that is true to the text, possibly accounting for even more textual details. If someone writes on \$23 and does not refer to the problem of They₁/They₂ at all, or refers to it, but rejects the suggested interpretation without giving reasons, or refers to it, providing an alternative reading without accounting for the other textual observations related to the problem of They₁/They₂, then no progress in our Kant research has been made.⁴⁰ 'Research' like this, and there are numerous examples for it, can go on forever and ever without making any demonstrable progress in better understanding Kant.

So let me draw your attention to some crucial questions to which I can only, if at all, sketch an answer. All questions refer to the introductory remarks on the duties of love; needless to say, Kant's discussion of these duties proper is no less difficult and no less in need of interpretation.

What Is the Maxim of the Duty of Love?

In §25, Kant mentions the "maxim of benevolence" (TL 6:449.20 f.), and this again shows up, with exactly the same wording, in §27 (cf. TL 6:450.31) and also, slightly changed, as the "maxim (of beneficence)" (again in §27) (TL 6:451.18; see also TL 6:451.7). But what exactly is the maxim when it comes to duties of love? There are three possibilities: There could be (i) a general maxim of the duties of virtue toward others, (ii) a general maxim of all duties of love, and there could be (iii) specified maxims for each duty of love (a maxim of benevolence, a maxim of gratitude, and a maxim of sympathetic feeling). Let us have a brief look.

³⁹ If someone does not want to interpret the text of \$23, one wonders why he or she refers to it.

⁴⁰ Next to the central question of the reference of They₁/They₂, future research on \$23, I submit, should be in a position to account for the role of the example and its relation to the preceding sentences (and thus for the "So" (TL 6:448.22)); for "(*jede* für sich allein)" (TL 6:448.16, italics D.S.); for the sentence in parenthesis ("love of one's neighbor though [...]" (TL 6:448.16 f., trans. D.S.), noting the 'necessary' quality of love and respect); and to account for all the other details observed in (i)–(vii).

⁴¹ Here I cannot discuss the question of what a maxim is; but it would have an effect on the interpretation.

Ad (i) A general maxim of the duties of virtue toward others: In §\$23–25, which are about duties of love and respect, Kant does not mention a general maxim of (all) these duties of virtue toward others; rather, Kant distinguishes between a maxim of duties of love and a maxim of duties of respect. In the Vorarbeiten zur Tugendlehre, this is different. There it says: "Das allgemeine Princip der Tugendpflicht gegen andere Menschen ist: trage gegen jedermann Liebe und Achtung" (VATL 23:407.19 f.). ("The general principle of the duty of virtue toward other human beings is: have [trage] love and respect toward everyone" (VATL 23:407.19 f., trans. D.S.).)

Not much is said herewith; for what does it mean to "have love and respect toward everyone"? Incidentally, in those *Vorarbeiten* (as in §25), Kant also puts much emphasis on his claim that love and respect in this context are not treated as feelings, but as duties.

Ad (ii) A general maxim of all duties of love: It is somewhat confusing or misleading that in \$\$25 and 27 Kant speaks of a 'maxim of benevolence' (or beneficence); after all, benevolence is only one of the three duties of love, and up to \$27, the text is about duties of love in general (up to \$25 it is even about respect). As a matter of fact, Kant speaks repeatedly about duties of love as if these duties consisted only in duties of benevolence. Thus, in \$26 (a section still about duties of love in general) he says that 'practical philanthropy'—which earlier he had called "love of one's neighbor" (TL 6:448.16 f., trans. D.S.)⁴² and "duty of love for one's neighbor" (TL 6:450.3)—"must be taken as active benevolence" (TL 6:450.16–18), almost as if Menschenliebe as a duty is nothing but such (active) benevolence.⁴³ Yet, something like a general maxim of all duties of love can be found in \$25:

Die Pflicht der Nächstenliebe kann also auch so ausgedrückt werden: sie ist die Pflicht, Anderer ihre Zwecke (sofern diese nur nicht unsittlich sind) zu den meinen zu machen; die Pflicht der Achtung meines Nächsten ist in der Maxime enthalten, keinen anderen Menschen bloß als Mittel zu meinen

⁴² On my interpretation, 'love of one's neighbor' in TL 6:448.16 (i.e. in \$23) is about practical love, not about the feeling; here too it shows how important a close reading of \$23 is for other contexts as well.

