

KANT'S BEARD:

AN INCLUSIVE

FEMINIST

ETHIC

By

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A thesis submitted in partial fulfillment of
the requirements for the degree of

MASTERS OF ARTS IN PHILOSOPHY

WASHINGTON STATE UNIVERSITY
Department of Philosophy

AUGUST 2012

To the faculty of Washington State University:

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Abstract

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Kant is well known as being considered anti feminist in the purview of his ethics. Here, I examine the feminist claims of DeBeauvoir and Irigaray in contrast to the metaphysics and ethics of Kant to determine whether these claims of androcentricism are in fact exclusionary of women and others who do not fit the “ideal” of masculinity. I argue that Kant's ethics are in fact androcentrist in nature, but do not wish to abandon his ethical project altogether. Instead, women need an “extra step” to consider themselves fully human under his metaphysical foundation, but the universalist thesis must remain in order to preserve the moving parts of the Kantian ethical framework. I am dedicated to the preservation of the Categorical Imperative, and my project is to unite a feminist critique of Kant's assumptions about universal agency with the specifically Kantian conception of rational personhood while remaining sympathetic to both parties.

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ACKNOWLEDGEMENTS

I would primarily like to express my deepest gratitude to GRIMALKIN ALESHIRE, for having the good sense to run away from me when I read aloud from Kant's works.

Secondly, I would like to relay to JAMES TORRENCE: "I finished it." Thanks.

Finally, I would like to thank WASHINGTON STATE UNIVERSITY for allowing me to be the final Master's of Arts in Philosophy at this institution. Go Cougs.

I. Introduction

My central concern here is whether Kant's ethics are in fact adequately inclusive of women and other persons who I shall refer to as "gender deviants"¹, or whether his claims to a universalist ethic in fact exclude those persons on the basis of their irrationality. Kant claims, in multiple places, that women are not as inherently rational as men. If his ethics and his metaphysics are in fact as universal as they seem, at first blush, to necessarily be, how can we reconcile these beliefs of (arguably) one of the most consistent philosophers? My goal is slightly unusual in that I hope to show that Kant was being consistent--his *results* are as universal as we would hope, but his claims that women are not able to participate as full rational beings is consistent with his philosophy. How is this not contradictory? I will use examples from DeBeauvoir to prove that women et al are in a *different moral position* than Kant's presumed audience, and that this position of underprivileged rationality and what DeBeauvoir would refer to as "bad faith" creates a person who does not see in herself a rational, moral agent--an object, rather than a full subject of moral concern. This self-Othering creates a person much like how Kant describes women to be--driven by emotions, less rational and nearly incapable of moral judgement, dependent on the judgements of others and unable to recognize (due to all this) the moral Law. This last is what Kant explained was necessary for a person to be truly moral. Only behaving correctly is not sufficient to full moral agency, creation of imperatives, and adherence

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Gender deviancy will be essentially used interchangeably with "woman" in order to most clearly and effectively integrate the texts of De Beauvoir. I use deviancy in a Freudian sense: deviance not only from established gender norms (i.e., homosexuality, trans-gender-and-sexualism, and the broader description of Queer) but also the presumed deviance from the established (masculine) norm of the Moderns that women were considered to exhibit. This is supported by De Beauvoir's assertions that women are "The Second Sex", or "Other" rather than the "default" of maleness. She did not concern herself with the variety of "deviancy" from this norm as we see today, and as such her texts do not reflect this diversity. In the interest of clarity and consistency with the texts I am referencing, the female pronoun/"femininity" will be used nearly exclusively.

to duty. This concern is not merely descriptive, as I will also be introducing an argument for how this comes about. It is not a problem solved merely by protecting young people from misogyny and other forms of sexism. The *history and results* of this ethical crippling is important when determining what the problem is. Rather than merely being a result of her own history, a given individual exists in a matrix of histories, shaping her perspectives on the world and her place within it. The Western tradition has not excluded women and other gender deviants for so long merely coincidentally. The systematic oppression of the underclass, according to gender, creates very different people than those who are able to adhere quite naturally to duty. The process of selfhood and self-recognition is in fact different. Kant could not adequately explain *why* women were seemingly so ethically incapable, in contrast with men. he could only explain the external reasons he was able to witness. Yet, according to his own metaphysics, something about rational beings (may they be human, alien, unrecognizable to us) makes them *capable* of practicing morality--Reason and the Will are linked. Women must then either not have an adequately advanced Reason or they simply do not use it "properly". My argument is that, since women are shaped so drastically differently not only by their immediate, particular surroundings through life but also by the *history of all the women with the same limits under a misogynistic system*, that they are **in fact** ethically disabled under this system. The conclusion does not entail that all women are in fact ethically crippled, but rather that Kant's ethics were lacking an important step that would not have applied to him--the process of becoming a whole person after one is (famously) "made" a woman, with all that entails in Western culture. DeBeauvoir's work shows to some extent how the process of self-awareness and empowerment can make the Other into an actual person, a process that does not exist in any Modernist theories of rational ethics. it is an extra step, in some ways, the process of being able to participate in universalist ethics and thus

also be counted as a person under that theory. Thus, the primary goal of this work is to describe 1) what is missing from Kant's ethics, in relation to women and 2) how the seemingly disparate views of personhood between Kant and DeBeauvoir can be meaningfully combined to create a consistent, Kantian, ethical theory of personhood that does not lack the previous elements. The goal is primarily to have a process that results in the Categorical Imperative being finally supported as truly being for all those that we would recognize as persons. Simply claiming that it must be so would be disingenuous, as we would be forced to ignore elements of personhood that Kant found very important. Since the issue of "who counts" as a person and why is central to this project, I will explain my interpretation of not only the practical application of agency to ethical considerations, but also the *development and recognition* of humanity and rationality in the individual. This will not only clarify the position I find Kant to be taking, but will also clearly identify where women are specifically excluded. This will ease the introduction of my solution to the ethical and metaphysical problems.

Not all people of course agree that the problem is so dire as to need a resolution at all. I will be arguing with feminist scholars who have, on one side, found Kant to be consistent and thus appropriately inclusive; and, on the other side, who have found Kant inconsistent and thus hardly even worth saving as an ethicist. In no way do I intend to replace the Kantian system of ethics with a more ascribably and recognizably "Feminist" ethic, as has been fashionable in the contemporary period. As I previously stated, the *results* of Kant's ethics, namely the Categorical Imperative, are desirable for a variety of reasons. The primary reason, and the one most important to this project, is the real universalizability of the Ethic--given, of course, my inclusion of DeBeauvoir's existentialist claims. These two theories may seem to be strange bedfellows, especially considering the severe anxiety of influence exhibited by the Existentialist movement

in general, but any strangeness is primarily explained by the very different goals of the two theories. DeBeauvoir did not intend to create a universalist ethic, and the movements (both in the Americas and Continental) that she helped create has been traditionally wary of any such project. This is not due, I believe, to the inherent incompatibility of the two theories, but instead is due to the historic exclusion of the concerns contemporary Feminist theory has aligned itself with. However, this does not mean that Modern ethics and Contemporary issues are mutually exclusive. The greater purpose of this work is to defend the general applicability of Kant's ethics, even considering the problematic contexts that ethical theories have traditionally inhabited. Since this goal in of itself could easily double the length of this work, I will utilize this space defending his ethics not against the traditional philosophical dissenters (namely care, virtue and utilitarian systems), but rather will argue against the specifically Feminist detractors and show how a Feminist cultural critique can be integrated into a system borne primarily of a misogynist social structure.

