
KANT AND WOMEN

BY

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Abstract: Kant's conception of women is complex. Although he struggles to bring his considered view of women into focus, a sympathetic reading shows it not to be anti-feminist and to contain important arguments regarding human nature. Kant believes the traditional male-female distinction is unlikely to disappear, but he never proposes the traditional gender ideal *as* the moral ideal; he rejects the idea that such considerations of philosophical anthropology can set the framework for morality. This is also why his moral works clarify that all citizens, including women have the right, and should be encouraged to strive towards an active condition.

1. Introduction

There is a glaring peculiarity in Kant's writings on women. On the one hand, he frequently appears to affirm the kind of view about women that has provoked so much justified scorn from feminists, namely that the 'nature' of women prevents them (mysteriously) from being equal to men. Women's nature is depicted as caring, nurturing, and attuned to the beautiful. In contrast, men's physicality and distinctively human powers of rational reasoning draws them towards the sublime. Consequently, Kant seems to be saying, women are not really capable of reasoning and moral responsibility (the moral ought) and should therefore restrict their activities to homemaking and the domestic sphere. In contrast, since men are capable of reasoning and moral responsibility, they should strive to engage in the public sphere as, for instance, scholars and political leaders. This apparent position of Kant's also seems reflected in his assignation of men as ultimately, legally in charge of the family, and of women to the category of 'passive' citizenship – citizens incapable of voting and holding public office and, so, participating fully in politics – whereas he designates men as 'active' citizens.

On the other hand, Kant sometimes appears to say that women ought to strive towards full autonomy ('majority'), that they are to be viewed as men's equals in the home, and that they should not be hindered in becoming equal

to men, including by achieving active citizenship. And, indeed, this is the kind of position one would expect from Kant. Kant's moral philosophy is a normative theory of freedom; it views the single-most important moral feature of human beings as their ability to set and pursue ends of their own, subject only to and motivated by their own reason. The idea is that if all people regulate their actions by their practical reason, the constitutive principle of which is Kant's well-known 'Categorical Imperative,' human beings can respectfully coexist – in all their diversity – both together and as individuals. Furthermore, because they are able to use their reason in this way, human beings have their actions morally imputed to them. Reason gives human beings this autonomy, which is also why they are regarded as both persons and citizens; they can and should be held morally (both ethically and legally) responsible for their actions. And anyone who is capable of such moral responsibility should strive to become self-governing in the all-inclusive sense: as a fully responsible person in charge of her or his personal life and as a citizen in charge of the laws regulating her or his interactions with others. Consequently, on such an account, if women (like men) have the capacity to govern themselves by their reason, they cannot, in principle, be regarded as unequal to men. It does not even seem coherent to include within a moral theory of *freedom* an argument according to which one's 'nature' determines any particular ends that one ought to pursue. A free person cannot be morally (let alone legally) forced to set and pursue any particular ends – 'natural' or otherwise – which means that no one may justifiably impose any such boundaries on another person's choices. On such a freedom account, the only justifiable restrictions that can be imposed on one another's choices when interacting are those that come from freedom itself; the only justifiable restrictions are those that make reciprocal freedom possible in the first place.

Historically, when interpreters have not simply disregarded Kant's views on women as, at best, an embarrassing part of his scholarship, the most prominent response has been to argue that Kant held the former view, namely, that women's nature prevents them from being men's moral equals.¹ And since that view is in tension with his theory of freedom, such interpretations contend that the texts reveal the depth of Kant's sexist and misogynist prejudices; Kant's work is seen as representing yet another example of the sexism prevalent in the Western philosophical canon. In contrast, interpreters more sympathetic to Kant's philosophical project as a whole typically argue that his sexist views should be set aside, because his overall moral philosophy is feminist friendly and, when it comes to the issue of women and women's rights in particular, Kant's philosophy was ahead of Kant himself. Marcia Baron (1997) captures this type of interpretation well when she says, 'I do think that Kant's theory was *much* more progressive than he was. I deplore much of what he wrote regarding women but I do not think that it impugns his theory. I also think that feminists have reason to look favorably on his moral theory, principally because of its

egalitarianism' (p. 147).² More recently, some Kant scholars have taken these more positive readings of Kant a step further by challenging core elements of the negative readings.³

This article supports these recent, more positive readings of Kant, according to which Kant never denies that women are morally (ethically and legally) responsible for their actions. In addition, I will argue that Kant's philosophy was not ahead of Kant, and that it is not internally incoherent in the way even the most recent more positive interpretations worry it is. The article takes three steps beyond the current positive readings: first, in addition to arguing, as does Mari Mikkola, that what Kant was worried about was not women's ability to be morally responsible for their actions (he never doubted that), I propose that what Kant was uncertain about was their ability to partake in public reason (understood as the legal-political reasoning constitutive of the public institutions as well as scholarly work); second, I provide a different, normative interpretation of woman's nature than do existing interpretations; and, third, I argue that Kant's legal-political account always only accommodates his moral (philosophical) anthropological account of women's nature and never denies women the right to work themselves into an active condition. Contrary to all available interpretations, therefore, I argue that Kant's conception of women is more complex than they propose and that despite its mistakes and limitations, Kant makes some philosophically interesting moves in his account. Especially interesting is Kant's suggestion that women should be understood in light of a normative, teleological theory of human nature, related to his view that our sexuality should be understood as profoundly informed also by our unreflective embodied, social natures teleologically informed, and not simply as spheres analyzable through morality (freedom) and empirical science.

It is true that Kant believes the traditional male-female distinction is unlikely to disappear; in his view, deep-seated reasons have made this distinction historically prevalent. As mentioned, what he is worried about is not whether or not women can be morally (ethically and legally) responsible for their actions – surely they can – but whether or not they can be scholars and active citizens. Indeed, it is because Kant deems it possible that the traditional ideal captures something accurate about woman's nature that he accommodates it in his legal-political philosophy by, for example, assigning her to the category of 'passive' citizenship. *But*, already in his earliest writings, Kant expresses discomfort and skepticism with the way he himself and the traditional gender ideals associate the capacity for active, public (scholarly and political) life (active citizenship) with the male gender only. And Kant never proposes the traditional ideal *as* the moral ideal; he rejects the idea that such moral anthropological accounts can establish the moral framework for free beings. This is why Kant's own writings on women are more consistent with his moral theory than is commonly thought; he never loses sight of the place his moral anthropological account of women should

have within his moral freedom account of persons and citizens – indeed, this is why his moral texts are written in the gender-neutral language. It is also why Kant clarifies in the Doctrine of Right that although his legal-political philosophy can and should accommodate (also) his moral anthropological account of women, he still maintains that all citizens, including women, must have the right to work themselves into an active condition. And it is why Kant in his essay ‘What Is Enlightenment?’ encourages *everyone*, including women, to use their reason and try not to capitulate under the pressure of those who discourages them from developing their reason to the fullest. Here he also emphasizes that attempts to prevent or discourage others from developing their reason are morally wrong. Finally, although my aim here is not to defend Kant’s actual or a revised Kantian account of human sexuality,⁴ after pointing out obvious problems in Kant’s own account, I conclude by suggesting that we might want to engage more seriously Kant’s general suggestion that sexuality is hard to capture without an appeal to human nature, where human nature is viewed as including a normative, teleological perspective that pays special attention to our embodied, social natures – an account that in turn is taken to complement the empirical perspectives of science and the moral perspectives of freedom. It seems philosophically important to investigate the possibility that doing so increases our ability to capture sexuality, including its diversity and existential importance in our lives.

To make my case, I begin by exploring (in Section 1: ‘Kant on the Character of Woman’) the account Kant gives of the traditional genders in *Anthropology from a Pragmatic Point of View*⁵ (hereafter: *Anthropology*). I first explain how Kant’s account of traditional gender in the *Anthropology* is informed by his broader theory of human nature as he presents it in, for instance, his *Religion within the Boundaries of Mere Reason* (hereafter: *Religion*) (Kant, 1996b). Next, I outline Kant’s account of gender in more detail before contrasting some important features of it with that of Simone de Beauvoir, whose writings on the traditional genders were also greatly influenced by Jean-Jacques Rousseau. I finish this section by considering some much quoted text of Kant’s that appear to undercut my proposed reading. In the subsequent section (Section 2: ‘Kant on the Liberated Woman’), I explain how Kant’s writings on legal-political freedom both make space for the traditional ideals of gender *and* ultimately defend the possibility of a somewhat different future regarding public participation, namely once conditions of freedom have become better established. With these discussions at hand, I conclude that although some things certainly are problematic in Kant’s own account, we may want to explore further Kant’s general, philosophical suggestion that morality must accommodate human nature (including not the other way around) by making space for related concerns of moral psychology and moral anthropology and not dismiss too quickly Kant’s claim that a better account of sexuality requires such a

normative perspective (human nature) that does philosophical work different from, and complementary to, what morality and empirical science can give us.

2. *Kant on the character of woman*

The interpretive consensus is that in order to establish Kant's actual view on any issue, we must attend carefully not only to which work Kant makes his statements in, but also to the overall point he is trying to make in the relevant sections of the texts. Employing this method to establish Kant's view on women is therefore neither radical nor revolutionary, but it proves equally fruitful: an interesting pattern emerges when we discern whether Kant makes his claims about women within the context of his moral freedom writings or his other normative works. Kant's apparently sexist remarks predominantly occur *not* in his moral works on freedom, but rather in his other (less popular) normative works, and especially in his historical, anthropological, aesthetic, and religious pieces.⁶ Below I first aim to show how understanding the 1798 account of the traditional account of the genders found in the *Anthropology* is made easier by utilizing Kant's 1793 account of human nature in the *Religion*. I then outline Kant's distinction between the male and the female traditional ideals in more detail before closing this section by examining some interpretive puzzles. With this account at hand, we can then, in Section 2, see how Kant (only) accommodates his normative account of gender in his moral freedom writings.

2.1. KANT'S ACCOUNT OF HUMAN NATURE AND THE TRADITIONAL GENDERS

To appreciate the nature of Kant's discussion of women in the *Anthropology*, it is important to establish Kant's overall project in it. I take it as uncontroversial that any anthropology aims to elucidate the social meaning contained in people's ordinary interactions. Clearly, Kant has this aim too when he investigates the 'character' of the sexes. But his aim is more ambitious than this; he wants to develop what he in the *Metaphysics of Morals* calls a 'moral' anthropology (MM 6: 217) (Kant, 1996a), or what today sometimes is called a 'philosophical' anthropology. Kant provides his most general explanation of the concept of character he has in mind when he discusses the character of nations. Here he explains that the aim is to present nations '... as they are now, in some examples, and, as far as possible, systematically' (A 7: 312). Explaining something's character, then, is taken not only to involve describing it in its current condition, but also to say as much as possible about the principles informing its permanence across time and space – and so resisting the temptation of too quickly appealing to social conditioning to do the explanatory work (A 7: 312). We also get a clearer

sense of his overall approach to the issue of the traditional genders, including which principles he views as central to their explanation, by appreciating how Kant's general account of human nature (and, so, moral psychology) informs his analysis. As we will see shortly, the way in which Kant's theory of human nature informs his account of the genders is important to capture why he doesn't simply take himself to be undertaking empirical observations (possibly in combination with scientific explanations). Instead, his aim is to capture how gender inherently concerns the good development of our embodied, social natures, where the goodness involved is seen as of a kind distinct from, but developmentally enabling, freedom, and as involving a theological, normative understanding of ourselves.

A particularly useful explication of the relevant aspects of his theory of human nature, those needed to understand Kant's account of gender, is found in the *Religion* with its distinction between three predispositions viewed as comprising one, overall 'original predisposition to good in human nature' (R 6: 26) The first predisposition – to 'animality' – is taken to capture our natural drive to self-preservation, our natural sex drive, and our basic, natural drive to seek community with others (our affective sociality). Because this natural predisposition to animality does not require reason, Kant calls the kind of self-love it enables '*mechanical* self-love' – a kind of self-love we will naturally and unreflectively be directed towards and strive to realize and by so doing, preserve our species in a good way (R 6: 36). The second predisposition – to 'humanity' – is also seen as involving unreflective emotions (it's 'physical'), but in addition it centrally involves relating to others through comparative uses of reason (R 6: 27). This predisposition enables a type of self-love that may be called reciprocal love, and is accompanied both by the inclination '*to gain worth in the opinion of others*, originally, of course, merely *equal worth*' (R 6: 27) and an incentive to culture (R 6: 27).