⁴³ It is therefore remarkable that Kant in one place of the *Vorarbeiten zur Tugendlehre* (VATL 23:410) discusses duties of love in general, but notes in parentheses after "Liebespflichten" (VATL 23:410.28): "(eigentlich die des Wohlwollens) [(actually the [duty, D.S.] of benevolence)]" (VATL 23:410.28).

Zwecken abzuwürdigen (nicht zu verlangen, der Andere solle sich selbst wegwerfen, um meinem Zwecke zu fröhnen) (TL 6:450.3-8).

Here's my translation:

Thus the duty of love for one's neighbor can also be expressed like this: It is the duty to make the other's *ends* my own (provided only that these are not immoral); the duty of respect for my neighbor is contained in the maxim not to devalue any other human being to a mere means to my ends (not to demand that the other cast away himself in order to indulge my end) (TL 6:450.3–8, trans. D.S.).

The "maxim" (TL 6:450.6) of the "duty of respect for my neighbor" (TL 6:450.5, trans. D.S.) shall be of no interest to us here. 44 However, note that Kant does speak of a 'maxim' here, and that he does so in a way that emphasizes the parallel of the maxim of duties of respect with the maxim of duties of love although the first part of the sentence does not make use of the term 'maxim' with regard to duties of love; clearly, however, Kant has a maxim of the duties of love in mind. Based on the first part of that sentence ("Thus the duty of love for one's neighbor can also be expressed like this: It is the duty to make the other's ends my own (provided only that these are not immoral)" (TL 6:450.3–5, trans. D.S.)), this maxim can be expressed as follows: Make other's ends your own. 45 Further passages confirm this: Thus, beneficence as practical benevolence, i.a. a benevolence based on a maxim, is defined as "making the other's well-being and good one's end [sich das Wohl und Heil des Anderen zum Zweck zu machen, (das Wohlthun)]" (TL 6:452.4 f., trans.

⁴⁴ See also TL 6:488.14–19: "All moral relations of rational beings, which involve a principle of the harmony of the will of one with that of another, can be reduced to *love* and *respect*; and, insofar as this principle is practical, in the case of love the basis for determining one's will can be reduced to another's *end*, and in the case of respect, to another's *right*." — On duties of respect, see Sensen's contribution to this volume.

⁴⁵ Accordingly, the maxim of respect would be: Do not degrade any other human being to a mere means to your ends! (The proviso regarding the morality of the ends goes without saying.) – Note that Kant says that the duty of love of one's neighbor (Nächstenliebe) can "also" (TL 6:450.3, italics D.S.) be expressed as 'making the other's ends my own.' But why 'also'? Maybe because the maxim to make the other's ends my own is an explication of 'benevolence;' but maybe this formulation (to make the other's ends my own) is a replacement of the Biblical command (and formulation) that is usually connected with the concept of 'Nächstenliebe' sc., 'love your neighbor as yourself' which, however, is only manifest in \$\$27-28. – Many thanks to Christian Hamm for a very fruitful discussion on this.

and italics D.S.); again, for Kant beneficence often stands for duties of love in general. Further, in section XVIII of the "Introduction" it says that duties of love for one's neighbor are duties to perform actions "by which one makes [...] others an end" (TL 6:410.19 f.)⁴⁶. Finally, this interpretation is confirmed by *Vorarbeiten zur Tugendlehre*. For there the maxim of the duties of love is expressed as follows: "den Zweck Anderer auch zu dem Meinen zu machen" ("to make other's ends also my own") (VATL 23:407.28, trans. D.S.). Duties of love, says Kant in those *Vorarbeiten*, "gehen auf die Zusammenstimmung des Zwecks der Menschen zu den Zwecken aller Anderen" (roughly: "are directed toward the harmony between the ends of all human beings") (VATL 23:406.29–407.1, trans. D.S.).⁴⁷