DeBeauvoir's method of inquiry is drastically different than that utilized by Kant and the Modern philosophers. Due to this, I will be interpreting her as if she were responding to Kant, to better flesh out her feminist solutions to the problems I will discuss. Since she did not organize her work in the manner familiar to many readers of philosophy (thesis, point, argument) I will need to extrapolate, interpret and explain much of her apparent conclusions to fit my needs, as well as use external sources of interpretation in order to better clarify her points. Similarly, Irigaray's piece could be read as merely discussing the physical manifestations of sex distinctions in Western culture, but I will be applying a more metaphoric approach to her piece "This Sex Which Is Not One", highlighting the ethical and metaphysical claims which are only implicit in this piece.

I will primarily be arguing *against* my secondary sources, to further my goal of integrating Kant's theories with a Feminist framework. Specifically, Mari Mikkola's article "Kant On Moral Agency and Woman's Nature" describes the possible ways in which Kant's ethics may be exclusionary and rejects these critiques on the basis of textual evidence within primary sources, as well as a broad interpretation of the universalization thesis: I will be arguing against this, in order to claim that the ethics *as methodologically supported* cannot be fully universal; but, providing additional understanding as to why this is, I will describe how it can be saved. In contrast to this, Sally Sedgwick's article "Can Kant's Ethics Survive the Feminist Critique?" posits that, no, the ethics cannot survive this critique, and outlines the reasons why based on a contemporary Feminist analysis. I will argue that the goal of Kant's ethics--a universal moral imperative and a rational recognition of moral laws--is itself stable and defensible, and as such should be retained, even against the legitimate interpretations that show the *method* used to arrive at the ethics may have been exclusionary.

I will first describe Kant's method and assumptions about the Moral Person: what is required for an individual to be a moral agent, and what limits are placed on this class. My second section will be an analysis of this definition, using the works of both Kant and De Beauvoir to show how and why it is that women are specifically not included in the rational ethical framework. Finally, I will show ways in which this issue has been approached, by Mikkola and by Sedgwick, and why these attempts to either resolve the issue or reject the Kantian ethic both fail. My resolution will become apparent in the process of arguing against these solutions: that women have an "extra step" taken in order to assert their personhood, specifically related to the default cultural and historical presumptions of gender deviancy that they must reject. The identity of women is constrained to that of a non-moral agent, and yet must

be retained in some form when an individual recognizes her own rationality and adherence to duty. De Beauvoir describes not only the process but the *results* of such self-actualization, and this will be the basis from which I will resolve the anti-feminist sentiment found in Kantian ethics.

II.

Kant's development of persons

The ethics and the development of a person are intricately linked in the overall philosophy found in Kant's works. Rationality and recognition of ethical duties seem to be nearly inseparable, and of course the formation of maxims require a person to form them--the categorical imperative simply does not make sense when one is talking about the 'lower' animals. As a point of reference, losing the ability to make maxims and recognize duty is an action Kant refers to as "making oneself an animal", losing some fundamental aspect of personhood that is necessary to the ethical system. I will spend some time explaining and interpreting Kant's ethics in as neutral a tone as possible in order to best explicate my concerns about the exclusionary aspects later on, as well as provide a framework for how the results of the theory can be preserved in the face of my criticisms.

The opening of the Groundwork makes it quite clear that the will, as it can be influenced by the laws of reason, is what Kant considers to of primary importance: "It is impossible to think of anything at all in the world...that could be considered good without limitation except a **good**

will” (4:393). This good will, though imperfectly recognized in humans, is the force behind all ethical decisions possible in any rational creature. Only reasoning beings have a will, whether good or bad, since it is through the will that ethical decisions (made by reason) are carried out. It is more than mere inclination, which animals possess. Inclination primarily covers the facile desires and instincts found in all living things: to find food, to seek pleasure, to perform any number of everyday tasks that are not examined in the ways that ethical decisions are. The inclination may lead us to perform actions which fall under the class of the results of ethical decisions: for example, eating is necessary to life, and must be performed in order for the being to go on making decisions at all. The inclination to eat food is purely pragmatic for the organism, however, rather than being a rational decision made before acting. Though it may be immoral to starve yourself to death (according to Kant), it would not be because we have a categorical duty to eat food in particular, but rather because you would be using your reason to destroy itself (as with all suicides, since this requires using oneself as a means as in 4:443). The primary focus of his ethics is on the *reasons* an individual has for performing any action. The good will, then, is the facilitator of these decisions and reasons made actual. It is what compels the agent to act according to the duties which reason alone can identify. Though Kant is often confusing on the topic of who possesses the good will, and the distinction between the “good will” and the “perfectly good will”, the bulk of his texts conclude that the “good will in itself” is truly attainable by the rational agent, human or otherwise simply by virtue of our ability to formulate a normative concept (4:444), as opposed to the “perfectly good will” held only by “angels” or, presumably, gods (4:414). It is important to be very clear that the good will of the moral agent exists only in the contexts of reasoning beings. A dog may be very “good”, and perform actions which would lead one to anthropomorphize the animal in such a way that we assume ‘good

intentions'. However, what makes the actions of the animal different from the actions of an agent is the capacity for reasoned awareness of the moral laws, formation of these laws, and the influence of reason on shaping the will in such a way that the being acts on the laws (correctly, no less). The good will is the actualizing force, but reason is the foundation of all decisions in moral agents.

Kant outlined the vast importance of reason to the agent in the *Critique of Pure Reason*, but only small parts of that explanation are relevant directly to this discussion on ethical beings. The *Critique* explains the primacy of reason to the fundamental processes of persons primarily to show how those processes operate and how reason is possible; ethical considerations are mentioned only as an a description of the difference between reason and the understanding (A 547-57). However, the foundation of the ethics can be found in this section as the distinction between the power of reason and mere nature, between “conditional” and “necessary willing” (A548). This is also where Kant primarily develops the distinction between those creatures of reason (including humans and potential other being) and non-reasoning creatures.