If we realize these two natural predispositions – animality and humanity – together and in a good way, not only, Kant argues, will we be able to develop societies where healthy competition drives culture and progress, but we will find ourselves in a condition where reciprocal love among emotionally healthy, grounded people is realizable. There is therefore nothing wrong with being in the world in these ways; they are ways that are often fundamentally unreflective and instead operate primarily on the affectionate, playful, and/or emotional level. Indeed, upon reflection, there is a moral push to remain confident in these unreflective ways of being as long as they are good for oneself; after all, they ground us and are central to giving our personal lives meaning. On the other hand, because these two natural predispositions are accompanied by inclinations and since we have the capacity to choose, it is always tempting for us not to realize them in good ways, which is why we find ourselves in interactions characterized by certain kinds of vices. For example, with regard to the first predisposition ('animality'), we find vices like gluttony and extreme violence ('wild

lawfulness') since we can choose to set the end of maximizing pleasure in the moment rather than properly attend to when, for example, we are full, namely by letting that good feeling of pleasure fill us up and make us content (and, so, stop eating). Similarly, trailing the second predisposition ('humanity'), we find vices like jealousy, rivalry, envy, and joy in the misfortune of others because from the inclination to be valued as an equal 'grows gradually an unjust desire to acquire superiority for oneself over others' – to dominate or have power over them (R 6: 27). Again, because of our ability to choose, we easily start doing things that makes us feel powerful in relation to others rather than ensuring that our emotions track equal worth, which is why these vices are so tempting for us. And, ultimately, what are good and not good ways is determined not only by whether or not they are truly good for human beings (in the sense of comprising profound physical and emotional (unreflective) – embodied – contentment), but also by whether or not they are affirmable upon reflection; that is, by and for beings who also have capacities of self-reflective reason and, so, for freedom. Our susceptibility to consider things also from the point of view of reflection or freedom is enabled by what Kant in the *Religion* calls the third predisposition to good in nature, namely 'personality.'⁷

The third of the predispositions that compose the multifaceted predisposition to good in human nature, then, is to personality, which concerns our susceptibility to morality's commands (the commands of freedom), or what Kant calls 'moral feeling.' Moral feeling is to be susceptible to think *about* whether or not what one is doing is right, that is, the ability to stop and check whether or not what one is doing is morally justifiable – and, then, to do what is right (follow the moral law, obeying our practical reason) *just because* doing so is the right thing to do (act from duty) (R 6: 27). Consequently, this third predisposition (personality) enables us to act upon or in response to the behavior related to the first two (animality and humanity): when something we are doing is striking us as morally troubling, we can consider it from a reflective point of view (think about whether what we're doing is respectful to ourselves and each other as free beings capable of setting and pursuing ends of our own and/or furthering who we are in good ways) and we can act as motivated by this reflection (we can incorporate this motivation into the maxim). And, Kant emphasizes in the *Critique of Practical Reason*, the kinds of self-love enabled by the first two predispositions are 'natural and active in us even prior to the moral law,' whereas the third predisposition (to personality) enables us to 'restrict' or '*infringe upon*' them when doing so is morally necessary, that is, when the moral law (our practical reason) demands it (CPrR 5: 73). Again, when this happens – when we restrict our inclinations in these ways; when we do something just because it is the right thing to do; when we act out of duty – then we act out of *rational self-love* (rather than simply in conformity with rational self-love) (CPrR 5: 73). Relatedly, in the *Religion* Kant emphasizes that all three

predispositions are both 'original' (meaning that they 'belong to the possibility of human nature') and 'good' (meaning that 'they do not resist the moral law,' but rather 'demand compliance with it,' as this is exactly what moral feeling commands) (R 6: 28). Finally, even though the first two predispositions, which concern our basic natural affective and social nature, cannot be 'eradicated,' they can, as mentioned above, be used and habituated in bad ways. In contrast, the third predisposition, which enables rational self-love, can never be used badly, since it provides an incentive to act simply as practical reason commands (R 6: 28).

That Kant has this view of human nature makes sense of why he emphasizes, in the *Anthropology*, that to realize our sexual, gendered natures as male or female is not to realize morality as such; sexuality, including gender, primarily concerns (in the sense of being enabled by) the first two predispositions (animality and humanity) and not the third (personality). This is why Kant instead argues that our sexual, gendered (social) natures are normative (rather than strictly empirical or moral) as well as, in a certain developmental sense, prior to morality in that developing them prepares us for morality (individually and as societies). In particular, the way the traditional genders treat each other when they do this well, does not serve to teach each other morality, he says, but instead teaches each other 'moral decency, which is the preparation for morality and its recommendation' (A 7: 306). Central to this account is Kant's claim that women play an especially important role in preparing both genders for morality: the woman is the *primus motor* by virtue of her superior social skills, such as her speech, charm, gentleness, and courtesy (A 7: 306). In some ways, therefore, Kant affirms the old feminist joke about why God created man first (since it's always important to make a sketch before you set out to make the real thing). Woman has a more complex social character because of her more complex natural function, and consequently, Kant argues, it is not surprising that 'the provision of nature put more art into the organization of the female part than of the male' (A 7: 303). And because woman's nature is the more complex one, Kant's focus in the *Anthropology* is on her (A 7: 303).

Further evidence for reading Kant's theory of the traditional genders in the *Anthropology*, together with his three-fold analysis of the predisposition to good in human nature in the *Religion*, is found in the final section on the 'Character of the Species' in the *Anthropology*. Here Kant says that:

Among the living *inhabitants of the earth* the human being is markedly distinguished from all other living beings by his *technical* predisposition for manipulating things (mechanically joined with consciousness), by his *pragmatic* predisposition (to use other human beings skillfully for his purposes), and by the *moral* predisposition in his being (to treat himself and others according to the principle of freedom under laws). And any one of these three levels can by itself alone already distinguish the human being characteristically as opposed to the other inhabitants of the earth (A 7: 322, cf. 328).

It makes good sense to view these three distinctions Kant makes here in the *Anthropology* as corresponding to the threefold predisposition to good in human nature outlined in the *Religion*; that is, to view them as related, respectively, to the predispositions to animality, humanity (the two, which, if realized well, enable ‘moral decency’), and personality (which, if realized, enables ‘morality’). The interpretive plausibility of doing this is bolstered by Kant’s elaboration on the pragmatic disposition:

The pragmatic predisposition to become civilized through culture, particularly through the cultivation of social qualities, and the natural tendency of his species in social relations to come out of the crudity of mere personal force and to become a well-mannered (if not yet moral) being destined for concord, is now a higher step (R 7: 323).

This view parallels Kant’s description of the predisposition to humanity in the *Religion*, the realization of which of course presupposes also realizing the predisposition to animality. Again, developing the natural, social dispositions (animality and humanity) is insufficient for morality (since it also requires us to develop the disposition to personality), but they are sufficient for moving us out of a crude or barbaric state of nature or for establishing moral decency; realizing them is not to realize morality as such, but yet realizing them is valuable in itself, and when realized well, they are directed and pushing towards morality (freedom).⁸

Notice, too, in this section (of the *Anthropology*) Kant stresses that the highest disposition is the moral disposition, which is constitutive of the human being and that insofar as we are capable ‘personality’ (moral responsibility for our actions) we are always aware of it, regardless of historical circumstances. A human being is, Kant argues:

... a being endowed with the power of practical reason and consciousness of freedom of his power of choice (a person) sees himself in this consciousness, even in the midst of the darkest representations, subject to a law of duty and to the feeling (which is then called moral feeling) that justice or injustice is done to him or, by him, to others. Now this in itself is already the *intelligible* character of humanity as such, and in this respect the human being is *good* according to his dispositions (good by nature) (A 7: 324).

To realize the first two historical stages (the technical and the pragmatic conditions) in a society, then, is not to realize the human *moral* ideal. Realizing them well is a process by which individuals and societies develop from barbaric conditions to more cultured or civilized ways of life, to conditions of moral decency. Yet even in these less free conditions (the technical and pragmatic conditions), people know when they’re being wronged (when their freedom is disrespected) and when they are wronging others (disrespecting others’ freedom). And Kant aims to show that as individuals and societies become more flourishing, their social

interactions become increasingly geared towards freedom – what is good and what is right line up.

Correspondingly, Kant views the traditional gender ideals as constitutive parts of the process toward civilization, because he views civilized societies as precursors to free societies. This implies, though, that to realize the traditional gender ideals is not thereby to realize a free society. In traditional (or ‘pragmatic’) societies there is moral feeling (recognition of the moral ought), but freedom has not become a pervasive and prominent way of human life. People have not come to reflect upon, or become used to reason in terms of freedom as they organize their lives and build their legal-political institutions. According to Kant, and as we’ll see more clearly below, this freedom-stage of human development didn’t really begin until the Enlightenment. Before that, societies were predominantly either barbaric (characterized by brute force) *or* pragmatic (morally decent), even though human beings have always been fundamentally oriented toward, or susceptible to the moral ought (freedom’s commands) insofar as they were good. Insofar as these societies were in the pragmatic condition, the prominent norms for interaction came from culture and moral decency (freedom’s precursor). Of course, this doesn’t mean that realizing oneself in a free way requires eschewing tradition, but it does require understanding that the source of the moral *justification* for traditions is, ultimately, respect for everyone’s freedom; after all, traditions concern one’s natural, embodied sociality (realizing the predispositions to animality and humanity) whose healthy realization points *towards* freedom (realizing the predisposition to personality). Having sketched Kant’s general approach in the *Anthropology*, let me turn to his account of the two traditional genders in some more detail.

2.2. KANT ON MAN’S AND WOMAN’S COMPLEMENTARY GENDER IDEALS

Kant begins his argument in the *Anthropology* by discussing the first precondition to good in human nature (animality) as it relates to sexual unions. As expected in light of the discussion of the *Religion* account of human nature (above), Kant here emphasizes that humans are not only rational beings who set and pursue ends of their own, but are also affective, social beings with a sexual drive. Moreover, in order to reconcile their sexual aim of preserving their species with their rational and social, affectionate being, humans create a domestic union, a home (A 7: 303). Sharing a home – a personal life – in this intimate, as well as sexual way feels profoundly good to beings like us. It does so not only because it involves regularly satisfying our sexual drives with someone we find sexually attractive, but also it is done by another who is likewise oriented towards us, including affectionately and emotionally. Hence the home is a context that, at its best, enables the satisfaction of these desires in the challenging, open, and vulnerable way humans can experience them at their fullest – and feel profoundly affirmed, good,

and safe (rather than unappreciated, uneasy, and at risk) as who one is, when being so open to another. In these ways, the shared home is taken to enable the realization of the predispositions to animality and humanity in good ways.

Kant proceeds by discussing a particular challenge that trails the second precondition to good (to humanity), namely, the problem of possible, endless competition between the two persons who create a home – one personal space – together. Kant argues that the home of two rational persons must be organized so that each adult is ‘superior in a different way.’ Nothing productive results when two adults both try to take charge of every sphere of their shared domestic life, since then ‘self-love produces nothing but squabbling’ (A 7: 303). This introduces the question: in which ways is each of the genders superior with regard to the other? Here, too, Kant’s response arises from his view that our sexual natures must be understood in light of our species’ two natural, social predispositions: animality and humanity. Regarding animality, Kant argues that because woman carries the offspring in her womb, she is rendered more vulnerable, and so naturally fears physical danger more than man does. Moreover, since the work of maintaining a safe home must be divided between the two adults, and only woman gets pregnant, man bears the main responsibility for physically providing for and protecting the home. Woman’s superiority, in contrast, arises from being the one charged with the daily running of the home; she is responsible for cultivating in the home a social environment that grounds the family, or enables it to live well and thrive. Hence, the woman is in charge of ensuring that the children healthily develop their natural affective, social natures in the home and the related, supporting social world surrounding it (A 7: 303, 306).

What about the second predisposition, to humanity? Again, once we read the more specific argument concerning women in the *Anthropology* together with the broader argument concerning our competitive inclinations in the *Religion*, then it is no longer surprising to find Kant asserting in the *Anthropology* that what really needs explanation is *not* that everyone has an inclination to dominate (since that is the tempting, bad inclination trailing the predisposition to humanity). Rather, he argues, what is puzzling is a specific element in the interaction between the genders, namely, that ‘[w]oman wants to dominate, man to be dominated’ (A 7: 306).⁹ To put the challenge back into the language of the second predispositions to the good of the *Religion*, the problem is to see how the cohabitation between men and women can be realized such that it leads not to endless competition between them, but to reciprocal love and ‘equal worth.’ And to explain this in relation to the genders, Kant argues in the *Anthropology*, one must explain how man can want to be dominated by woman in their shared home.

To explain this Kant suggests not only that the couple cannot endlessly compete in the home as that is self-destructive (for reasons given above),

but also that this possibility of peaceful cohabitation is partially enabled by the inherent connections between the female and the beautiful and the male and the sublime. More specifically, Kant argues that man gets a personal, embodied experience of the beautiful primarily through woman and, likewise, woman gets an experience of the sublime primarily through man. Woman's aesthetic power is that of easily mastering the beautiful, which includes the power to allure and attract. Hence, to experience the beautiful, man has to subject himself to the power of woman; he must be invited in to be embraced by and give himself over to it. Indeed, this is Kant's explanation for why the man 'courts' the woman, whereas the woman 'refuses' the man (A 7: 306). And, of course, to experience oneself as affirmed as beautiful (woman) or affirmed as sublime (man) in good ways is also something the other person holds the key to; it is the other that opens up this possibility since each reveals oneself to the other, and is affirmed by the other as irresistible in these ways.