Ad (iii) Specified maxims for each duty of love:

(a) The maxim of benevolence: As already mentioned, in § 28 Kant speaks of a 'maxim of benevolence.' In the following sections, there are further formulations that narrow the circle of the adressees of one's beneficence. Beneficence, says Kant in §29, is practical benevolence "with regard to those in need [in Ansehung der Bedürftigen]" (TL 6:452.25, italics D.S.). Formulated as a duty (\$30), Kant says: "To be beneficent, that is, to promote according to one's means the happiness of others [anderen Menschen] in need [in Nöthen], without hoping for something in return, is everyone's [jedes Menschen] duty" (TL 6:453.2–4); in his comments on this, Kant uses "Noth" three times (TL 6:453.5, 453.7, 453.9), but replaces this term by the one (and somewhat weaker) term used in §30, to wit, "Bedürftige" (TL 6:453.13) resp. "bedürftige" (TL 6:453.14). Fi-

⁴⁶ Gregor's translation might be misleading: "[...] by which one makes [...] others one's end" (italics D.S.); but "one's" has no equivalent in German. It just says: "[...] durch die der Mensch [...] andere zum Zweck macht" (italics D.S.) (it does not say: 'zu seinem Zweck macht').

⁴⁷ Cf. VATL 23:411.6 f.: "Liebe ist Zusammenstimmung mit dem Zweck Anderer."

⁴⁸ With regard to gratitude, Kant calls this "Extension" (TL 6:455.26) of a duty (Gregor translates "extent").

⁴⁹ The whole passage is only loosely translated by Gregor; I will not get into details.

⁵⁰ In \$29 it says that we have the duty "to adopt this maxim [of beneficence, D.S.] as a universal law" (TL 6:452.29 f.).

⁵¹ Gregor translates *both* terms (*Not*, *Bedürftige*) and their variants with 'need.' That's noteworthy, because one can be 'bedürftig' without being 'in Not;' after all, it is a crucial question how much latitude one has in carrying out the duty of beneficence.

nally, note one more difficult formulation in \$29: "Wohlwollen ist das Vergnügen an der Glückseligkeit (dem Wohlsein) Anderer; Wohlthun aber die Maxime, sich dasselbe zum Zweck zu machen" (in Gregor's translation: "Benevolence is satisfaction in the happiness (well-being) of others; but beneficence is the maxim of making others' happiness one's end") (TL 6:452.26-28, italics D.S.). What does "dasselbe" (TL 6:452.28) refer to? For grammatical reasons, it cannot refer to "Glückseligkeit [happiness]" (TL 6:452.27), since "dasselbe" (TL 6:452.28) requires a neuter, "Glückseligkeit" (TL 6:452.27), however, is feminine.⁵² As for the gender, one could refer it to "dem Wohlsein" (TL 6:452.27) (in parentheses, the "well-being [Wohlsein]" (TL 6:452.27) is neuter), with the result that the maxim is to make the well-being of others one's end, which makes sense, of course. Strictly speaking, however, "dasselbe" (TL 6:452.28) can only refer to "Vergnügen" (TL 6:452.27) (satisfaction or fun), and then the proposition is to make that "Vergnügen" (TL 6:452.27, italics D.S.) one's end. Given that "Vergnügen an der Glückseligkeit (dem Wohlsein) Anderer" ("satisfaction in the happiness (well-being) of others") (TL 6:452.27) is the definition of "[b]enevolence" (TL 6:452.26), Kant's claim would be that beneficence is the maxim to make benevolence one's end; and that does not sound so absurd, does it?53