Due to these distinctions found in the *Critique*, it is impossible to claim that any human within normally functioning parameters lacks the faculty of Reason itself. Reason directs the understanding to synthesize empirical data, provides the framework of space and time and makes the formation of propositions possible. To lack in reason is not only to be less than the “ideal human”, but to be virtually incapable of communication or recognition of objects (especially in space and time, structures provided by reason alone). Self-recognition is also found in reason, however, and I will explore briefly the importance of this self-recognition to ethical awareness, and where Kant may have neglected some persons in favor of apparent objective claims about the operation of reason. First, it must be noted that Kant did not say that reason develops in a

vacuum or that it is *necessary* that reason would develop properly (or at all) in a creature capable of it. This distinction is very important to my central argument. It is either the case that women are normally capable humans whose **capacity for** reason has been stifled (rendering his objective, universalist claims as being *insufficiently descriptive*), or it is the case that women are **differently gifted** with reason than how Kant presumes reason operated in rational agents (rendering the universality of his claims *ungrounded* and *unverifiable*). I do not wish to make the latter, essentialist claim that women/gender deviants are born with a different faculty of reason, and that a “Critique of Pure Female Reason” ought to have been written alongside the original text. This essentialist argument would not only legitimize the immorality of treating some persons as things based on their sex characteristics, but would be impossible to support both scientifically or philosophically. Instead, I am explaining the aspects of reason which are differently socially constructed between the sexes, and claiming that these particular aspects are fundamental to the formation of the moral sense and good will. Kant may not have been a constructivist, but he does admit to the power of external pressures in shaping even the foundational concepts of space and time, god, and communication itself. When one’s relation even to the rational self differs from the ideal due to social pressures and histories, the resulting individual may have foundationally identical rational capacities and even behaviors, but their rational structures may not lead so gracefully to a reasoning, Moral Agent as Kant describes it. I will explain these foundational structures of the self, show how they relate to ethical decision making, and then go on to show how it is that women are not given the same opportunities culturally to develop these structures which are required for the good will, yet are seemingly easily overlooked in traditional analyses of Kantian ethics.

It is clearly important to start with the view of the Self, as described in the *Critique of*

Pure Reason, but I will not linger too long on this description. There are three primary reasons for the comparative brevity of my description: first, the *Critique* is a long, intricate work which, if given adequate space to describe the full workings, would overtake the point of this thesis rather rapidly. Secondly, most of the pieces of Kant's description are not relevant to this topic, and I will be accepting them as adequate explanation for how metaphysical reality is perceived. Finally, the Self is contestably in the class of noumenal objects, which are notoriously difficult to explain (and virtually impossible to argue about). Only those structures related to my arguments above will be expanded upon, and I will explain as I come to them why I think that they can be analyzed independently from the rest of the text. There are four interconnected elements that I will be analyzing in this discussion: the relationship of the agent to reasoning, the Self/Das Ich and the implications of this state as an object, the relationship between the external world and the rational being, and the relationship of these elements to Kant's ethical structures. The former three dualities are all linked together in such a way that it is not only difficult but unnecessary to discuss them separately, as they all play a similar part in the final point about the ethics, as well as my eventual critique.

The awareness of reason is not something that a person is made aware of in the same way as empirical objects. It seems to occupy both means of awareness, as it is "on one hand phenomenon, but on the other hand...a merely intelligible object" [A546]. Thus, the agent is aware of herself as a thinking creature both intimately, as a feeling, and distantly, as an object of the understanding. This split recognition is important when considering the uses of reason, especially in relation to the empirical world. Reason's awareness of itself is the power of apperception, "actions and inner determinations that [the agent] cannot class at all with any impression of the senses." [ibid]. As Kant explains in the *Groundwork*, humans co-exist (unlike

the lower animals) in the world of *sense* and the world of *understanding*, being both creatures affected by the physical world/the senses, but driven to act by the power of reason. This simultaneous existence, both in the *Critique* and the *Groundwork*², leads directly to the use of Reason as a faculty which lends humans the unique ability to be *ethical*. Reason “bring[s] sensible representations under rules” [4:452], “produces [action]” [A550], and through this the person can influence the physical world with a power that in all other ways is empirically distinct. However, Reason itself does not apprehend objects, and this necessarily includes itself for two reasons. First, Reason is not an object of the senses in that way that a chair or pencil is. It is incomprehensible in itself, it is not even possible to claim that it is presented to itself. Rather, the power of the understanding is that which apprehends objects, and reason synthesizes and makes sense of these apprehensions. The recognition of the “I” in the phrase “I think” is in fact a transcendental illusion, since the self which categorizes is not itself truly an object of the realm of experience. To make any claims about an object of this type, with no properties other than that of a concept is “is then saying only that I think something as entirely simple, because I actually know nothing more to say about it other than that it is something” (A 400). The self is then made distinct from Reason, a split which is not considered problematic by Kant, but may prove to be more difficult than he describes here, given my eventual critique. The self is an object of consciousness, which Reason can only categorize and perceive as it does to all other things-- though the Self is not an object in the same way that a pencil is, the function of reason is prior to self awareness and as such cannot do other than categorize it. In this way, we see that Reason itself is truly not the problematic factor in my analysis. Without a wholly functioning Reason, in Kant’s system, the agent cannot recognize her surroundings or make judgements of category:

2 *Groundwork of The Metaphysics of Morals*

instead, the problem lies in the relationship between the person, her surroundings and reason's ethical judgements, the source of normative judgement as it affects the understanding's *perception* of reason itself.

This distinction between self image and pure reason serves multiple functions in the *Critique*, but the most important aspect to this discussion is the relevance to the formation and recognition of ethics. The split awareness--of oneself as an object of understanding and yet also a noumenal object which is unknowable by reason--allows reason to be unchanging, and a priori judgements to be made while still being influenced and influencing the empirical world. This influence, the recognition "not found anywhere else" of what *should* happen, rather than simply a recognition of what *does* happen, allows reason to stand independently from empirical decisions and makes humans different than other beings which are merely subject to the laws of nature and not also to the laws of ethics. Though this is only mentioned briefly, as a support for the a priori status of the power of reason, this distinction leads clearly to a discussion on ethics as well as highlighting the divide between one's self image as a being influenced by physical events and the equally important noumenal aspect as an agent, influenced by the precepts of pure reason.

The main considerations in the ethical works of Kant are the elements of reason, as it pertains to the will; the moral law and our recognition of duty; and the primacy of persons to the ethic. All of these elements are, characteristically, intertwined but are argued for separately and as such I will initially explain them as Kant does, to form the overall argument. Though I do not take issue with the objective of the deontological ethic, nor do I have a problem with Kant's argumentation, an explanation of the steps he takes to reach the conclusions we agree on will help illuminate the concerns I will later express about the underlying assumptions behind his theory.