Moreover, Kant continues, since the home is predominantly a sphere of intimacy and the beautiful, the woman has to be in control of it. Hence, woman's power makes man want to give himself over to (and be dominated by) the woman in their personal relations. Woman's primary means of domination is her ability to 'master his desire for her,' though she supports her efforts with her superior ability to deal with issues concerning intimacy; she is more willing and able to support her stance with her 'tongue' in domestic fights (A 7: 304). Of course, it may be tempting to read these and similar statements of Kant's as simple confirmations of his sexist prejudices against women. But I don't think they are. Rather, I think that with such statements he's pointing out how social knowledge is power, and how one can use this knowledge for good or for bad. Earlier, we saw how he thinks that men and women can bring out the best in each other. Here, we see how he thinks they can use their abilities as purely self-interested tools for getting another to do what one wants her or him to do. As Louden (2011) frequently emphasizes in his commentaries on Kant's *Anthropology*, social knowledge is a means to power – it's something one can use to steer others toward what one wants, including, of course, use the other simply to gaining a sense of being powerful (make another orient themselves such that all they can do, at all times, is to try to please you or make you feel important). And if Kant is right that according to the 'character' or traditional ideal of woman and man, woman has superior social knowledge, then it follows that she has a kind of social-aesthetic power that man lacks – a power she can use for good or for bad. Correspondingly, of course, man can use his social-aesthetic power for good or bad too.

Both men and women, then, have a natural inclination to dominate (accompanying the predisposition to humanity), but they have different ways of dominating. So, if man and woman are to live well together, they must have different roles in relation to both the world and their shared home.

Related to this is Kant's view that the characteristic male virtues – those suited to man's natural protective function – are those connected with the power of the sublime: physical power, industriousness, and reason (A 7: 306). Comparably, the characteristic female virtues are those connected with the powers of the beautiful and a well-functioning home: sensitivity, patience, and financial prudence. When this division is realized, their natural inclination to dominate does not turn them against each other and so to internal squabbling and unhealthy competition. When the two persons are able to dominate and be dominated in these complementary ways, instead, true reciprocal love is fostered – the kind constitutive of emotionally healthy, happy human beings.

Again, in these ways, reading the *Anthropology* together with his account of human nature from the *Religion* suggests that Kant envisions the home as the personal sphere in which two people of opposite sexes realize together their natural, embodied sociality (through both mechanical and reciprocal self-love) in a way that is consistent with their respect for each other as persons (as affirmable from the point of view of 'rational' self-love). It is from this personal sphere that they, as a team, engage the outside world. As we will also see in more detail below, Kant's proposal seems to be that the traditional genders complement each other both in the home and in the larger social world; the traditional gender ideals enable the two people sharing a home to be emotionally healthy, grounded beings by enabling a good realization of intimate, personal aspects of the predispositions to animality and humanity for each other. In contrast, the arena for healthy competition (of the kind that drives cultural progress) is seen as the social sphere beyond the home (and so not in the home). Before detailing this account, remember that, for Kant, a healthy human being who only realizes the first two natural predispositions to good (to animality and humanity) does not thereby realize morality. These predispositions concern only our natural, embodied sociality, and although the second predisposition (to humanity) involves comparative reason, it does not involve practical reason in the sense of moral reason. To realize these predispositions in a good way is to become an emotionally healthy and grounded embodied, social being – a way of being that affirms and supports morality.

To illustrate the complementarity between men and women Kant draws an (infamous) analogy between the man's power in the home and the minister's power in a monarchy:

... the woman should *dominate* and the man *govern*; for inclination dominates and understanding governs. – The husband's behavior must show that to him the welfare of his wife is closest to his heart. But since the man must know best how he stands and how far he can go, he will be like a minister to his monarch who is mindful only of enjoyment ... so ... the most high and mighty master can do all that he wills, but under the condition that his minister suggests to him what his will is (7:309f).

Read unsympathetically, Kant can be understood to think that women, like monarchs, concern themselves only with amusement and hence are fundamentally irrational and irresponsible. But such a reading really would be unfair. To start with, it would be extraordinary if Kant thought that all monarchs *necessarily* think only of amusements; after all, Kant was extremely well read, so it would be hard to support such an interpretation. Also, this passage comes just after a point in which Kant emphasizes that 'woman's [economic activity] is saving' (A 7:308). And finally, before making this statement, Kant describes his analogy as a 'gallant' expression of the man-woman relation, though 'not without truth' (A 7: 309); that is, the expression is taken to be an exaggeration of something he believes is true.

A more sympathetic interpretation of the analogy is available. The minister to a monarch who thinks only of amusements has a duty to correct the monarch's views. Similarly, the husband of a financially non-prudent wife must ensure that her spending decisions are not in excess of what they can afford. Not to correct his wife's decisions in these situations would reveal that he is not firmly committed to her welfare in the way that his knowledge of their finances and the world and his special responsibilities to her and their shared home require him to be. Just as the minister is the one who must ensure that what the monarch wants is financially prudent if need be, the man is the one who must ensure that what his wife wants for their home is financially wise; after all, he is responsible for the relationship between their home and the world. Flipping the example on its head, as we can imagine a wise monarch with a minister who is incapable of doing what is right, we can imagine a wise wife with an unwise husband. In such a case, the wife's best chance (in such a traditional relationship) is to ensure that she controls her man's desires, so that his strongest desire is the desire not to disappoint her – and this is why, ultimately, he sets responsible financial ends. And, of course, insofar as a woman is like a monarch and a man like a minister, Kant maintains, only fools believe the 'feminine ways' are weaknesses: 'reasonable men know very well that they are precisely the rudders women use to steer men and use them for their own purposes' (R 7: 303f).

So man, like woman has an inclination to dominate. Although man wants to be dominated (and woman wants to dominate) in the home and the family's social spheres, man wants to dominate in the relation between the home and the world. Yet, Kant argues, because woman is naturally dependent on man to protect her physically and provide for the home, woman is fundamentally attuned to pleasing also strangers and is sensitive to how every man perceives her. Not only does having such interpersonal skills make her powerful in general, but also being perceived as pleasing is prudent, in case she becomes widowed and needs a new man.¹⁰ Hence, woman has more personal and social power than man does; woman is more capable of being around the other gender and of controlling their social interactions; woman has, so to speak, a higher 'social IQ' than man. In Kant's words: 'Early in life

she becomes confident of pleasing; the young man is always afraid of displeasing, so that he is self-conscious (embarrassed) in the company of ladies' (A 7: 306). In fact, Kant thinks that women is so tuned in to pleasing the public that 'the scholarly woman uses her *books* in the same way as her *watch* ... which she carries so that people will see that she has one, though it is usually not running or not set by the sun' (A 7: 307). The woman is very aware of how the world perceives her, and everything she does is sensitive to its judging eye. And, of course, focusing on independent projects and being less concerned with the 'public' eye breaks with the traditional ideal, and does not generally go unpunished – a point that Simone de Beauvoir also emphasizes in *The Second Sex* (2011).

2.3. KANT VERSUS BEAUVOIR ON THE TRADITIONAL IDEALS OF THE GENDERS

In fact, reading Kant and Beauvoir on the traditional genders up against each other is particularly useful to bring out some of Kant's account. This is hardly a coincidence. Neither Kant nor Beauvoir took their accounts of the traditional genders out of thin air; they were both profoundly inspired by Rousseau's writings on the issue, especially his *Émile*. But there are some important differences between them, mainly resulting from how although Beauvoir also incorporated Rousseau's emphasis on the social (though she developed this point by utilizing psychoanalytic insights), she didn't work with the teleological, aesthetic elements of Rousseau's account of human nature. Kant, in contrast, kept all elements, and so ended up with a more complex threefold approach to sexuality: scientific (empirical) facts, teleological and social human nature, and human freedom, rather than Beauvoir's scientific (empirical) facts, sociality (being seen by the other), and human freedom. Let me sketch a few key differences between them regarding the points mentioned so far since this enables us to see why choosing the more complex route may be more promising as we seek to revise their theories of sexuality, including by ridding Kant's account of his mistakes.¹¹

First, in contrast to Beauvoir, who views the traditional female ideal as submissive (as involving living as a mere means), Kant sees such any actual, historical submissive ideal of womanhood as a perverted version of the normative, traditional ideal (the traditional female ideal realizable by the first two predisposition to good in human nature, to animality and humanity). Kant contends that both the male and the female traditional gender ideals are strong figures.¹² He argues that because the genders involve an interpersonal component, their natures are only discernible in civilized societies – societies where a relatively flourishing culture has developed. In 'uncivilized societies,' Kant argues, 'superiority is simply on the side of the man' (7: 303); 'in the crude state of nature ... the woman is a domestic animal' (7:304), and 'a barbaric civil constitution makes polygamy legal ... [where the woman lives in the man's] kennel [or prison¹³]' (7: 304).¹⁴ In these

barbaric societies, woman is man's tool for reproduction and/or sexual pleasure (or both) (7: 304). Unlike Beauvoir, who thinks that on the traditional ideal the woman amounts to such a tool – 'an object' and not 'a subject' – Kant believes that this historical, actual 'ideal' is, rather, a perverted or barbaric version of the traditional one. Moreover, the traditional ideal or 'character' of the sexes only becomes discernible as culture advances and the 'morally decent' society establishes itself. Only under those conditions do we realize our natures in the right, complete ways: as two genders that complement each other in a way ultimately compatible with the preservation and development of the species. In this more civilized society, the two persons form a lifelong, domestic, sexual union in which reciprocity of superiority and subjection occurs (otherwise known as monogamous marriage). Man and woman thereby ensure that the natural inclinations that accompany the predispositions to animality and humanity are realized such that reciprocal love is enabled; the two persons ground each other as the embodied, sexual, social beings they are. In other words, the kinds of desires and emotions involved in sexual love are not just like most of our desires. They can be realized in ways that enable us to exist as the embodied, affective, social beings we are, exactly by each other affirming one another at the intimate, personal level. This also means, however, that they are of the kinds that can unground or unmoor us, if misfortune hits or if we wrongly open ourselves up in these ways to particular others who rather than affirm us merely use us in bad ways, such as simply to satisfy one's own sexual itches or to have another constantly affirm one's sense of self (power).

Another, related point of difference between Kant and Beauvoir revolves around Kant's idea that both men and women (traditionally) consider creating a home together an essential part of life. For Kant, and in contrast to Beauvoir, on the traditional ideal, the home is not merely a site where reproduction occurs and services are provided to the man as he goes about his 'real' business in the outside world. In contrast, as we saw above, Kant believes the traditional ideal maintains that 'The husband's behavior must, at all times, show that the welfare of his wife is closest to his heart' (A 7: 309f). Why? Because, I take it, being so oriented (including emotionally) is necessary to be grounding for one another in the way that grounding – empowering reciprocal love – involves. Being so directed towards one another is important not only to ensure that one's home is safe and taken care of, but because it is necessary in order for being emotionally open in the ways sexual love involves to be constructive and healthy (rather than self-destructive, damaging, and draining) for us. So, Kant does not agree with Beauvoir that according to the traditional ideal, women necessarily consider themselves mere objects for men (or that traditional men consider women as mere objects for themselves). Instead, Kant's thinks that by empowering each other in the gendered ways he describes, the couple grounds and complements each other (enables each other to realize their embodied, social

natures together in good ways), and it enables them to form a good social unit from which they engage the rest of the world. Where woman is considered a mere object whose only purpose is to please others, there are no healthy interpersonal relations, whether at the personal or cultural level. Treating women as mere objects is a way of interacting at odds not only with healthy realizations of the predispositions to animality and humanity, but also, of course, with the predisposition to personality (morality) since it involves developing ways of interacting and being that respect all persons as ends in themselves. Societies in which women are mere (reproductive, sexual, domestic, etc.) tools for men who have their own projects in the outside world are therefore, for Kant, in a perverted or barbaric condition. Such a condition is inherently inconsistent with the three predispositions to good in human nature, and so, of course, deeply disrespectful of women.

It may be tempting to think that these two differences between Kant and Beauvoir are not very interesting philosophically or practically (when we read societies through the lenses of these theories), but I believe this is mistaken. First, part of the difference here is that Kant has available, through his social, teleological account of human nature, a perspective that does normative work independent from, although supportive of the perspectives of empirical science and freedom, whereas a theory like the one of Beauvoir ultimately moralizes her analysis of everything (including sociality and empirical desires) such that truly free sexuality ultimately becomes a rather disembodied sexuality of free choice. To put the point differently, on the one hand, Beauvoir reads human reality through a less complex, three-fold perspective (scientific empirical facts, sociality, and freedom), whereas Kant reads it through a more complex three-fold perspective (scientific empirical facts, human nature, and freedom). On the other hand, because of the way in which Kant includes not only an account of sociality, but a richer account of human nature, his resulting account of the traditional ideals become more complex – give more substance to the way in which sexuality (whatever the true account is) is not simply a matter of free, disembodied choices even if any justification of what we do in the name of morality has to be undertaken in terms of respect for freedom. Hence, the advantage of Kant's view is that it opens up human reality in a more complex way without compromising his commitment to the claim that the ultimate justification for moral interaction is human freedom. As I will reiterate later, a philosophical account that lets human nature do its own normative work in addition to that of freedom has an advantage over a social, freedom-account such as that of Beauvoir in that it allows us to capture more of sexuality, including how we – whether straight, gay, bi, trans, queer, asexual – find it to be given in its basic direction (rather than simply a matter of choice); find the issue of embodiment crucial; and find not being able to live it out is experienced as existentially traumatic. An account such as that of Beauvoir struggles to capture this in

any way, since on her normative analysis of sexuality, our sexuality (properly understood) ultimately is simply a matter of free choice and respectful reciprocal, affirmation.