⁵² Gregor replaces "dasselbe" (TL 6:452.28) with "happiness." - Note another problem with \$29 as well: Kant begins this section (\$29) with a paragraph on the "Pflicht des Menschen gegen sich selbst [duty of man to himself]" (TL 6:452.22, trans. and italics D.S.). That is strange because Kant is about to write on the duty of beneficence as a duty to others. Even more remarkable is that the first sentence of the next paragraph (in the English translation) begins as follows: "But beyond benevolence in our wishes [...]" (TL 6:452.23, italics D.S., emphasis in the original erased), and then in this paragraph there is absolutely no reference to what is said in the first paragraph of \$29; this "[b]ut" cannot be explained. Suppose we consider a conjecture: The first paragraph of \$29 as it is edited (TL 6:452.16-22) does not belong to that \$29 at all; rather, the second paragraph of §29 (as it is now: TL 6:452.23-30) should be the first paragraph of §29. This would make for a very fitting connection with the last paragraph in the proceeding \$28 where Kant does talk about "benevolence in wishes" (TL 6:452.1). The question, of course, then is where TL 6:452.16-22 belongs—maybe to \$27 where Kant discusses the duty of benevolence to oneself (which is the topic of TL 6:452.16-22)? I cannot get into further details here; note, however, that editorial problems of the Metaphysik der Sitten are common. For a recent example, see Bacin/Schönecker, 2010.

⁵³ This "Vergnügen" is mentioned again in §31 (TL 6:453.20).

- (b) The maxim of gratitude: There is no direct or indirect formulation of a 'maxim' of gratitude. It all depends on what 'gratitude' is, and that is not a question easy to answer because it involves, generally speaking, both a feeling (honoring) and an act of service.
- (c) The maxim of sympathy: The same is (possibly) true for "[t]heil-nehmende Empfindung" (TL 6:456.18): There seems to be no direct or indirect formulation of a 'maxim' of this sympathy; but it is not entirely clear because the relevant sections (\$\$32-33) are very hard to understand.

Is There a Duty to Be Benevolent To Oneself? (§27)

Kant often puts his ethical maxims or precepts in the context of Christian ethics. ⁵⁴ In §\$27–28 too he relates the duty and maxim of benevolence to the "formula [Formel] ⁵⁵: Love your *neighbor* [Nächsten] ⁵⁶ (your fellow human being) as yourself" (TL 6:451.28 f., trans. D.S.). ⁵⁷ I have already noted that §27 is about the question of whether, and how, benevolence can be directed towards oneself (given that the Christian precept commands love of one's neighbor *as oneself*); §28 discussses the problem that benevolence (or philanthropy), despite the universality of the required love of one's neighbors, must allow for degrees. These sections, in particular §28, are very hard to understand. Let me pose some questions, first on §27.

(1) §27 begins as follows: "In accordance with the ethical law of perfection 'love your neighbor as yourself,' the maxim of benevolence (practical love of human beings) is a duty of all human beings toward one another, whether or not one finds them worthy of love" (TL 6:450.31–34). Is it really beyond doubt (as Gregor's translation suggests) that the "ethical law of perfection" (TL 6:450.33), rather than the "maxim of benevolence" (TL 6:450.31), is to be identified with that Christian precept (to love your neighbor as yourself)? Maybe the "maxim of benevolence" (TL

⁵⁴ An important passage is KpV 5:81 ff.

⁵⁵ Gregor translates "Formel" (TL 6:451.28) as "precept."

⁵⁶ The literal meaning of 'Nächster' is: someone who is near (close) to you.

⁵⁷ The opposite maxim, as it were, is this: "everyone for himself, God for us all" (TL 6:452.3), and: "Everyone for himself, God (fortune) for us all" (TL 6:452.32 f.).