The primacy of reason, rather than mere ethical intuition, is the foundation behind all of Kant's philosophy, as I explained above when discussing the Critique of Pure Reason. Ethical decisions need to be *a priori* rather than based on empirical determination in order to avoid moral paralysis in dilemma situations, as well as prevent the possibility of non-ethical considerations (such as mere desires of convenience) obscuring the correct action. In his ethics, Kant is not concerned so much with results as he is with the *moral status of an individual*. This is easy to demonstrate: If a person wholeheartedly intended to murder someone, and instead unintentionally saved them, the would-be killer would seemingly not be in a position to be praised for their ethical behavior. Coincidence, causal factors outside our awareness or control, or even changing empirical states can all collaborate to create different results than the agent intended when she made a decision to act. Reason, then, as it is located within the agent and guides the actions of persons, is what we must look to when determining the normative as well as descriptive elements of a person's ethical decisions. This points the discussion to what Kant feels is the "true vocation of Reason..to produce a will that is good" (4:396). This good will, which clearly can only exist with reason as its basis, is what Kant shows leads the individual to moral decisions. He distinguishes, however, between the *good will* and the will which the agent utilizes to form moral decisions (which, Kant says, will be decisions based on reason and will be in the form of categorical laws). The good will is the only thing "that can be considered good without limitation" (4: 393) or qualification in Kant's ethics. Though the good will does not seem to be inherent in all persons with rational capacities, and in fact is deeply flawed in all persons (since our reason is imperfect to begin with, the guidance of reason to the will does not always line up perfectly with moral correctness), it is still the ethical ideal and is directly connected to the proper use of reason in moral decision-making.

The goal of the use of reason is to teach the will, in some sense, to recognize the agent's duty to the moral laws she is subject to. These laws are not considered to be provided in whole to the agent; instead, the purpose of reason controlling the will is for the agent herself to participate in the recognition and creation of the laws. As rational creatures, all persons are equally subject and capable under the laws of morality. The personhood of any given individual is thus absolutely paramount when determining whether one is even capable of good or bad acts, since the normative status is located within the agent. Because persons are defined as those who are capable of rational self reflection in such a way as enables them to recognize duty and form laws, clearly rational personhood is the determining factor for who can "count" in Kant's ethics. He explicitly does not limit personhood to only humans, as any creature who uses reason (in the ways discussed above) would, by definition, demand respect as an end in themselves. This can be interpreted to go the other way as well: not all humans are by definition persons, though likely most are. Those who are incapable of recognizing duties to themselves and others cannot have a good will as informed by reason. Much like the "lower" animals, who may behave in ways that we interpret as positive or negative, one who acts *merely* from inclination and never from rational awareness of the moral law would not be a person in a robust sense, a claim (contestably) textually supported: the prime example being in the *Metaphysics of Morals*, where Kant describes the habitual liar as "a mere deceptive appearance of a human being, not a human being himself" (6:429) since the liar uses themselves as means to further some other end, and thus "throws away, and, as it were, annihilates his dignity as a human being (ibid).³ Putting this claim into the context of the metaphysics, it seems as if the agent who makes themselves an animal and renounces any claim to ethical personhood has shown themselves more concerned

3 Though this is not the only example in all of Kant's works where he describes the capacity of an individual to "throw away [their] humanity", it is the most clear, direct and well edited.

with the empirical realm than the noumenal: they are demonstrably not conscious of their rational powers, which tie them to the laws of duty along with the mere laws of nature. Any person who is unable to form maxims according to reason and instead forms them according to context (giving their ethics an a posteriori basis rather than a priori) is not only acting no differently from an animal but also cannot evaluate their own actions from a rational standpoint--for, after all, their own actions were not based in reason (since “experience is, alas, the mother of illusion”, *Critique of Pure Reason* B 375). This cycle seems to illustrate the point Kant wishes to make about those who “throw away their humanity”. Without reason originating the decision, the self reflexive relation of a person to their rational activity is lost.

Kant does not want to imply that a person who as an accident of history had never made a rational choice and instead had made decisions purely by accident would not be *potentially* persons, though arguably there would be no real way to determine this. He does highlight the importance of habit, which can explain his condemnation of the person who “throws away [their] humanity”. Again, I will use the example of the liar who, by virtue of “using himself as a mere means (as a speaking machine) as if his inner being were not bound to the inner end” (6:213) not only denigrates the concept of truth but also degenerates their own humanity, becoming “merely a thing”. Kant is quite firm on this, though it could be possible to interpret these remarks as out of character with the rest of the ethics. It simply seems unlikely or impossible for a person to become “merely a thing” simply by lying, when there is so many other pieces of supporting evidence in the *Metaphysics* that lend weight to all rational humans being persons, regardless of their actions. Kant is primarily concerned with the metaphysical processes going on behind the empirical scenes. Freedom, a purely noumenal concept, is the foundation for all the ethics (for obvious reasons: without the supposition of freedom, regardless of its provability, adherence and

formation of maxims would not make sense), and Reason itself is a concept of pure reason rather than an empirically verifiable process. Thus, the ability for a rational agent to throw away their own humanity and make themselves an animal does not seem to fit into the carefully constructed metaphysical underpinning of ethics itself.

I am taking Kant at his word in this case. It does seem as if a person can functionally stop being a rational agent, lose (or never develop properly) the ability to form universalizable maxims and thus become in some sense a human animal rather than a whole agent. This person, having thrown away their humanity, clearly is not self aware in the sense that Kant demands for the ethics. Recognition of oneself as rational and adherence to duty are linked quite closely in the ethics, since seeing oneself as free and seeing oneself as duty bound are so similar. A persistent habit of using oneself as a thing leads to a loss of agency. If self awareness and self recognition were unimportant, the experience of using oneself as a thing would be unethical, certainly, but indistinguishably so from any other act of treating a person like a thing. There is certainly some evidence that Kant could have intended this reading, considering oneself indistinguishable in ethical terms from others. Universalization does not allow for a person to consider themselves a special case, simply by virtue of their own experience of being themselves. The power of reason and the personhood that confers on the individual is not considered different for the purpose of maxim forming, due to universalization. "All persons" quite simply means "all those capable of rational ethical choice".