Let me illustrate this last point regarding the advantage of the more complex analysis in a different way with regard to the issue at stake: a difference and advantage of Kant's view relative to that of Beauvoir concerns the way in which Kant identifies a normative critical standard internal to traditional societies that is different in kind, though supportive of, the critical (reflective) standard of freedom. It seems to me that Kant's conceptions of 'womanhood' and the importance of the home to both men and women are exactly the ideals affirmed by various traditional, conservative interpretations of religions – a fact that strengthens the claim that Kant's anthropological account of gender and his basic claim that human nature (and not just science and freedom) maybe part of the fuller, better account. As we shall see later, this is also why correcting Kant's account of sexuality is particularly useful: he does the same mistake that these religions traditionally have done in their lack of appropriate responses to sexuality's diversity and failure to realize women's equal abilities for scholarly work and public, legal-political participation. That is to say, conservative interpretations of religions such as Christianity, Islam, and Judaism consider man's and woman's characters as given, though they are not given by nature alone (understood scientifically), but rather by God's teleological-aesthetic-social structuring of nature. Conservative interpretations of these religions also typically conceive of the 'home' as the 'proper' primary focus of both the man and the woman. And they consider the 'proper' relationship between man and woman as involving a home in which the (Muslim, Jewish, or Christian) mother is ultimately the more powerful domestic figure, although the father deals with 'the world' and thus has the right and duty to 'put his foot down' in the home to prevent family members from pursuing irrational or unwise ends in the world. On these interpretations, happily married husbands adore their wives, and being a real man inherently involves adoring one's woman. Only bad men relate to their women as mere means, including as mere sexual tools or as someone who should tiptoe around men in constant efforts to please them. Correspondingly, Kant's interpretation of the traditional ideal of woman can make sense of why certain conservative religious people in more stable, flourishing cultures, in contrast to what Beauvoir seems to say, identify the proper sexual aim not merely as the man's satisfaction, but as both the husband's and the wife's sexual satisfaction.¹⁵ The important point here is that Kant's account appears to capture better these traditional religious positions, including how they criticize those who, in their opinion, show insufficient respect for and appreciation of women. In my view, the fact that Kant is able to capture these traditional, normative accounts of men and women is a strength rather than a weakness of his anthropological, and supporting human nature account.

Since Beauvoir lets her conception of freedom set the complete, moral framework for her anthropological and psychological investigations, she appears incapable of drawing a distinction between better and worse ('barbaric') instantiations of the traditional ideals. Moreover, as we will see below Kant's philosophy as a whole can and does protect everyone's rights to work themselves into active citizenship, and it can explain where and why not only he himself failed, but also why and where these traditional religious institutions typically have failed similarly and so why many of them have been or are currently transforming their related ideals of sexual identity, sexual orientation, and gender. Kant was fully aware that he (and the traditional institutions) was mistaking what he thought he was seeing for what is possible and good (especially under conditions of freedom), and he made sure that his philosophical system safeguarded against perpetuating such prejudicial, rationalized mistakes through his conception of morally justifiable construction of related legal-political institutions. In addition, I will suggest, his theory of human nature shows why he was responsible for his mistakes; it shows what he should have tended to better in himself in order to correct these mistakes (namely his own discomfort), and why he was obligated to do so (because he is capable of freedom).

2.4. KANT'S DISTINCTION BETWEEN MORAL AND NORMATIVE ANTHROPOLOGICAL IDEALS – SOME TEXTUAL PUZZLES

At this point, it's worth taking a break to emphasize that the reading present here is certainly not the only possible reading of Kant's *Anthropology* and the other relevant works. In fact, the following statement of Kant's seems to resist my reading: 'When refined luxury has reached a high level, the woman appears demure only by compulsion and makes no secret of wishing she might rather be a man, so that she could give her inclinations larger and freer latitude; no man, however, would want to be a woman' (A 7: 307). In this passage, Kant appears to argue that when conditions are plentiful, women will wish to be men so that they can give their inclinations 'larger and freer latitude' and their modest or reserved (demure) behavior is maintained only by some kind of compulsion. Men, in contrast, never want to be women, regardless of circumstance. Kant seems to be saying that the expectation that women behave 'demurely' is a demand of virtue¹⁶ – that is, a requirement of freedom. If Kant indeed advocates here that women are ethically obliged to live in accordance with a set of specific 'natural' ends and pursue the traditional female ideals that correspond to these ends (for instance, by being demure) rather than to seek to realize their freedom, then the reading of Kant I presented above is incorrect.

And, certainly, the textual case against my proposed reading can be strengthened by pointing to the fact that the *Anthropology* is not the only place wherein Kant makes statements that seemingly undermine it. In 'On

the Common Saying: that may be Correct in Theory, but it is of no Use in Practice' (hereafter: 'Theory and Practice') for example, Kant explains that women cannot be voting citizens because woman, like children, lack a 'natural' prerequisite (TP 8: 295). In other words, women cannot be persons who fully participate in public reason because something crucial is missing from their nature. Moreover, one might argue that Kant held this position already in his very earliest writings, for in the 'Beautiful and Sublime' essay he remarks that 'The fair sex has just as much understanding as the male, only it is a **beautiful understanding**, while ours [men's] should be a **deeper understanding**, which is an expression that means the same thing as the sublime' (BS 2: 229). To make matters worse for my reading, perhaps, earlier in the same work Kant says that although both sexes have elements of both the beautiful and the sublime, they are unequally distributed and that 'All education and instruction must keep this before it, and likewise all effort to promote the ethical perfection of the one or the other, unless the one would make unrecognizable the charming difference that nature sought to establish between the two human genders ... one must also not forget that these human beings are not all of the same sort' (BS 2: 228). And later, in the same text, he even adds, 'It is difficult for me to believe that the fair sex [woman] is capable of principles ...' (BS 2: 232). One might reasonably contend that it is these kinds of sexist views lead Kant to draw the conclusion in *The Metaphysics of Morals* that women are incapable of full, active participation in public life (which would mean being politicians, public officials, or scholars, for instance), because they simply do not possess the practical (self-reflective) reason such participation requires.¹⁷

Of course, if Kant really means that women and men have a moral (ethical and legal) obligation to pursue the traditional gendered personal and interpersonal ideals, as well as related 'natural' ends and what practical reason (freedom) commands, then his philosophy as a whole ends up in a rather formidable contradiction, since it is a moral theory of freedom. On Kant's moral theory of freedom, persons are free in virtue of setting and pursuing their own ends in a manner respectful of others doing the same and subjected only to their own practical reason. Kant famously rejects the idea that there is a 'natural end' that is our moral end; he even rejects the idea that happiness can be understood as our moral end.¹⁸ In my view, though, we ought not rush to the conclusion that Kant's philosophy collapses in contradiction. While it is true that Kant believes there is wisdom in the traditional gendered (teleological-aesthetic, social) interpretation of our human nature – after all, his aim *is* to identify a correct account of human nature, here investigated in relation to our gendered being more specifically – he never holds up this traditional ideal *as* the moral ideal. Rather, Kant's overall point, as I elaborate on below, is that if the ideal he has identified truly captures something important about our human nature, then our ideals of ethical and legal perfection should recognize and accommodate those facts. Realizing our

personhood in a way that we find meaningful will involve dealing with aspects of ourselves that concern our (unreflective) embodied, social sexuality. Correspondingly, Kant thinks, our natures present us with various 'natural' or subjective (unreflective) challenges to realizing (self-reflective) reason and freedom. Yet Kant does not advocate that it would be unethical or should be illegal to act contrary to the anthropological (traditional) ideals of gender, nor does he claim that this moral (philosophical) anthropological ideal is the moral ideal.¹⁹

Instead, in my view, it is exactly the difference – and the importance thereof – between the moral anthropological ideal and the moral idea (of freedom) Kant draws our attention to in the introduction to the *Metaphysics of Morals*, when he explains how he perceives the relationship between his accounts of morality and moral (philosophical) anthropology. Here, he first argues that 'a metaphysics of morals cannot be based upon anthropology but can still be applied to it.' Then, he contends that the 'counterpart of a metaphysics of morals' in a complete practical philosophy:

... would be moral anthropology, which, however, would deal only with the subjective conditions in human nature that hinder people or help them in *fulfilling* the laws of a metaphysics of morals ... It cannot be dispensed with, but it must not precede a metaphysics of morals or be mixed with it; for one would then run the risk of bringing forth false or at least indulgent moral laws, which would misrepresent as unattainable what has only not been attained just because the law has not been seen and presented in its purity ... or because spurious or impure incentives were used for what is itself in conformity with duty and good (MM 6: 217).

Kant's complete practical philosophy, in other words, contains his strictly moral works (the works of freedom: of ethics and of legal-political philosophy) *as well as* the accounts that deal with those normative aspects of us that do not belong within moral philosophy proper (freedom as such), but with our human nature – namely our embodied, social being as explored in his normative works of history, religion, education, and anthropology.²⁰ (Empirical anthropology, in contrast, would simply be describing various societies and their particular ideals; such accounts would not be what Kant here calls 'moral' (or philosophical) anthropology.) Moreover, Kant emphasizes here that a moral anthropological account concerning various elements of our human nature must not be mixed into an account of the metaphysics of morals. And, insofar as moral anthropology is relevant to morality, it concerns various subjective conditions that may make it easier or harder for human beings to realize the moral commands of freedom.²¹ But, these subjective challenges, which stem from our natures, do not establish the moral ideals of freedom. They identify neither a set of objective natural boundaries within which people must exercise their freedom nor any natural ends everyone must pursue. If Kant were to claim, instead, that people can be ethically required to realize or legally bound to act in conformity with

certain natural ends, then he would be letting his prejudices speak rather than his reason and he would be contradicting himself; he would be doing bad philosophy. But this does not seem to be what he holds. Rather, he clearly states that an approach according to which one permits moral anthropology to set the framework for morality (freedom) is dangerous and fundamentally misguided, since it runs the danger of ‘misrepresent[ing] as unattainable what has only not been attained.’

Although I recognize the possibility that Kant was an incorrigible sexist who was never even partially cured, let me give some further reasons to resist that conclusion for just a little while longer. To start with, let us look more closely at the statement Kant makes in the *Anthropology*, about wives who wish they were men (although husbands never wish they were women). Kant makes this statement while emphasizing that women, including married women, are sensitive to the public eye. So, the complete relevant passage reads as follows:

In marriage the man woos only his *own* wife, but the woman has an inclination for *all* men; out of jealousy, she *dresses up* only for the eyes of her own sex, in order to outdo other women in charm and fashionableness. The man, on the other hand, dresses up only for the feminine sex; if one can call this dressing up, when it goes only so far as not to disgrace his wife by his clothes When refined luxury has reached a high level, the woman appears demure only by compulsion and makes no secret of wishing that she might rather be a man, so that she could give her inclinations larger and freer latitude; no man, however, would want to be a woman (A 7: 307).

A sympathetic reading of Kant will pay attention to the context in which this statement is found. Attending to the context, we see that the badness of the wife who wants to be a man lies in her using her increased means (her power) to unleash her inclinations accompanying her social skills and thereby obtain control over many men, rather than limiting her use of her ability to please men to her husband. In other words, more powerful women (that is, women with more material resources) will be tempted to use their skills at seduction to obtain the kind of social power (that is, political power) that only men have in traditional society. Yet doing this is wrong, Kant argues, and only self-constraint keeps women from pursuing political power (or traditionally male power) in this way. Moreover, men do not wish to be ‘women’ as the sum of their material means increases, since (traditional) women do not have political power. Men do not have an inclination to obtain social power by controlling the desires of everyone else; they are inclined, instead, wrongly to obtain social power through strategic reason and violence. Therefore, on Kant’s account, (traditional) men only dress up for the other sex and their own wives, not for the world. Kant’s argument here is therefore also not meant to show that a woman can never prove herself capable of good political power; this is left an open question here.

What about the other passage, the one from ‘Theory and Practice’ which states that the nature of women, just like the nature of children, makes it

impossible for them to vote? Why are women 'passive' rather than 'active' citizens, on Kant's account? I believe that a sympathetic reading of Kant on this point starts from the assumption that Kant presumably does not mean that there is something in women's genes (scientifically understood) that precludes them from active citizenship (including voting). After all, if that were the case, then we could understand gender through a scientific lens, a possibility that Kant clearly rejects by advocating that gender should be understood through the moral anthropological perspective informed by his normative account of human nature. So, by nature Kant here refers to his normative, anthropological account of women, as outlined above; this is the one he accommodates in his theory of freedom. Since his claims about women are exactly normative, anthropological claims informed by his account of human nature, however, it is only *accommodated* within the theory of freedom, it is not (because it must not be) setting the framework for freedom.