6:450.31) (at the beginning of the first sentence)⁵⁸ is to be identified with that precept; after all, in §25 the duty of love is called the "duty of love for one's neighbor" (TL 6:450.3). And then the claim would be this: 'The maxim of benevolence is a duty of all human beings towards one another, whether or not one finds them worthy of love, according to the ethical law of perfection (which is *not* formulated), and the maxim is this: Love your neighbor as yourself.' In what follows, Kant does speak about love of one's neighbor and then again twice about a maxim, so that would fit.

- (2) The main argument of \$27, I believe, is as follows:
- 1. The maxim of benevolence is a universal duty for all human beings regarding all human beings.
- 2. I am a human being.

Therefore, the maxim of benevolence is a duty for me regarding myself as well.

The main problem is this: Since everyone loves himself or herself anyway, there can be, so it seems, no *duty* to love oneself. How is this reconcilable with that argument? Despite the fact that "the law making benevolence a duty will include myself, as an object of benevolence" (TL 6:451.8 f.), Kant says very clearly that there can be "no obligation" (TL 6:451.12) to love oneself. Rather, he says, the maxim "*permits* you to be benevolent to yourself" (TL 6:451.16 f.). But how is this a solution to the problem? Of course, everything that is obligatory is permitted; not everything that is permissible to love all human beings (including oneself); it says that one *ought* to love all human beings (including oneself). Adding the condition that one may only be benevolent to oneself provided one is "benevolent to every other as well" (TL 6:451.17) does not, it seems to me, change that; still the question remains whether benevolence to oneself is permissible or obligatory.

⁵⁸ Gregor restructures the sentence. In German, it says: "Die Maxime des Wohlwollens (die praktische Menschenliebe) ist aller Menschen Pflicht gegen einander, man mag diese nun liebenswürdig finden oder nicht, nach dem ethischen Gesetz der Vollkommenheit: Liebe deinen Nebenmenschen als dich selbst" (TL 6:450.31–34). I cannot pursue this but note that there is an important difference in the punctuation between the Meiner Edition and the Academy Edition; the Meiner Edition, but not the Academy Edition, supports the Gregor-reading.

May There Be Different Degrees of Benevolence? (§28)

This section is one of the most difficult sections of the entire book, I would maintain. Again, I can only sketch some observations and questions.

- 1) What is the main topic? Setting aside (for the time being) the first paragraph and looking only at the second (and final) paragraph, there seems to be a clear structure. Kant formulates a problem up to the hyphen (cf. TL 6:451.35); after the hyphen, the problem is solved. What is the problem? At first sight, things seem to be fairly easy; it's about the 'fitting' of the evangelical command⁵⁹ with certain facts about me and my neighbors: "Yet one human being is closer [näher] to me than the other, and in benevolence I am to myself the closest [der Nächste]. How does this fit with the formula: Love your neighbor [deinen Nächsten] (your fellow human being)⁶⁰ as yourself?" (TL 6:451.27-29, trans. D.S.)61 So Kant sees a contradiction: "I cannot, without contradicting myself, say that I ought to love every human being as myself" (TL 6:451.33 f.). Why not? The evangelical command says "that I ought to love every human being as myself" (TL 6:451.34), i.e. love everyone with that degree x of love with which I love myself. This, however, appears not to be compatible with Kant's assumption that different degrees of obligatory benevolence are permissible. For if it is permissible to show different degrees of benevolence to different people, how then shall I show the same degree x of benevolence to all people ('love everyone with that degree x of love')?
- 2) In the second paragraph, Kant uses several variants of 'Nähe' (closeness) six times.⁶² One would think that what he means by this 'Nähe' is something like, say, personal closeness on grounds of social, spiritual, family relations or whatever. This is certainly true for some of these occurrences of 'Nähe,' but not true for at least two of them. For in (at

⁵⁹ This is how Kant calls it, for instance, in the second Critique (cf. KpV 5:81 f.).