It seems that, in order to universalize any given maxim, the agent must be able to recognize herself as a rational creature who is consciously adhering to duty and the moral law. Without this sense of self-awareness, universalization would be impossible: either the agent would be incapable of distinguishing between non-rational and rational creatures, and would

extend her ethics too far; or would not consistently include herself in the maxims she proposes, violating her own dignity and by extension, the dignity of her own rationality. There is thus an awareness of one's own reason and identification with reason as an integral part of oneself--an identification with not only "self" but the reason contained within the self, which adheres to the moral law. It would not make sense to claim that it is the understanding which adheres to the moral law, since the understanding does not traffic with a priori, synthetic judgements. Kant's ethics are not exclusively limited to the physical world. This is what was shown in both the *Groundwork* and the *Critique*, that Reason is not limited by what is (as in nature) but instead can make normative judgements, which may not even come to fruition, explaining why the ethics are not concerned with results but instead with intention and will. The good will, which ought to be "cultivated" or intentionally encouraged, requires a self aware (intentionally encouraging her good will) rational creature. This cannot be easily reconciled with the previous discussion, on the impossibility of reason recognizing itself as such, but seems as if it must be in order to proceed.

There is clearly a possible disconnect that is beginning to emerge, between the agent's awareness of herself as potentially ethical and her capacity as a moral creature. Without an awareness of the self as utilizing reason to make a priori normative judgements, rather than merely empirical judgements, the good will simply cannot be cultivated. Regardless of whether a *perfectly* good will is possible for any human to achieve, conscious adherence to duty is nonetheless good, and develops a good will in a rational being. This is the point of Kant's insistence that habit and upbringing are important to the formation of a person: children, though generally in possession of human reason, are not considered agents in a robust way. Their agency in making ethical decisions is hampered by their lack of reflexive connection to reason's special abilities. Though they obviously have a sense of time and space, can identify objects and

categorize (in a crude way, which is likely more from lack of familiarity and underdeveloped brains than from an identifiable deficiency in rational capacity), their ethical abilities/relationship to duty are the primary elements of reason which must be taught. Given the analysis that I have provided above, I argue that this is due to a lack of reflexivity, a lack of self identity as a rational being, which can obviously only be taught by other self reflexive, rational creatures. Ethics are a special case of reason. The awareness of space and time is provided primarily by the *way* that reason functions, they are *natural results* of our particular capacities as humans. Ethics must have a different explanation, since there is a higher likelihood for failure of this among creatures with the same rational capacity. The relationship of the self to that which forms maxims is the best explanation for this difference, given my understanding of universalization.

This disconnect of self to reason is obviously not a necessary result of the bodies of work I am discussing: Kant explicitly states that “it would be my own fault if I turned into mere illusion what I ought to class with appearance” (B 69), and the Ethics are quite explicit on allowing for the imperfectly good will (since we are human, the expectation of perfection is generally absurd). Given the assumption that a person does recognize themselves as rational, morally relevant and subject to the moral law, the Ethics provide an excellent framework for morality. This of course, does not imply that the ethics of Kant are by their nature *inclusive*, however. A flaw or unjustified assumption in the metaphysical foundation of the theory will affect the ethical results. This is why I now turn my attention to DeBeauvoir, in order to explain how that flaw can be better defined.

III.

Chapter 2: The Feminists and the Other

I am primarily utilizing this section to defend my assertion that women have a different moral standing in society, and as such, are not given the same opportunity to develop a rational will under the Kantian assumption/framework. DeBeauvoir spends most of *The Second Sex* explaining the ways in which women are subjugated and outlining the different roles that women occupy in society distinct from the primary role of Moral Agent. She often does not use the ethical terminology as such, since her goals were primarily those of description and explanation, but I hopefully will show that her descriptions can be extrapolated to show the more philosophical theses I am defending here. Though DeBeauvoir is the backbone of this discussion, there have been multiple other feminist authors who attempt to describe the lesser philosophical role of women in Western culture, and I will be drawing from Luce Irigaray as well in order to support and expand on DeBeauvoir's assertions. Kant and the other masculine-dominated philosophical traditions is distinctly absent in most feminist texts of this sort, though foundationally implicit in many ways. This is due not only to the attempts by women from the middle of the 20th century onward to create a new philosophy independent of the male-centered traditions, but also to provide a critique of the canon without needing to ceaselessly invoke it. I am filling these gaps with not only my own interpretation of Kant, but also as charitable of a reading of these texts, written in the context of philosophy rather than a vacuum, as possible.

The primary focus of my analysis is on the claims of DeBeauvoir that women are generally treated fundamentally differently from the presumed default of androcentrism, and the

similar claims of Luce Irigaray that women *view themselves* as different from male-centered self reflection. Clearly, these two claims are very different, but they spring from a very similar philosophical underpinning, that of what it means to be both female and a person. DeBeauvoir's position is, as I stated above, much less clear, as she primarily focuses upon the history of female oppression (and its results) rather than the epistemological results of this tradition. Due to this difficulty I will explain her position first (as well, given the temporal placement of each of these authors, it is more than likely that DeBeauvoir was a major influence on Irigaray). Though neither of these philosophers are considered to be within the same tradition as Kant, it is not difficult to extrapolate their views in a manner which fits more neatly into a discussion of Enlightenment ethics and general philosophy.

There are three primary aspects of DeBeauvoir's position that are most relevant to this discussion, which I will evaluate from the foundation of the *The Second Sex*. The first aspect is the existential concept of Othering, the way in which an individual is seen as different than the default human (of course, the default is presumed to be the perspective of the gazer); secondly, the individual's reaction to their own Othering as exemplified by the process of internalization (and how 'bad faith' plays a role in the perpetuation of this state); and finally, the possible results of the individual's attempts to move beyond the state of Other.

Before addressing the primary critique of ethical disparity between the sexes, it is wise to eliminate the specter of gender essentialism. DeBeauvoir, as well as many other feminist philosophers prior to the 21st century, often use gendered language as if the division between male and female is impermeable and biologically absolute. I have adopted this language myself, for reasons previously explained, but DeBeauvoir explains succinctly the difference between a philosophy of gender distinctions and an unfounded biological claim about this disparity: “

[Biological considerations] are insufficient for setting up a hierarchy of the sexes; they fail to explain why woman is the Other; they do not condemn her to remain in this subordinate role forever” (*The Second Sex* 36). Instead of claiming that the nature of the woman is her sex assigned at birth, it is the more complex claim that Other-ness (both internal and cultural) is the distinguishing mark of femininity that creates the metaphysical and ethical problems both she and I are addressing. Thus, when DeBeauvoir asserts that “One is not born, but rather becomes a woman...it is civilization as a whole which produces this creature” (301), she is speaking to the constructed nature of the disparity, manifested in women by what could also be appropriately referred to as 'femininity' rather than the biological reality of the genitals. Though any given woman may have the ability to utilize the power of reason and thus act in her full capacity as a moral agent, she would in some sense be existing outside the constraints of what it means, definitionally, to be a 'woman'. In many ways, this may appear to make my overall thesis entirely too fine of a point: if it is merely the social construct of what 'woman' is taken to mean that restricts a given individual from being a moral agent, then the category of 'person' does not exclude anyone by necessity, only by cultural coincidence. However, the application of this category (manifested in the 'becoming' of DeBeauvoir's famous quotation) creates a divide within the individual who is not only perceived externally as a woman, but also internalizes these constraints and thus is limited in her ethical scope. What this explanation will hopefully provide is some insight into the conclusion of my previous chapter: how it is that the metaphysical gap opens between a person and their recognition of their own rationality, which leads necessarily to an inability to form meaningful ethical judgements. Merely being socially constructed does not take the teeth out of the constraints implicit in the category of the Other.