I also believe that we can cut Kant a little slack with regard to his apparently sexist comments in 'Beautiful and Sublime.' As we found with the statement above, including the surrounding text rendered Kant's statement more nuanced than first impressions suggested. Comparably, in 'Beautiful and Sublime,' Kant asserts that he does not want to 'give offense,' but 'It is difficult for me to believe that the fair sex is capable of principles ... for these are also extremely rare among the male sex' (BS 2: 232). In other words, Kant emphasizes that his view may come across as offensive, yet he believes that 'the fair sex is [in]capable of principles,' presumably because he did not believe he had witnessed brilliant scholarly women. Indeed, he claims that the same holds for most men, as principled reasoning is 'extremely rare' among them too.²² Hence, with this statement, Kant does not seem to have in mind the principled thinking characteristic of practical reasoning – he is not, as he never does, maintaining that women cannot be morally (including legally) responsible for their actions – but rather that of abstract academic reasoning or excellent scholarship.²³ It is also noteworthy that two of his examples of exceptional men in this part of the text are Newton and Descartes – philosophers who revolutionized philosophy and science – so his standard is obviously very high.²⁴

'Beautiful and the Sublime' was Kant's earliest piece on the topic of gender. Clearly, he was uncomfortable with his take on women and with sharing it, as he emphasizes that he means no offense and that, like the other views he presents in this essay, it should be understood as resulting from mere 'glances' on various 'peculiarities of human nature' from 'the eye of an observer [rather than] of the philosopher' (BS 2: 207). He does not present his view – that only men engage in principled public reasoning or become scholarly geniuses – as an *a priori* truth or as a claim backed up by irrefutable proof. Rather, his claim is based on his observations and experiences. Read even more sympathetically, Kant's idea is that until we have established conditions of freedom, we cannot know whether both genders will prove

themselves capable or whether only a few will be able to prove themselves capable of truly principled, or brilliant reasoning. Finally, in partial defense of Kant on this point, it is worth pointing out that Beauvoir, writing in the 20th century, also thought that the male ideal (of transcendence) was closer to the scholarly ideal commanded by freedom. And neither did she believe that history had yet witnessed scholarly female genius; she did not think that the societal conditions necessary for the development of such genius had existed yet for women. For example, Beauvoir writes, 'If truth be told, one is not born, but becomes, a genius: and the feminine condition has, until now, rendered this becoming impossible' (*The Second Sex*, p. 152). Therefore, in my view, the major problem with Kant's account in this early essay was his failure to uncover the source of his own discomfort with his claims about women and brilliant principled reasoning. He managed only to note that there was something distressing about his own take on this issue, something not quite right, and to emphasize that he was largely sharing his observations at the time rather than sharing what he took to be a philosophically justifiable position. Throughout his life, as indicated above in relation to his published writings on anthropology and as we will see even more clearly below, Kant remained faithful to this skepticism regarding the wisdom of his own judgment here.

3. *Kant on the liberated woman*

Turning to his moral writings, it is useful to start by noting the distinction Kant draws between justice (right) and ethics (virtue). Put briefly, ethics concerns how one ought to live one's life, whereas justice concerns what one can rightfully be coerced to do. In addition, it is important to keep in mind that Kantians generally recognize what I have stated above, namely that most of Kant's ethical and legal-political argumentation is carried out in gender-neutral terms – in terms of persons and citizens (not men and women). To the best of my knowledge, Kant never has the distinction between the genders do any philosophical work in his ethical works, but only in one of his major moral works (the 'Doctrine of Right' in *The Metaphysics of Morals*) and in one short essay ('What is Enlightenment?').²⁵ In the latter piece, I'll argue below, Kant draws the distinction to criticize both women's and men's roles in keeping women 'in minority.' In the 'Doctrine of Right,' he writes of both 'men' and 'women' in his accounts of marriage and of 'active' and 'passive' citizens. In neither work does Kant defend the view that women are incapable of moral (ethical and legal) responsibility, morally inferior or unequal to men, or that reason commands us to treat women as subjected to men. In fact, as we shall see, in the 'Doctrine of Right' Kant argues that women cannot be prevented from working their way into active citizenship, and in the 'Enlightenment' essay, he contends that everyone

(also women) ought to use their reason fully (and see where it takes them) and that anyone would be wrong to hold them back.

3.1. WOMAN IN THE 'DOCTRINE OF RIGHT'

As noted above, Kant draws the man/woman distinction in the 'Doctrine of Right' only in his accounts of marriage and of 'active' versus 'passive' citizens. Critics of Kant (on this point) typically read these accounts as affirming that (a) men should be in charge of the family, and (b) women should always be 'passive citizens,' whose actions should be restricted to the domestic sphere. In contrast, I argue that Kant maintains that one cannot rightfully deny women the possibility of working themselves into active citizenship and that men do not have an unconditional, perpetual right to be in charge of the home.

Let me start by briefly engaging Kant's argument about marriage. This argument is found in the private right section of the 'Doctrine of Right.' Hence, it focuses primarily on establishing the principles of marriage that are constitutive of private right, meaning the principles Kant believes any sound liberal legal system will uphold in their related private (family) law.²⁶ More specifically, most of the argument about marriage concerns why, as a matter of private right, marriage must establish the two spouses as equals who share a home. As equals, they have a right not to be abandoned by each other, a right that the other does not engage in sexual activities with anyone else, and a right to share all their private property and honorary titles (6: 277–79). After sketching this argument, which (among other things) leads him to reject the legality of contracts involving concubines, prostitutes, and morganatic²⁷ marriages, Kant makes an infamous statement that has attracted so much scorn from many feminists:

If the question is therefore posed, whether it is also in conflict with the equality of the partners for the law to say of the husband's relation to the wife, he is to be your master (he is the party to direct, she is to obey): this cannot be regarded as conflicting with the natural equality of a couple if this dominance is based only on the natural superiority of the husband to the wife in his capacity to promote the common interest of the household, and the right to direct that is based on this can be derived from the very duty of unity and equality with respect to the *end* (MM 6: 279).

Many feminists conclude from this passage – and not without reason – that Kant argues that the natural superiority of the husband over the wife entails that the law can legitimately specify that the man is the one who commands, whereas the woman is the one who obeys.²⁸ Yet in light of the account I have presented above, it seems more reasonable to interpret Kant differently. I suggest that Kant's claim is that such laws are permissible if (a) the account of the 'subjective challenges' that inhibit women in their ability to deal with the relation between the home and the world is correct, and (b) the decision

in question concerns those subjective challenges. This also entails, however, that such laws are permissible only insofar as women are in fact incapable of assuming equal responsibility for relations between the home and the rest of the world, and, of course, such a law will be legitimate insofar as we are in a historical condition in which traditional ideals of women and men prevail (a condition of moral decency). That is to say, such a law will be permissible under traditional conditions and it will be permissible under conditions of freedom *iff* experience shows us that the traditional ideal is not backward-looking in a problematic sense. Furthermore, as we have seen, Kant considers it a real possibility (from his first publication, 'Beautiful and Sublime,' onwards) that he and the traditional ideal may be wrong in regarding only men as capable of an active public life as public leaders and scholars. Below we will see that in the 'Enlightenment' essay Kant encourages women to prove him wrong, whereas here, in the 'Doctrine of Right,' we will see that he protects everyone's right to prove not only him, but the legal-political systems they find themselves in, wrong.²⁹

In the 'Doctrine of Right' Kant draws the distinction between men and women also in his account of passive and active citizens. At first glance, it certainly does seem as though Kant here affirms the view that women can (and should) only ever be passive citizens. Kant first explains that women, like children and servants, are 'passive citizens' (MM 6: 314) because they lack independence, in the sense that they depend 'upon the will of others' (MM 6: 314). Women, children, and servants lack sufficient ability to engage in public self-government (partaking in the public government of civil society through public reason): children lack both material and mental powers; servants lack material and possibly mental ability (as they lack education); and, women (presumably) lack either intellectual ability (the ability to participate actively in the public sphere through the use of reason) or material ability (private property or material powers), or both. So children, women, and servants are passive citizen.

Why, then, is it reasonable to argue that Kant *doesn't* believe women must necessarily remain passive citizens? First, were he to mean that women are perpetual passive citizens, then, again, he would explicitly introduce a philosophical contradiction into this philosophical system by subjecting morality (freedom) to moral anthropology. Second, Kant would then also contradict himself within the space of two paragraphs, because in the very next paragraph he argues that any laws posited in a just state must 'not be contrary to the natural laws of freedom and of the equality of everyone in the people corresponding to this freedom, namely that anyone can work ... [one's] ³⁰ way up from this passive condition to an active one' (MM 6: 315). In other words, in a just state all members, including women, have a right to work themselves into active citizenship.

One might worry here that while servants and children can change their condition (they can grow up, obtain an education, or make enough money

to become independent), surely women cannot stop being women? Assuming, sympathetically, that Kant does not contradict himself within the scope of two paragraphs, I do not think this is the kind of change he has in mind. Instead, I believe Kant means that women have a right to work their way into active citizenship by showing themselves capable of scholarly work and legal-political (or public) participation (of the kind that the traditional ideal – and also Kant himself, was skeptical they could do). Women must dare to take on the challenges of the public sphere, and men do not have a right to prevent women from doing this; men cannot pass laws according to which women – a normative, anthropological category – cannot work themselves into an active condition. Moral anthropology concerns the subjective conditions in human nature that hinder people from or help them to *fulfill* the laws of a metaphysics of morals. As such, our moral theories of freedom should accommodate moral anthropology (including the traditional ideals), but moral anthropology cannot set the parameters within which freedom must operate; the conditional cannot limit the unconditional. As we saw above, the dangers of letting moral anthropology (the conditional) set those parameters are those of ‘bringing forth false or at least indulgent moral laws, which would misrepresent as unattainable what has only not been attained just because the law has not been seen and presented in its purity ... or because spurious or impure incentives were used for what is itself in conformity with duty and good’ (MM 6: 217) and in fact, not only was this an important theme for Kant in the *Metaphysics of Morals*, he makes the same point in the *Groundwork for the Metaphysics of Morals*. There too he emphasizes that although the laws of freedom are *a priori*, correct application to actual circumstances require ‘a judgment sharpened by experience’ (GW 4: 389). As we have seen, already from the first publication (on ‘the Beautiful and the Sublime’) Kant wasn’t quite sure about his own experience with freedom, in particular that his judgment of woman and freedom was good enough. To judge this issue wisely was very difficult for him, and he knew that. And in fact, he didn’t manage to get it quite right; his prejudices were very strong and his experience with women and human life as it flourishes under conditions of freedom very limited.³¹

Although Kant accommodates, to some extent, the traditional ideals of gender in the ‘Doctrine of Right,’ his freedom account is not, then, anti-feminist. His account explicitly blocks the possibility that just states can pass laws that make it illegal for women to work themselves into active citizenship.³² This interpretation has the benefit of being consistent with how Kant conceives of the relationship between moral theories (ethics and law) of freedom and moral (philosophical) anthropology. Additionally, it avoids having to charge Kant with contradicting himself both within the space of two paragraphs and within his philosophy generally. Finally, as I elaborate below, this interpretation is consistent with what Kant says about the distinction between men and women in ‘What is Enlightenment?’

3.2. WOMEN IN 'WHAT IS ENLIGHTENMENT?'

Let me now move on to Kant's brief note on men and women in the essay 'What is Enlightenment?' Here he says – and given how controversial this is as a matter of interpretation, this is worth quoting in full – that:

Enlightenment is the human being's emergence from his self-incurred minority. Minority is inability to make use of one's own understanding without direction from another. This minority is self-incurred when its cause lies not in lack of understanding but in lack of resolution and courage to use it without direction from another. Sapere aude! Have courage to make use of your own understanding! is thus the motto of enlightenment.

It is because of laziness and cowardice that so great a part of humankind, after nature has long since emancipated them from other people's direction ... nevertheless gladly remains minors for life, and that it becomes so easy for others to set themselves up as their guardians. It is so comfortable to be a minor! ... That by far the greatest part of humankind (including the entire fair sex) should hold the step toward majority to be not only troublesome but also highly dangerous will soon be seen to by those guardians who have kindly taken it upon themselves to supervise them; after they have made their domesticated animals dumb and carefully prevented these placid creatures from daring to take a single step without the walking cart in which they have confined them, they then show them the danger that threatens them if they try to walk alone. Now this danger is not in fact so great, for by a few falls they would eventually learn to walk; but an example of this kind makes them timid and usually frightens them away from any further attempt.

Thus it is difficult for any single individual to extricate himself from the minority that has become almost nature to him. He has even grown fond of it and is really unable for the time being to make use of his own understanding, because he was never allowed to make the attempt. Precepts and formulas, those mechanical instruments of a rational use, or rather misuse, of his natural endowments, are the ball and chain of an everlasting minority. And anyone who did throw them off would still make only an uncertain leap over even the narrowest ditch, since he would not be accustomed to free movement of this kind. Hence there are only a few who have succeeded, by their own cultivation of their spirit, in extricating themselves from minority and yet walking confidently.