⁶⁰ In German, it says "*Mit*menschen" (TL 6:451.29, italics D.S.); in the earlier formulation of the evangelical command in §27, Kant says "*Neben*menschen" (TL 6:450.34, italics D.S.); Gregor translates the latter with "neighbor," the former with "fellow-human being."

⁶¹ Kants construes the problem around the German words 'näher,' 'der Nächste,' 'deinen Nächsten;' this is an important connotation that gets lost if one only reads the translation: 'Love your neighbor' should literally be translated as 'love the one that is next to you,' or: 'that is close to you.'

⁶² Cf. TL 6:451.27, 451.28, 451.29, 451.30, 451.32, 452.7.

least) two cases, this closeness is not understood descriptively (I am close to someone), but prescriptively (I ought to be close to someone). Kant writes: "If one is closer to me than another (in the duty of benevolence), [and, D.S.]⁶³ I am thus [also]⁶⁴ obliged to greater benevolence to one than to the other but am admittedly closer to myself (even in terms of duty [selbst der Pflicht nach])65 than to any other [...]" (TL 6:451.29-33, trans. and italics D.S.). So one can be 'closer' to some person than to another 'in the duty of benevolence,' i.e. one can be obliged to more or to less benevolence ('greater benevolence' or less) depending on the person to whom my benevolence will be directed. Of course, here the second meaning of 'closeness' kicks in: Whether I am under obligation to more or to less benevolence, will (among other things, none of them mentioned in §28) depend on my personal closeness. This meaning of 'closeness' (i. e. personal closeness). I believe, is what Kant has in mind when at the end of the paragraph he says that "in acting the degree [of obligation, D.S.] can vary quite greatly, according to the variety among those who are loved [Verschiedenheit der Geliebten] (one of whom concerns me more closely than the other [deren Einer mich näher angeht als der Andere])" (TL 6:452.6-9, trans. and italics D.S.).66

3) What is Kant's solution to that alleged 'contradiction'? In the last sentence just discussed, the problem is described as running the risk of "violating the universality of the maxim" (TL 6:452.8) by allowing different degrees of benevolence to which one is obligated. But that, it seems to me, is *not* the problem introduced before the hyphen. Rather, the problem is that "the measure of self-love would allow for no difference in degree" (TL 6:451.34 f.). Kant does not discuss, let alone justify, the claim that due to personal closeness different degrees of closeness 'in the duty of benevolence' are real and permissible. His claim is, I believe, true yet far from self-evident. Moreover, he has no solution to the real problem: If I am to love everyone as I love myself, then I am to love everyone with the

⁶³ There's no 'und' in German (as Gregor's translation suggests); though it's hard in English to omit it.

⁶⁴ Gregor translates 'also' with 'therefore;' but that's misleading, because the 'also' is only explicative (in terms of 'that is ...').

⁶⁵ Gregor translates: "even in accordance with duty".

⁶⁶ Again, Gregor's translation is much looser: "[...] in acting I can [...] vary the degree greatly in accordance with the different objects of my love (one of whom concerns me more closely than another)." The "Geliebten" (TL 6:452.7), however, are not 'objects' of my love, but persons; in German, 'Geliebte' is never a word used for objects but for persons.

one, and only one, degree of love I love myself; but then there can be no differences in degree when it comes to my love toward others.

4) In the first paragraph of \$28, Kant talks about "the benevolence in the general love for human beings [allgemeine[] Menschenliebe]" (TL 6:451.21, trans. D.S.).⁶⁷ It is far from clear, though, what this 'allgemeine Menschenliebe' is. 'Menschenliebe' is certainly equivalent to, or even identical with, benevolence. However, since benevolence has both an aesthetic and a practical meaning, that 'allgemeine Menschenliebe' could be two different things.

In one interpretation, it would be a "feeling" (TL 6:449.17), or maybe "benevolence in wishes" (TL 6:452.1), or an inclination, possibly based on the definition of philanthropy in §28 where a friend of humanity is understood as someone who finds pleasure in the well-being of human beings as such. In any event, 'allgemein' (general, universal) is this 'Menschenliebe' inasmuch as every human being is loved by those who possess 'Menschenliebe'.