Rather than being a designation of convenience or malice, the Other is a fundamental

aspect to the existential difficulties of being a person in DeBeauvoir's philosophy. An individual applies this category to external agents because "the inwardness of the existent is only nothingness...he must project himself into an object in order to reach himself. Woman is the supreme recompense for him since, under a shape foreign to him which he can possess in the flesh, she is his own apotheosis...If she did not exist, man would have created her" (210). This presents further evidence for the creation of the class woman, but also presents a hint toward the purpose of said creation. Women do not exist as feminine objects "in of themselves" but to serve a greater end, to supplant the bad faith of being existentially empty. The individual cannot of course fill this role as a (robustly defined) person, so the concept of "woman" or the feminine construction is applied to her. "Appearing as the Other, a woman appears at the same time as an abundance of being in contrast to that existence [of nothingness]" (160) This nothingness (in that the individual represents duality) is different than regular existential nothingness, but also is experienced by the individual woman, since she internalizes the feminine construct as part of her own identity. Meaning is applied to a person who faces the same type of existential crisis as the male rather than herself applying meaning reflexively-- the internal void of meaninglessness is not filled by externalization, but instead is defended by these external assumptions. The meaning she finds is provided by this cultural sense of the Other, which is ultimately an empty concept (not as rich as actual humanity, since it instead is intended to complement humanity) but also results in an agent rendered ethically empty herself, due to the particular constraints on the concept being applied.

It may be that the Othering of an existential agent is commonplace, or even necessary to the normal experience of "nothingness", but it must also have a foundation in the way that reason itself operates to provide a strong critique of Kant on his own terms. Reason's primary 'job' is not

to be self aware, nor is it to provide comfort in the pangs of existential suffering, but metaphysically it is to provide structure to experience (through the categories), and ethically to facilitate the good will through adherence to the moral law. If the functioning of reason is somehow oriented to consider some persons amoral, and disregard their ethical status (even to the point of internalizing this reflexively), the concept of the Other can be shown to have significantly more weight than merely a cultural construct, and instead can be shown to exist within a persistent historical matrix. DeBeauvoir moves firmly in this direction in Section V, where she claims: “If the human consciousness had not included the original category of the Other and an original aspiration to dominate the Other, [technology] could not have caused the oppression of women” (640). Her use of the term category, which I have casually appropriated elsewhere, can clearly be read here as intentionally Kantian. Categories are a priori concepts found in reason, and thus the Other as distinct from the Self is here being represented as part of specifically rational, human processes. This of course need not necessitate that any *given* class of individuals be the Other; but in this case, experience clearly demonstrates that the persistent othering comes down on sex-based lines (and hence, my use of ‘gender deviancy’ rather than merely women). What is most important here is that this Othering happens to individuals, who do not go on to respond in kind, but instead apply this judgement to themselves. They are forced to divide themselves; the humanity they experience as a rational being in contrast to the Other contained within their identity, making them both a person and the Other. The claim of the Other as a category thus relegates every rational person to make this determination, and the manner in which they do this (who will be othered) is generally going to be culturally constrained (when applied on a broad scale, as this is). The simple concept of the Other as compared to oneself is subordinated to the internalization of Otherness within the group who is culturally exterior--the

division then appearing as internal in women, between their power of reason and themselves as a cultural artifact.

The Other is not limited to interaction with persons and their tangible cultural 'place', but also is applied in the abstract, as metaphor which re-enforces the boundaries I have been expounding on. DeBeauvoir describes the function of women in the ideal as a creature of nature or magic, recognized through "ritual" as human/a person but not by default (192-3). This questionable distinction separates woman even further from her personhood, which is usually otherwise obvious as an object of experience when interacting with persons. Instead of being a person-agent, woman is merely part of nature in all its mystery. Associating the feminine with nature relegates the agent to being merely an animal and subject thus to only natural laws. In a post enlightenment world, these laws are generally considered merely mechanical and less rich than personhood and the laws of rational thought. Even if persons are merely physical beings, reason is what sets them apart from mere nature. By associating the feminine with nature, not only are individual women made to be 'magical' (in an associative, pre-enlightenment ideal) but also as lacking in the rational human element, which defines the boundary between humanity's agency and deterministic nature.

It is important to consider the alternatives, especially when faced with this seeming inevitability from both external and internal factors. If the problem were merely cultural, then the solution would be, if not easy, at least identifiable in certain behaviors and child-rearing practices which could be reassessed. However, the problem also lies in the subject's self-relation, given the cultural factors as well as the already potentially uneasy relationship between self-awareness of oneself as reasoning and the inaccessibility of reason itself. "The true problem for woman is to reject these flights from reality and seek self-fulfillment in transcendence" (57) This is the only

time that DeBeauvoir poses any sort of positive and specifically philosophical claim about what recourse the Other has in the face of culture's categorization. The "flight from reality" is of course the transposition of the appearance of femininity, rather than the actual reality of personhood which is her right, but is also a transcendent experience in a Kantian sense: transcendental experience being noumenal and thus impossible, but reason itself being a transcendental object. Self-fulfillment in transcendence can best be interpreted in this context to be a relationship with reason, and all that entails ethically (such as participation in the moral law). This of course does not provide a very strong framework on which to build a solution to the problem of Othering. I will be attempting to answer that concern in my final chapter, using this assertion of DeBeauvoir's, but it nonetheless is clear that the onus of change cannot rest entirely on the agent who is unaware of her own agency. The relationship between the self and the reason informing the decisions made by the self (may it be an uneasy or a healthy one) is the locus of this change.