But that a public should enlighten itself is more possible; indeed this is almost inevitable, if only it is left its freedom. For there will always be a few independent thinkers, even among the established guardians of the great masses, after having themselves cast off the yoke of minority (WE 8: 35f).³³

What are we to make of this? To start, I believe that we must pay attention to the fact that this account is not written from the perspective of moral (philosophical) anthropology, but from that of freedom (morality).³⁴ In addition, in this essay, Kant is not restricting his analysis to the perspective of rightful freedom (right) or ethical freedom (virtue), but vacillates between these two freedom-perspectives. As such, he writes more generally in order to encourage us all to promote freedom, to dare be

free. And I suggest that once he assumes these moral freedom-perspectives, he reasons in a way that will strike feminists as quite similar to the work of Beauvoir in *The Second Sex*. First, like Beauvoir, insofar as their minority is self-inflicted, he criticizes women (and anyone) for not stepping up to the task of leaving it behind. He criticizes them for choosing to live as minors who need guardians (namely, men) to assume responsibility for their lives, for choosing the comfort of the life as a dependent (or, minor) rather than facing the fears that accompany freedom – the fears of failing and of having to seek answers on one's own rather than having them provided by others. To put the point in Beauvoir's language: when it is a possible choice, woman must step up to the challenges of freedom and govern her actions by her own reason (women must 'live in transcendence' or 'as subjects,' not 'as objects'). She must stop living as if the manuscript for her life is already written for her (live in 'immanence') – regardless of how comfortable this is – she must dare to write it for herself (live in 'transcendence').

Second, again like Beauvoir, Kant condemns men for being ever so willing to make women their 'dumb domesticated animals,' for 'carefully prevent [ing] ... these placid creatures from daring to take a single step without the walking cart in which they have confined them,' and for presenting the world as a dangerous place that women should be deeply afraid of.³⁵ Finally, like Beauvoir, Kant emphasizes the difficulty for any single person, including a woman, to leave minority behind on one's own under such conditions. Yet, again like Beauvoir, Kant argues that even under conditions where minority is encouraged, so long as freedom is not made impossible, there will be a few extraordinary individuals who will choose freedom and majority anyway. And despite the odds, these independent thinkers will push towards conditions of majority for all (which, of course, are also the conditions under which also scholarly genius can develop). Sometimes these independent thinkers will be members of the privileged class, like J.S. Mill in *The Subjection of Women*, and sometimes they will be members of the oppressed classes, though they will more often be somewhat privileged members of the oppressed classes (here, socially fairly privileged women) as they experience more freedom. Examples of the latter case range from George Elliot (Mary Anne Evans) to Madame Curie to Simone de Beauvoir to Vigdís Finnbogadóttir.³⁶ But Kant calls on everyone, generally: women must to dare to leave oppression and minority behind insofar as this is a possible choice. In the language of the *Anthropology*, everyone must dare to realize their full human nature to the fullest, dare to 'Sapere Aude!' or 'dare to be wise' or 'dare to know,' including dare to see what this means in terms of possibly reforming the anthropological ideals we have been handed over through traditions.

Indeed, the strong political women's rights movement – with everything it involved and led to – proved once and for all that the traditional ideal of

woman as incapable of abstract scholarly reasoning and full public participation was wrong. Under conditions of increasing freedom, there were at first a few remarkable individual women who successfully broke loose (some of whom are mentioned above) and a few men and other women who supported them, including by recognizing, affirming, and delighting in their abilities and holding their backs. And soon more women and men joined the movement. Obviously, there's still a long way to go, but the changes we have witnessed since Kant's time have been enormous. Recently, several of the greatest legal-political leaders have been or are women, and many of the best of minds coming out of various education systems are women. In fact, many of the leading Kant scholars in all areas of his philosophy, are women. Kant himself admitted from the start that this could happen, even if he had not himself observed it and even if he was as skeptical about this as he was of his own judgment of women. When I am feeling most fond of Kant, such as after I've read him as he nails European colonizers to the wall, I tend to think that if he could come back from the dead and see what has happened, including how many female philosophers first proved him wrong precisely by further developing his own philosophy, he would smile. At all other times, I know that he would at least learn to love it, to love that so many women found exactly his critical philosophy a friend as they sought to realize themselves as free and as philosophers.

4. *Conclusion*

Kant never presents or defends his take on woman as a moral ideal. Kant never thinks that women cannot be morally (legally or ethically) responsible for their actions; and explicitly encourages everyone (including women) to dare to be free – to dare to guide their actions by their reason. What Kant was uncertain about was not whether or not women could be morally responsible for their actions, but whether they were capable of active citizenship and the special kind of abstract reasoning involved in public, or legal-political and scholarly reasoning. He held it as possible that their philosophical wisdom lays elsewhere, in the kind of caring, affectionate reasoning constitutive of well-functioning social and personal spheres for embodied, social beings like us. His account of women aims to capture this moral anthropological ideal, including by fundamentally informing it by his normative account of human nature – and it is this anthropological ideal he makes space for in his moral, and especially his legal-political writings on freedom. He thought that the male and the female ideals capture different, equally valuable, and complementary ways for human beings. Both are crucial to a society fit for healthy human beings; such a society requires both types of philosophical wisdom: the one more closely tied to human nature understood in terms of personal affection, sociality, and the beautiful as well

as the one more closely tied to human nature understood in terms of force, competition, and the sublime. A world in which there is only the one is a bad world to live in for human beings. The kind of beings we are requires the realization of both types of being and reasoning, or philosophical wisdom. If he is right, then realizing oneself involves realizing one's nature – male or female – as this is what will make one most profoundly happy and what will be affirmed upon reflection (morally). Hence, contrary to what Mikkola argues in her excellent piece on Kant and women, Kant's views on this matter are not inconsistent: one can be morally (ethically and legally) responsible without being capable of the kind of argument constitutive of public (legal-political and scholarly) reasoning.

Still, of course, Kant didn't get all of this right. And indeed, Kant was clearly aware of the possibility that he didn't see these things quite in the right way, that he was mistaking what he believed he was seeing (the traditional ideals) for what was possible (gender ideals possible under conditions of freedom). This worry was something he was generally concerned about from the start and something he explicitly emphasized in the introduction to the *Metaphysics of Morals* by arguing that though moral works (of freedom) make space for normative claims based on an account of human nature, this is all it can and should do; a good practical philosophy cannot present moral anthropology as yielding principles that can take the place of moral principles of freedom. And so this is what he does, including when he analyzes women's rights: it cannot be illegal for anyone to work themselves into active citizenship. Only in this way does ideal theory (moral freedom) theory make space for non-ideal theory (human nature, including our propensity to act in bad ways) in a way that is compatible with humankind correcting its errors, exactly by showing how some of what has been deemed impossible was only impossible until conditions of freedom were established. In my view, therefore, it is not a coincidence that most of Kant's comments on women are found in his non-moral, yet normative works, such as his works on history and on anthropology. His account of morality, in turn, is found in his works on freedom, including *The Groundwork for the Metaphysics of Morals*, *The Critique of Practical Reason* and *The Metaphysics of Morals*. Kant intends these moral works to capture our freedom, which is why they almost never discuss the distinction between men and women, but instead refer to 'persons' and 'citizens' – gender-neutral terms. One might be tempted to think that by 'persons' and 'citizens' Kant merely means 'men' and not also 'women,' as appears to be the case in the quoted passage above. But the male pronoun appears above not because Kant writes 'men' in the German text, but because the German term for a human being is *der Mensch*, which is a male noun. Still, one might object that this makes no difference, because, for Kant, *der Mensch* really refers only to men. It seems somewhat unfair, though, to accuse Kant of being this rather

nasty version of Humpty Dumpty (of saying one thing while meaning something else entirely) since he almost always draws a distinction between men and women when it strikes him as important to do so, including as we have seen, at times when he believes his views will come across as offensive. Instead, in these works, he accommodates the traditional ideals where and in the ways he thinks they should be, and then insists on how the just state must not mistake these normative ideals for moral ideas by never making it illegal for anyone to work oneself into active citizenship.

Assume for a moment that the interpretation I present in this article is fair, including that Kant's view captures well the traditional ideals of man and woman. For the sake of argument, also accept my claim that Kant made space for and even encouraged women to dare to be free. If all this is correct, then it seems fair to say that the first mistake Kant made was to pay insufficient attention or be open to both women who didn't fit the traditional mold and to the sexual diversity surrounding him. By exploring his own discomfort here further – a discomfort so clear to him that he drew attention to it already in his earliest writings on the topic; indeed, a discomfort so present and vivid to him that his own theory of moral psychology should have made him tend to it much more carefully; after all such discomfort is often, according to this theory, an indication that one is rationalizing about something one is unable to deal with well – he could have taken his project the next logical step. This step, I believe, involves realizing that although his account of moral anthropology – with its supporting account of human nature (and moral psychology) – clearly captures important normative principles central to the exploration and development of our own embodied, social, and aesthetically informed sexualities *and* explains how these principles can produce the two traditional gender ideals in civilized (as contrasted with barbaric) ways, it fails to account for sexuality's diversity even in fairly traditional societies like his own. Take one obvious example: as Kant's account stands, it cannot make good sense of homosexuality or any kind of gender-bending – and that's obviously a big problem for an adequate philosophical account; after all, these are not historically new phenomena and people have often been willing to risk everything to live them out, to hold on to who they are. In fact, even today, in one of the more liberal societies the planet has seen, the suicide-attempt rate among transsexual people is 41%, 10–20% among gay and lesbians, and only 4.6% among people who identify as straight.³⁷ A philosophical account that ends up being blind to people's lives in the way Kant does – who deems non-straight lives as perverted – reveals a philosopher doing bad work; the kind of unintentional cruelty that, as Oscar Wilde once put it, is so easy to commit when one is developing theories, namely to end up in a combat situation where the people one is describing are fighting for their lives while the theorist is stubbornly fighting for his theory.³⁸ And, again, Kant's own discomfort with what he was saying here

should have been a red flag to him; something was wrong – and he knew it, even if only unreflectively; you can, as Kant says, mess with your own predispositions to good, but you cannot destroy ('eradicate') them – they remain a possible source of (emotional) correction to one's rationalization of bad behavior, including theorizing. In addition, of course, this brings home the importance of appreciating how good philosophy combines both kinds of philosophical wisdom; those Kant labels the female and the male ones.

Still, although something obviously went wrong in Kant's account of human nature (and related accounts of moral anthropology and moral psychology) such that it lead to these mistakes regarding sexuality, there seems to be good reason to think that the better Kantian theory does not therefore reject what I take to be a major philosophical contribution, namely that to understand sexuality, including gender we cannot have a theory consisting merely of the perspective and reflections enabled by perspectives of freedom and empirical science (or, with Beauvoir, with the addition of sociality as such). We will not find the sexual orientation genes, and without something like such empirical findings, the resulting theories seem incapable of explaining (which good philosophical theories will do) the experience of people who have always found themselves sexually attracted to and sexually most at home in the world with people of the same sex, that this makes profound, existential sense to them. Correspondingly, without finding genes explaining sexual identity, the resulting theories remain equally toothless. And in this case, it appears even more unlikely that such genes will be found: after all, part of the challenge involved in explaining transsexuality involves being able to explain how those who have transitioned feels at home in the world for the first time as the embodied, sexual beings they always have felt themselves to be. And the better accounts have to do this even though the same people have not yet had those embodied experiences (including those physical experiences that transitioning opens up) that they have been longing for for so long. Kant's theory of women is therefore not only historically interesting, but also philosophically interesting in that it recommends us to employ a trifold perspective when we try to get human sexuality into view: empirical science, human nature, and human freedom. As we try to rid his account of sexuality of its inattention to sexuality's remarkable diversity, holding on to this basic move seems like an interesting possibility to try out as we seek to overcome Kant's prejudices, failures, and limitations.