Another interpretation takes 'allgemeine Menschenliebe' to be that benevolence that to have and to actively perform (beneficence) is a wide duty (of love). This interpretation is supported by the following consideration: The second paragraph in \$28 is connected with the first by a "Yet [Aber]" (TL 6:451.27).⁶⁸ Later in that paragraph, Kant explicitly distinguishes "benevolence in wishes" (TL 6:452.1) from "active, practical benevolence" (TL 6:452.4), which consists in "making the well-being and happiness of others my end" (TL 6:452.4 f.), and the latter is certainly benevolence as a duty. If one reads the proviso "what is meant here" (TL 6:452.1, italics D.S.) back to what is said before the hyphen, this suggests that 'allgemeine Menschenliebe' is that practical benevolence. If so, the idea expressed in the first paragraph of \$28 is just the same as

⁶⁷ Gregor translates: "the benevolence present in love for all human beings" (TL 6:451.21). There's no equivalent for 'present' in the German text. The most important (and difficult) term in that formulation, to wit, "allgemeinen [general]" (TL 6:451.21) is rendered with "all human beings" (italics D.S.), but that is already an interpretation. A bit later, Kant speaks again about "allgemeinen Menschenliebe" (TL 6:451.23 f.), and that too is translated with "love for all human beings." In \$35, however, Kant also speaks of an "allgemeinen Nächstenliebe" (TL 6:458.13 f.) which Gregor does not translate with 'love for all one's neighbors' (or so), but (correctly) with "universal love for one's neighbor" (italics D.S.). Incidentally, in that translation 'present' has no equivalence in the German text.

⁶⁸ Also, the first sentence of \$28 picks up what was said before (with the "now" (TL 6:451.21)), and in the predeceding section practical benevolence was discussed.

what Kant already pointed out in \$27: Benevolence is "a duty of *all* human beings toward one another" (TL 6:450.31 f., italics D.S.); everyone is obligated, and everyone is the object of one's obligation. This being said, the question now is ... (and then Kant continues with his analysis of closeness and different degrees). Thus, the generality of the love for human beings ('*allgemeine Menschenliebe*') would be taken up again in the "universality of the maxim [Allgemeinheit der Maxime]" (TL 6:452.8).⁶⁹

But the other interpretation, according to which 'allgemeine Menschenliebe' is not understood as a duty, has something to be said for it as well: It says that "I take an interest in this human being's well-being" (TL 6:451.23, italics D.S.), rather than 'I ought to take' such an interest; and that "I am only not indifferent with regard to him" (TL 6:451.25 f., italics D.S.), rather than 'I ought only not to be indifferent with regard to him.' Also, if practical benevolence is what Kant has in mind in the first paragraph of \$28, then this practical benevolence would be "the smallest in its degree" (TL 6:451.22). But would this make sense? Practical benevolence, i.e. the required action (beneficence) as a wide duty has no degree whatsoever before its specified (unless all Kant wants to say is that there is a general and prima facie duty to be benevolent).⁷⁰

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⁶⁹ One cannot (as easily) note this in Gregor's translation because she translates "all-gemeine[] Menschenliebe" (TL 6:451.21 and 451.23) with "love for all human beings" (italics D.S.) whereas "Allgemeinheit der Maxime" (TL 6:452.8, italics D.S.) she translates with "universality of the maxim" (italics D.S.).

⁷⁰ I'm very grateful to the participants of the 4. Siegener Kant-Tagung (Sept. 2009) for very fruitful discussions on the topic of my paper: Stefano Bacin, Bernd Dörflinger, Ina Goy, Christian Hamm, Thomas Höwing, Eva Oggionni, Friedo Ricken, Jens Timmermann, Andreas Trampota.

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