Though it seems as if the primary focus of my critique here is on the metaphysical relationship of the self, and how the categorization of the Other seems to limit this, of course the discussion is leading back to ethics. Showing that the metaphysical foundation of ethical agency *may* be unstable is not sufficient to raise any clear doubts about the actual agency of women and their ability to make moral decisions. It could be argued that Kant was simply too limited in his metaphysics (in one questionable aspect) and the ethics improved upon and glossed over what could be a minor quibble. Though I hopefully showed how this seemingly minor point in fact does lead to some unfortunate ethical results, DeBeauvoir makes it explicit: "A clear headed person who decides upon his acts in full knowledge of the situation is to be curtly approved or blamed; whereas one admires...the courage and stratagems of a generous heart trying to make its

way in the shadows. It is because women are baffled that we see flourishing in them such useless and charming virtues as their modesty, their pride, their extreme delicacy” (275). This citation is the strongest claim on ethical decision-making within this text. The existentialists as a whole did not focus much on normative claims, and even here DeBeauvoir is describing how it is that culture assigns blame or praise, rather than describing an ideal situation. The “baffled” state of women, though, is very clearly explained in contrast to the first sentence of this claim, which happens to read as very Kantian. In order to have *full knowledge*, an agent must have access to her totality of rational powers. It is impossible to claim that an animal made a ‘bad decision’ because it had incomplete information--or, more accurately, mere animals cannot make (ethically) good decisions because they are in a *constant state* of misinformation. The strongest virtue in Kantian terms is the good will, which is cultivated by reason alone. A person who is kept in a perpetual state of “bafflement’ may incidentally do good things, but cannot express the highest virtue of being wholly rational, taking stock of a given situation and choosing the right action based on the moral law (and thus can be accurately said to act as a mere animal, and not count as a full fledged person). It is universality which suffers most when a person is incapable of adhering to the moral law in a robust way, since for the individual “The constraints that surround her prevent her from feeling responsible for the universe” (793). DeBeauvoir was obviously not a Kantian ethicist, but she nonetheless shows here the inarguable (and unsurprising) influence, which makes it quite clear why a text as unorthodox as the *The Second Sex* nonetheless poses a serious argument against Kant.

DeBeauvoir does present an alternative to this self-division and Othering, which I will briefly explain here in order to better defend it in the final chapter. Rather than viewing the self-Other distinction as damaging and inhibitive, she sees it as “necessary and potentially helpful”

(Tidd 230), since our freedom as individuals is meaningless without others (and, by extension, moral choice would be vapid without other moral agents). The Other, whether external or internalized, could be viewed as a source of moral creativity. This discussion, expanding on freedom in the existentialist sense, will be further explored as the possible solution to this metaphysical bind (though not accepted outright, since it neglects the a priori nature of reason), but I will now turn my attention to the expansion of the Other/self distinction as represented in the works of Luce Irigaray.

This internal division between self-awareness and external perceptions is given a somewhat different perspective by Luce Irigaray's work "This Sex Which Is Not One", which I will later show must be considered before DeBeauvoir's "freedom" thesis can be unquestionably accepted. Her argument uses the genitals as a metaphor to explain the epistemic difference between the sexes, drawing a contrast between the "unity" of the male genitalia to the "ambiguity" of the female's. I will be interpreting her analysis to be *metaphorically representative* of the general representational divide between the masculine ideal (represented as the penis) and the DeBeauvoirian Other, because I do not wish to be gender essentialist, nor do I think that Irigaray should only be interpreted as speaking merely about the biological sex organs of "men" and "women". Interpreting her claims as merely being physicalist would both under-represent her claims and herself as a philosopher, and would not demonstrate a very deep reading of a text which has a variety of possible interpretations. Rather than the surface interpretation of literal genitalia, sexual activity and physical pleasure, it will be more useful to show how her discussion also applies to the more general experiences of self-reflection, reason and moral agency in a subject who finds herself both a dualistic creation (the Other and the agent) and a null proposition due to her indescribable status.

The 'dualistic nature' that Irigaray describes is rooted in her description of the female genitalia as being “perpetually in contact”, a pair of genitals in sexual contact rather than a singular, externalized phallus: “The division of the non-masculine individual is represented by the experience of “touching”: the woman is “within herself..already two--but not divisible into one(s)--that caress each other” (252). This is in opposition to the masculine experience of wholeness within themselves, represented by a clear divide between the internal and external experience of the caress. The distinction from an external norm providing the experience of duality within the woman, and instead this experience being “within” the individual is very important. This is not experienced as a cultural imposition, but rather as a wholly internalized attribute of existence. The distinction between the experience a female body has in contrast to the unified experience of the male body is both indivisible and yet plural, creating a disagreement within the agent as well as her surrounding culture as to *how many* she can possibly count as, and the impossibility of a dualistic nature (being both ethically relevant and yet not) creates an impossible moral agent. “Within this logic, the predominance of the visual, and of the discrimination and individualization of form is particularly foreign to female eroticism” (Irigaray 253). Here, the visual experience can be best likened to the empirical world, the world of appearances as distinct from the unreachable noumenal. Human bodies are physical and tangible, but the power of reason is noumenal, non empirical, untouchable. The perception of personal unity, the awareness of oneself as an individual in form (‘form’ of course having a noumenal aspect in the ideal while still being tangible) is unavailable to those who see themselves as dualistic in their empirical manifestation. There are too many aspects to perceive for the woman to see herself as unified, since she is made up of the personally unavailable stuff of reason, the culturally created ‘feminine’ and the self-reflexive attitude of an agent who is aware of the

friction between these concepts.

Any attempt to reconcile these, while still adhering to a universalization thesis, does not result in an ethic which universalizes from a status of supreme personhood, since the agent herself is not sure of what her status is. “The *one* of form, of the individual, of the (male) sexual organ, of the proper name, of the proper meaning, supplants while separating and dividing that contact of at least two...Whence the mystery that woman represents in a culture claiming to count everything, to number everything by units, to inventory everything as individualities. She is neither one nor two” (253) Though translated in an obscure and ungrammatical fashion (even more so than Kant!), this is the central point of Irigaray’s piece, as well as the foundation of my critique of Kant’s metaphysics. Here, she shows that the culture is predominately concerned with not only unity, but distinctions. This is shown in Kant’s metaphysics, where he demonstrated no problem with the individual being whole, yet removed from the actual process of reason. There is a presumption that an individual feels complete and whole, and is treated as such when making ethical considerations including when the person makes a decision about themselves. Irigaray is describing how it is that women are excluded from this. By being able to describe women as a duality within themselves, they become literally indescribable by the Enlightenment thinker. This “mystery” of the person who is physically indescribable renders them outside the scope of mere counting, and thus outside the scope of normal moral consideration, including to themselves. They are not able to be counted as a whole person (again even reflexively) since there is both a void and a duality that is not (metaphorically) present in the self-identity of the physical male. Of course, this can be extended to the gender deviant as well. Those with indeterminable genitalia (such as trans people) and those who use their male genitalia for non-heterosexual purposes (creating a mysterious duality again, being neither truly two nor one) are subject to this same

‘ethical erasure’.