Finally, insofar as we are able to create conditions of freedom, it is becoming increasingly obvious (and, so, increasingly hard to deny by any minimally reasonable mind) that people find it profoundly meaningful to combine the ideas of the sublime and the beautiful with the predispositions to animality, humanity, and personality in many different ways. Increasingly, therefore, in liberal societies, many related, distinct normative ideals are becoming socially visible; different new ways of working out profoundly

meaningful lives – and not only the two captured by the two traditional dominant gender ideals. We learn not only that some of the best politicians, judges, scientists, philosophers etc. are women, but that sexual identity and orientation do not follow opposites in terms of biological opposites (in various ways); sometimes one's sexual identity does not track basic components of the biological embodiment one is born with; many people are able to and profoundly enjoy 'changing gears' – of being drawn to the sublime with regard to some areas of their life or sometimes, and the beautiful in others or at other times; some feel at most at home in the world if they can be sexual, affectionately loved, or sexually loved by more than one; others find some, much, or all of sexuality and intimacy rather boring in the first place. We are also learning, it seems, that healthy politics and a healthy public (including academic) life requires the social skills of the kind traditionally associated with women; the ability to know and further healthy (rather than unhealthy) love of country and of knowledge – without also this, states and learning institutions easily go array in their justice- or knowledge seeking efforts. All of this, however, seems consistent with Kant's basic insight: knowing one's subjective self requires one to know one's own nature – it is not something understandable simply from the reflective points of view of science or of freedom, but must also be informed by an unreflective point of view that invokes irreducible teleological, embodied, social elements. One explores this by tending to what makes one feel truly at home in the world, as a good place, as the sexually embodied, social person one is. Trustable others, including theories, only make this process of exploration easier; the work itself can only be done by each in ways that involve profoundly unreflective modes of being. These developments are also consistent with Kant's other, fundamental claim, namely that when done well, these various realizations of human nature are affirmative of human freedom, including upon reflection: they are experienced as profoundly meaningful, good ways of living one's life as who one is, including together with others.³⁹

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NOTES

¹ Value-conservative thinkers like John Finnis (1994) hold that Kant's anthropological view of men and women is best understood as a moral ideal. As we shall see below, doing that is exactly what Kant warns us against.

² Baron's paper is found in the anthology *Feminist Interpretations of Kant* (Schott, 1997). As a whole, this collection of papers illustrates well the way in which most of the secondary literature concerning Kant on women breaks into two camps. All of the papers are more or less condemnatory of Kant's treatment of women, but those written by philosophers more drawn to Kant's philosophy for other reasons, like Marcia Baron and Holly L. Wilson, still try to show that Kant's philosophical position (just not Kant himself) is feminist friendly. Historically,

prominent Kant interpreters tend to condemn or set aside Kant's comments on women as irrelevant to his moral philosophy, for reasons similar to those expressed by Baron. Commentaries written on Kant by non-Kantians in this anthology, such as those by Schott, Hannelore, and Schroeder, are more similar to Genevieve Lloyd's reflections on Kant in *Man of Reason: 'Male' and 'Female' in Western Philosophy* (1993) or those of Irving Singer in 'The Morality of Sex: Contra Kant' (2000). This type of interpretation typically doesn't take the second, constructive step of showing how Kant's philosophy (even if not Kant himself) can empower the feminist cause. Notice, too, that Pauline Kleingeld (1993) shares my interest in not simply setting aside Kant's view of men and women. She differentiates the three common approaches to Kant on this issue, namely a conservative one (like Finnis) and the two feminist approaches mentioned above. A main difference between Kleingeld's and my interpretation is my proposal that Kant's conception captures quite well the traditional ideal of women when understood as a powerful gender. Hence, Kant's conception of woman is also not what Thomas Hill (1991) in his paper on the deferential wife calls 'a submissive person.' Another difference is that I argue, in contrast to Kleingeld, that Kant doesn't only mean 'men' when he discusses 'humans' or 'persons' in his moral writings (despite his ascribing of women to passive citizenship).

³ See, for example, Carol Hay (2013), Barbara Herman (2002), Mari Mikkola (2011), Linda Papadaki (2010), and Helga Varden (2007, 2012). The main difference between this article and all of these accounts concerns the way in which I interpret Kant's theory of human nature as normative and hence as doing independent work with regard to capturing sexuality, including gender in his overall normative philosophy, that is, in addition to concerns that can be captured if one reads all Kant's work through bifocal lenses of the rational (moral) versus empirical (scientific). Another, related difference concerns the way in which I suggest that Kant's moral works accommodates these normative concerns; how, as we see below, he envisions his moral writings to accommodate his 'moral' (philosophical) anthropology. For a recent paper that also pays special attention to the teleological nature of Kant's account of gender, but comes to almost exactly opposite interpretive and philosophical conclusions, see Inder S. Marwah (2013).

⁴ The aim here is to outline Kant's own account of women, but towards the end of the article I will also show why, despite its strengths with regard to capturing the two prominent traditional genders, Kant's account is ultimately unsatisfactory as an account of sexuality, including gender. I develop a revised Kantian theory of sexuality in 'A Kantian Theory of Sexual Love' (work-in-progress). In my view, such a revised conception is necessary to meet objections of the critical kind raised by Sally Sedgwick's 'Can Kant's Ethics Survive the Feminist Critique?' (1997). Sedgwick argues that Kant's position cannot be defended against many feminist, including care criticisms, because of the formal, reason-based way in which it analyzes moral autonomy and the supreme moral law. This article here, as will become clearer below, aims to take a first step towards defending Kant against this charge by showing that his account of human nature enables a more complex moral psychology and moral anthropology than Sedgwick assumes. However, the more complete response to Sedgwick from a Kantian position require us, in my view, to take up the challenge mentioned at the end of this article, namely develop a sufficiently complex account of sexuality, including of its diversity. Still, also such a better account of sexuality has to capture all the philosophical considerations Kant includes in his account of human nature, that is, by his account of the predispositions to animality, humanity, and personality (virtue and right) as applied to the issue of sexuality. Again, this will involve bringing these considerations to bear on relevant issues of both moral psychology and moral (philosophical) anthropology, such as sexual activity, sexual identity, sexual orientation, and gender. It is beyond the scope of this article to deal with all these issues, given its primary focus on women, but the article is written consistent with such a broader understanding of sexuality (rather than a narrower one that focuses on only, say, sexual identity and orientation).

⁵ Throughout this article, I refer to all Kant's works by means of the standard Prussian Academy Pagination as well as one or two letters to make it easier for the reader to remember which work this pagination refers to, such as 'MM' for *The Metaphysics of Morals*. Also, when

the differences in translation particularly matter, I reference both Louden's and Gregor's translations of Kant's *Anthropology* (2007 and 1974 respectively). All the works referenced in this article can be found in the collections of Kant's work listed in the references.

⁶ The phrase 'Kant's other normative works' refers to those works that are relevant to understanding his full conception of a good human life, but which are not focused on discussing the moral aspects our capacity for freedom enables.

⁷ I'm very grateful to Lucy Allais, Alexandra Newton, and David Sussman for many discussions on these points, and I'm obviously responsible for the remaining mistakes (despite their best efforts to the contrary). I expand upon these elements of Kant's account of human nature in my 'Kant and Moral Responsibility for Animals' (Varden, forthcoming)

⁸ Observe also how Kant explains that developing the pragmatic disposition involves learning how to use other persons skillfully; it involves social skills (including understanding how one is seen by others). Moreover, notice that Kant emphasizes that progress with regard to the pragmatic disposition occurs in the species as a whole over the course of generations – it is not something that one individual can realize alone (*ibid.*). Understanding our pragmatic disposition requires us to investigate our species from the point of view of nature, considered teleologically. From this point of view, it is reasonable to think that we develop and progress in culture and civilization *as a species*, not as particular individuals. This means that appreciation of and respect for women cannot be realized by one individual acting alone; this is something that people must develop together. And to do so, they must first develop culture and civilized interaction, as those are precursors to establishing conditions of freedom. Moreover, if people use their pragmatic skills only to control and destroy each other, then there obviously isn't any progress of culture or civilization occurring in that society as it thereby stays in a barbaric condition where people have yielded to inclinations accompanying the predisposition to humanity – specifically, to take pleasure in dominating others.

⁹ It is important to note Kant's careful rejection of a certain view, which he attributes to Pope, namely that 'the female sex (the cultivated part of it, of course) ... [can be characterized] by two points: the inclination to *dominate* and the inclination to *enjoyment* [*please*]' (A 7: 305). Because Gregor's translation here (of *Vergnügen* as 'please') is both possible and has advantages that Louden's (of *Vergnügen* as 'enjoyment') does not, it's better to include both. On Kant's view, this description fails to capture the character of women. For one thing, this characterization fails to 'characterize' women as a group distinct from men. After all, *everyone* – man or woman – has a natural inclination to dominate ('to acquire superiority for oneself over others'). As we saw also in Kant's account of human nature in the *Religion*, this dangerous inclination accompanies the comparative social predisposition to humanity (to be valued as an equal with others). This point can also be stated in the related language of the *Religion*: everyone has a natural inclination to dominate because the inclination of gaining worth in the eyes of others is the natural inclination that accompanies the natural predisposition to humanity. From this natural inclination 'arises gradually an unjust desire to acquire superiority for oneself over others' (R 6: 27). Furthermore, viewing women as characterized by both the inclinations to domination and enjoyment misses, Kant thinks, the way in which woman's superior social skills – her artful abilities to please and charm others – are simply means to dominate. Kant writes in the *Anthropology*, 'inclination to *dominate* is woman's real aim, while *enjoyment* [or *pleasing*] in *public*, by which the scope of her charm is widened, is only the means for providing the effect of that inclination' (A 7: 305). According to Kant, Pope is wrong to think that women have two fundamental social inclinations: just like men, they have only one drive, namely to dominate.

¹⁰ This is why, Kant argues, 'The man is jealous *when he loves*; the woman is jealous even when she does not love, because every lover gained by other women is one lost to her circle of admirers. – The man has his *own* taste: the woman makes herself the object of *everyone's* taste' (A 7: 308, cf. 304f). Since woman by nature is much more vulnerable than man, she is much more dependent upon public opinion than man is.

¹¹ Kant explicitly discusses Rousseau in the *Anthropology* at 7: 326 f. See Robert B. Louden (2011) and Susan Meld Shell (2009) for further discussions of Rousseau's influence on Kant. For a discussion of Rousseau's deep influence on Beauvoir, see Sally Scholz (2010).

¹² This kind of approach is perhaps most well known in contemporary writings from those in care theory that follows Carol Gillian's lead in her influential piece *In a Different Voice: Psychological Theory and Women's Development* (1993). Gillian also argues that not only are women's reasoning powers different from those of men, but that rather than viewing them as weaknesses, they should be seen as strengths in their own rights. It follows from my criticism of Kant below that also this kind of care approach is insufficiently complex in its critique of sexuality (including gender).

¹³ Mary Gregor here translates the original German *Zwinger* as 'prison.' Presumably, Louden chose 'kennel' – another possible translation of *Zwinger* – due to Kant's reference to domestic animals earlier in this paragraph. Gregor's translation has the strength of capturing how in this sentence (where *Zwinger* is mentioned) Kant refers to the concept of a 'barbaric civil constitution,' which makes a term like 'prison' a good choice. Hence I've kept both translations in my text here.

¹⁴ According to Kant, barbaric societies are characterized by 'force without freedom and law' (A 7: 331). By 'polygamy,' Kant here means asymmetrical marriages where one man is married to several women. This is not consistent with equal freedom since the man gets more than what each of the women gets: the women each get a legal right to 1/nth of the man (where n = the number of women the man is married to), whereas the man gets a legal right to 100% of each woman. As a result, polygamies of this kind are 'barbaric' or inconsistent with each person's right to freedom. The question of whether there could be symmetrical polygamies consistent with respecting each as equals is beyond the purposes of this article.) In addition to the readings listed in note 3, for Kant on marriage, see also Matthew C. Altman (2010), Elizabeth Brake (2012); and Lara Denis (2001). In my view, Kant's legal analysis of marriage is an ideal account that proceeds by means of freedom-based arguments only even though he accommodates non-ideal arguments concerning human nature in his legal account, which is why he restricts marriage to heterosexual couples there. It follows from the argument in this article that as we revise Kant's account of human nature, we can still accommodate it in his legal theory and insofar as our account of human nature is good, it will be one that we can affirm also upon ethical reflection – just as we can ethically affirm the legal institution of marriage once it serves the purposes of enabling rightful relations in the home. If this is correct, then I believe the account here directly improves on all existing writings by both being compatible with a commitment to Kant's analysis in the Doctrine of Right having a certain kind of independence from his other moral and normative writings and by giving more satisfying answers to the question of exactly what Kant is doing with his sudden and surprising appeal to human nature (non-freedom) based arguments in the midst of his ideal (freedom-based) legal account of marriage.

¹⁵ According to Beauvoir, sex among couples who live in accordance with traditional gender ideals within the context of marriage is a rather sad affair (since women view themselves and are viewed by men as mere objects for men), whereas sex under conditions of freedom (without the historical institution of marriage) can be quite satisfying. For Kant, I have argued here, the opposite seems to be the case, since only under barbaric conditions do women view themselves, and are they viewed by men, as mere objects for men, whereas sex consistent with personality (morality) poses a problem only marriage can overcome. To me Kant's account of traditional sex is superior to that of Beauvoir, but Kant's accounts of sexuality, including good sex still contains serious philosophical mistakes. I address these issues in 'A Kantian Theory of Sexual Love' (work-in-progress).

¹⁶ This is how Mary J. Gregor understand this statement, since she translates the relevant part of it as '... a woman shows herself virtuous only under constraint ...'

¹⁷ Susan Meld Shell's *Kant and the Limits of Autonomy* is particularly useful for further textual evidence as to how common such statements from Kant were in his unpublished lecture notes on anthropology, as well as in some other earlier texts.

¹⁸ For example, in the *Groundwork*, Kant says: 'In the natural constitution of an organized being, that is, one constituted purposively for life, we assume as a principle that there will be found in it no instrument for some end other than what is also most appropriate to that end and best adapted to it. Now in a being that has reason and a will, if the proper end of nature were its *preservation*, its *welfare*, in a word its *happiness*, then nature would have hit upon a very bad arrangement in selecting the reason of the creature to carry out this purpose ... the whole rule of its conduct, would be marked out for it far more accurately by instinct ... nature would have taken care that reason should not break forth into *practical use* ... (GW 4: 395).

¹⁹ Kant's moral philosophy (his ethics and his legal-political philosophy) resists the notion that people ought (or can be forced) to live their lives in this traditional way. Not only that, but Kant himself – in his own life – certainly did not realize important aspects of the traditional ideal of manhood, as he neither married nor had children. We might even say that Kant seeks an explanation for why people, insofar as they uphold the traditional ideals of manhood and womanhood, would consider Kant less of a 'man' than any man who is sexually virile, married, and has a family. Kant never (to use his own wording) let himself experience the great pleasure of being dominated by a woman. The traditionalists who confuse morality and anthropology are even likely to say that Kant might have been one of the greatest philosophers of all time, but since he was not sexually active, married, or a father, he was a somewhat pitiful man – not a 'Real Man.'

²⁰ In addition, of course, there are practically relevant facts that are in themselves not normative, namely empirical (including scientific) facts.

²¹ See Loudon, 2011, especially ch. 6, 'Applying Kant's Ethics: The Role of Anthropology,' and ch. 7, 'Anthropology from a Kantian Point of View: Toward a Cosmopolitan Conception of Human Nature,' for a good exposition of how the *Anthropology* is 'pragmatic' (how it merely aims at capturing human nature) and not 'moral' (it does not aim to show how morality should be applied to anthropology).

²² Now, immediately before saying this Kant emphasizes that he thinks women are motivated by love and the beautiful when they act. They do what is right not because it is right (or, dutiful) but because 'they love to' and because they consider evil 'ugly' and 'insufferable ... virtuous actions ... are [strike women as] ethically beautiful. Nothing of ought, nothing of must, nothing of obligation' (BS 2: 232). Obviously, Kant could be saying here that human beings who are women are not persons, that their practical reason is not constituted by the categorical principle, and so they do not recognize the ought and cannot be morally obligated in general. But this doesn't strike me as a particularly plausible reading, since, among other things, it makes it unclear why Kant here says 'principles' – and not principle (the categorical imperative). In my view, these comments of Kant's concern why he thinks that the 'natural' motivation of women (i.e. if we consider women merely in terms of their social natures and not their personhood) draws them towards love and the beautiful, whereas men's natural motivation draws them towards the sublime, making them 'naturally' closer to reason and duty. Kant does not therefore deny that women recognize what is morally correct to do – the moral ought, as such. Rather, what he writes here is in line with his overall point in these sections, namely, that he deeply suspects that women are not capable of abstract academic work (such as philosophy), or (presumably) any profession that requires understanding abstract science or the moral principles constitutive of legal-political institutions, and that a healthy realization of the female ideal within the context of traditional society will be conducive to and supportive of morality, though predominantly be expressed in social-aesthetic, affectionate concepts and emotions. In other words, to interpret this passage, it seems more relevant to examine how Kant had been, in the previous pages, talking about how woman's 'philosophical wisdom is not reasoning but sentiment' (BS 2: 230).

²³ For more on why it simply seems unreasonable to claim that Kant ever thought that women are incapable of moral responsibility for their actions, see Mikkola, 2011. The passage that is so commonly cited to give evidence for the textual claim that Kant thought women

incapable of moral reasoning, is where he says in the *Anthropology* that women ‘cannot personally defend their rights and pursue civil affairs for themselves, but only by means of a representative’ (A 7: 209). Notice, first, though, that Kant is not talking about being incapable of *moral* (ethical or legal) responsibility, but of the inability to represent oneself in court. The negative, feminist interpretations of Kant struggle to make sense of this claim, as Mikkola shows so well. I do believe, however, that Mikkola is mistaken when she then moves on to claim that although Kant deems women capable of representing themselves, they ‘*should not do so*’ (Mikkola, 2011, p. 101). In my view, Kant’s view in the *Anthropology* and in his ‘Doctrine of Right’ is that women at the time were incapable of the abstract, principled reasoning constitutive of legal reasoning. This is why, for example, Kant continues, in the very next sentence in the *Anthropology*, to describe this (current, in his time) inability of women as an ‘immaturity,’ not as a moral wrong (which it would be on Mikkola’s interpretation) or as an *a priori* impossibility (on the very negative, feminist interpretations of Kant).

²⁴ Here one might point out that Kant was clearly aware of scholarly women like Mme Dacier and the Marquise du Châtelet, and also point out that what he said about scholarly women appears very sexist indeed. For example, he wrote that in addition to having a ‘head full of Greek’ (Dacier) or ‘conduct ... through disputations about mechanics’ (Châtelet) these women ‘might as well also wear a beard; for that might perhaps better express the mien of depth for which they strive’ (BS 2:230). He also says, as mentioned above, that the philosophical wisdom of woman is not ‘reasoning but sentiment. In the opportunity that one would give them to educate their beautiful nature, one must always keep this relation before one’s eyes’ (BS 2: 231). In other words, doing abstract academic work struck Kant as unwomanly, he didn’t find these women’s work truly impressive, and he found scholarly work to be inherently antithetical to developing the sentiment of the beautiful. On the latter point, it seems to me that Kant’s reasoning here is sensitive to the fact that appreciating the beautiful involves a type of playfulness that appears somewhat antithetical to the kind of reason involved in abstract scholarly work (the sublime). And this last point seems to be a fact that most academics would agree with: our scholarly nerdiness and ‘hotness’ – in the sense of playful, aesthetic beauty – are not very easily combinable for many; they involve very different ‘gears’ or ways of being. Nevertheless, it is also clear that Kant did not manage to identify and appreciate the astounding fact that these women – despite all the odds – managed to achieve such impressive scholarly levels. Even if he could still maintain that these women did not reach the level of genius, he could and should have recognized how impressive they were, given their rather impossible circumstances. Moreover, being able to use one’s mind in such ‘sublime’ ways is, as academics know so very well, particularly hard if someone is able to make you self-conscious, and especially if this someone is able to give you the feeling that you’re not able to do it (which is particularly easy if you are among the first in a family or historically oppressed group to do academic, scholarly work). For example, as female philosophers know all too well, being able to do philosophy despite many, especially men, trying to push one’s ‘self-consciousness’ button is a main reason many struggle not only to do it well, especially in public, but also to have fun doing it. Obviously, since Kant was not comfortable around women ((also) in this regard), and, relatedly, unable to recognize women’s abstract reasoning abilities in the right kind of affirmative way, he thereby increased the likelihood that he’d never experience it either: after all, those who could do it, would both find it harder to do it with him (and much harder since he was a famous, brilliant scholar) and would be less likely to want to do it with him (after all, revealing ourselves to others in this way, especially as we develop our abilities, is typically experienced as a rather vulnerable, personal activity – one only really wants to do so, if one can choose, around good people who help one become better at it, including at finding one’s own way of doing it).

²⁵ I believe that regarding an issue as controversial as sexuality and gender, it is only fair to stick to Kant’s published works when interpreting his views, rather than unpublished lecture notes taken by his male students. After all, the risk of inaccurate note-taking is particularly high here.

²⁶ Kant's argument contributes to the larger argument of this part of the 'Doctrine of Right,' which concerns the question of why justice is impossible in the state of nature. I deal with this issue in 'Kant's Non-Voluntarist Conception of Political Obligations: Why Justice is Impossible in the State of Nature' (Varden, 2008).

²⁷ Morganatic marriages are ones in which the two spouses are not recognized by law as equals in all regards. For example, in a morganatic marriage, a woman of a lower social class does not receive the titles of the man of a higher class. Therefore, morganatic marriages appear incompatible with viewing the spouses as equals. Recently, this became an issue when Prince Charles was to remarry; there was a quibble over whether Camilla was to receive all the titles of her husband. In the end, in order to avoid the problems inherent in morganatic marriages, they married as equals.

²⁸ It may be worth pointing out that Kant isn't saying here that regardless of how bad a man is, he is still necessarily better than any woman. Presumably, this passage concerns only the moral permissibility of the way the law of Kant's time gave the man the ultimate say on certain family matters (where there were no complicating factors like alcohol abuse). And Kant argues that such laws are legally permissible.

²⁹ This reading, which emphasizes that Kant keeps his language in the moral writings gender-neutral for deep-seated reasons, is consistent with how Mika LaVaque-Manty (2006, 2012) in his writings on Kant on education regards Kant's use of gender-neutral language. Again, in my view, this aspect of Kant was truly important to him, as it reflects his concern that he (like traditional ideals) might have been wrong about aspects of the gender ideals. As Kleingeld (2007) has shown, Kant did realize how terribly mistaken he had been about another inherited 'social ideal,' namely, European racism.

³⁰ I have changed the gendered 'his way' in Gregor's translation to 'one's' here since in the original German text, Kant makes this point using the gender-neutral *Volk*, i.e. he argues that respecting the equality of every member of the people entails that each and every one of them should be able to work themselves into an active condition. For more on this interpretive point, see Varden, 2006, p. 280 n. 23.

³¹ I am grateful to Jeffrey Wilson for advising me to draw this analogy to the *Groundwork*.

³² In 'Self-Governance in Kant's Republicanism: How Kant's Ideal Theory of Right Accommodates Non-Ideal, Historical Realities by His Idea of Reform in the Doctrine of Right,' (work-in-progress) I argue that this is also Kant's general approach with regard to how the transition from minimally just societies, which he views as including monarchies, aristocracies, and democracies – and so states in which there is only one, a few, or many (respectively) active citizens – to truly just republics (where all legally responsible persons are active citizens). If this is correct, then it strengthens my claim in this article regarding Kant's analysis of women and active citizenship.

³³ The original German uses the male noun *der Mensch* or 'human being' (this translation: 'the individual'), which is why the remainder of the paragraph uses the pronouns 'he' and 'himself.' Also note that Kant here clearly uses the concept of humankind (*die Menschen* in the original German, or 'human beings') to cover both sexes, since he explicitly points out that the case, in his view, is special for female human beings.

³⁴ Much of 'What is Enlightenment?' deals with political philosophy, but the opening pages focus on individuals and what they ought to leave behind – namely, 'minority.'

³⁵ Kant argues similarly in the *Anthropology*. After having argued that women's inability to represent themselves in court should be understood as an immaturity, he states: 'But to *make* oneself immature, degrading as it may be, is nevertheless very comfortable, and naturally it has not escaped leaders who know how to use this docility of the masses (because they hardly unite on their own); and to represent the danger of making use of one's *own* understanding without the guidance of another as very great, even lethal' (A 7: 209).

³⁶ Vigdís Finnbogadóttir was the first female President in Europe and first – in 1980 – democratically elected female head of state.

³⁷ See the recent National Transgender Discrimination Survey for more information: <http://williamsinstitute.law.ucla.edu/wp-content/uploads/AFSP-Williams-Suicide-Report-Final.pdf>

³⁸ In his essay 'Some Cruelties of Prison Life,' Oscar Wilde is describing a person who is going mad, but the doctor is not recognizing this because it does not fit his theory; according to his theory, the prisoner is simply being difficult. Wilde describes the events he is witnessing in the following way: 'At present it is a horrible duel between himself [the prisoner] and the doctor. The doctor is fighting for a theory. The man is fighting for his life. I am anxious that the man should win' (Wilde, 1897, p. 20).

³⁹ It takes a village to write some articles: a special thanks to Lucy Allais and Barbara Herman for their help in making this article possible. And many thanks to: Ingrid Albrecht, Andy Arana, Sarah Broadie, Ann Cudd, Katrin Flikshuh, Ryan Hanley, Robert B. Loudon, Ruth Massey, Arnt Myrstad, Alexandra Newton, Barbara Sattler, Martin Sticker, David Sussman, Jennifer K. Uleman, Martin Varden, Shelley Weinberg, Jeffrey L. Wilson, Ekow N. Yankah, and an anonymous reviewer for *Pacific Philosophical Quarterly*. Also, much gratitude is owed the audiences at the New Voices in Legal Theory Roundtable, University of Miami Law School (April 2012); The Society for Analytical Feminism's conference 'Take it to the Bridge: Crossing between Analytic and Continental Feminist Philosophies' at Vanderbilt University (October 2012); the North American Kant Society session at the Pacific APA in San Diego (April 2014); the philosophy students at University of Minnesota (November 2014); the Departments of Political Science (Political Theory Colloquium) and of Philosophy (Practical Philosophy Workshop) at Northwestern University (March 2015); and at the Department of Philosophy at Knox College (May 2015). Finally, thanks to the Department of Philosophy and the Center for Advanced Studies at the University of Illinois at Urbana-Champaign; the University of St Andrew's Centre for Ethics, Philosophy and Public Affairs; and the Brady Scholars Program in Ethics and Civic Life at Northwestern University for having funded this research project.

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