The physical manifestation is not the *source* of this metaphysical dilemma, but it represents it to the individual in question: it is the aspect which presents the problem, since the noumenal aspect of personhood cannot be squared with the empirical in the way it is expected to be. There seems to be, in some sense, “too many people”, and since only the individual agent, as a rational being able to adhere to the moral law in a *personal way* (universalizable to other *individual agents*) counts metaphysically and ethically, this myriad of identities poses a serious problem. However, “woman always remains several, but is kept from dispersion because the other is already within her...She herself enters into a ceaseless exchange of herself with the other without any possibility of identifying either” (256). Though Irigaray is using the term “other” in a looser way than DeBeauvoir does, transposing the definition here fits quite neatly. This seems to show that the fear of ‘dispersion’ seems only to be valid from an external point of view. However, the ethical concerns remain, since the agent here is only capable of being conscious of herself as presented to herself--her reflexive awareness of her own agency is either reduced to a form of sophist self-analysis, or is an impossible feat.

The final aspect of Irigaray’s analysis I will cover before moving on to direct Kantian criticism and possible solutions to these issues is the result of this lack of unity. Self awareness of one’s ethical status and *communication* about ethics are intimately linked. The articulation of moral laws is absolutely necessary for an action to be ‘counted’ under Kant’s system. Merely acting from inclination, without any rational, articulate explanation (verbalized or internalized) is not representative of adherence to duty, and instead is described both as “base” and “animal” in his ethics. Irigaray expands on the concept of the internalization of ethical invisibility by describing the end result of an agent unable to cohere into a single identity: “‘She’ is indefinitely

other in herself...For if 'she' says something, it is already no longer identical with what she means" (255). I am interpreting "meaning" here as more than a simple communicative action; i.e., "pass the salt", but instead as the relationship between one's desires, rational legitimization, and actions. The awareness of one's own rational powers as an ethically relevant individual is strongly correlated with the drive of the will to make normative decisions and not only *act upon them* but also to *explain them coherently*, according to the system laid down by reason. Thus, when Irigaray describes the sexuality of women as being "passive", when "[a woman] will not say what she herself wants; moreover she does not know, or no longer knows, what she wants" (257), this 'wanting' is not only describing sexual desire but also the attempts of reason to impose moral order on the will, but failing due to an incomplete self identity.

Normative decision making is primarily the desire to perform the right action, as Kant explained in the Critique when he differentiates between the noumenal aspect of reason (which is capable of imagining "what ought to be rather than what is") and the physical world, which is based wholly on natural law. This lack of knowledge about "what [to] want" thus clearly describes the problem of the ethical status of women, as an agent incapable of proscribing action is not quite an agent, and is subject to be 'pushed around' by mere natural law. The clear articulation of this problem, however, may lend itself to the solution: not only self awareness, but *mutual self awareness* can potentially seal this rift between the Other and the agent which exists both within and without the moral agent who is also a 'woman'.

IV. Chapter 3: Contemporary and Extended Critique

A. The Effects of DeBeauvoir

It seems as if the Kantian ethics *works* when we have an agent who is purely an individual, and only falls apart under the assumption that there is or can be no such thing. Claims that our freedom is dependent on others rather than being a metaphysical assumption seems to be going too far. It isn't really why Kant's ethics fails women exactly, though it is a good start. Why does it fail? The sketch of an answer is one I provided in the previous chapter, where I outlined the metaphysical tension between one's own Otherness as represented by a removal from reason and the apparent unified consciousness that is required to make moral decisions (reason influencing the will being something that happens to you as you are a whole individual rational being). Using the existentialist ethic seemingly cannot solve the problem, though, since it requires rejection of universalist laws of action. Why must those be defended? Because reason, as a capacity, really is what makes us moral agents. DeBeauvoir would need to agree with this, since we can only have freedom in a moral sense if we are capable of reason. This is what makes us blameworthy if we live in bad faith. There is the *capacity* to make moral decisions, we just don't utilize it. The categorical imperative, being the highest moral law, trumps any contextual ethical code as the ultimate expression of respecting the rational capacity of an agent. It defines what a person is and who will count in an ethical system: it exists prior to any context. Individualization is necessary to this process or claim, since we are making a metaphysical and epistemological claim as well: this is what a person *really is* and this *is how we know*. Of course our ethics are dependent on others as well, and this is how DeBeauvoir might solve this internal tension between the self-as-other-to-reason. The relationship simply stops being a problem,

because just as our ethics are dependent on the Other as an external source, internally dualistic ethical systems function in the same way: if we weren't standing in some sort of *relation to ourselves* and instead were some perfect individualistic unified being, making ethical decisions about ourselves would be impossible (we would not have a relationship in the same way as with other people, so we would treat ourselves differently than others, which Kant admits we have an inclination to do, but is not *right*). So how can we include others in ethical judgements when we know that they are having this same problem of self-othering, and why is it that women seem specifically dis-empowered under this system? Because Kant didn't or couldn't recognize the importance of the Other. The Other instead is an imposition, a making of a person into a thing, an acceptance on the part of the person that Otherness necessarily entails a loss of humanity. If someone is ethically crippled merely because they do not seem to be an individual it is because the system under which they are crippled is not making allowances for the way that they actually view themselves. They view themselves as both a thing and an agent because the ethics are counting them as a unified person, not a relationship with themselves. The relationship with themselves isn't even considered ethically important, when instead it is the foundation for their ethical awareness and ability to form maxims. They are still totally an individual in a sense, since the relationship between their otherness is a special relationship, that is reinforced culturally and metaphysically. Why women in particular? Because it is *their* otherness, externally, that is viewed as problematic, and this is reflected back into the moral decisions they make about themselves. They are in a position of bad faith for different reasons than men. This is because the form of otherness that they are apparently afflicted with is mutually re enforced (both externally as an aspect of cultural experience, as well as internally) instead of being purely contained within an agent: the relational self-reason othering is not as much of a problem or is an ignored problem

(or is sublimated as normal existential angst) in those who do not face being externally Othered.

This may seem too dependent on the empirical world to be a fair criticism of the metaphysical status of any person. Shouldn't this all be purely abstract and universal for a criticism of Kant to work (in terms of laws making sense)? If my claim was entirely physicalist, then this would certainly not work. The answer lies in the relation between pure reason and empirical experience. The universalization of any claim itself might be what matters, and reason itself is totally noumenal and removed from the physical world (thus allowing it to make normative claims), but the relation of ourselves as actors to reason: i.e., our will to carry out the laws that reason proposes is totally dependent on the external world. It is not an illusion to empirically carry out intentions, though they exist as part of the construct of physical reality.

DeBeauvoir maintains nonetheless that transcendental knowledge, gained through interaction with oneself in relation to the other (which defines freedom, through interactive possibility) is possible, but both Kant and I maintain that it in fact goes beyond the limits of reason. That is ultimately how she fails, though I accept most of her theses on the relational status of the Other: she is attempting to utilize knowledge (or setting up a certain type of knowledge) as important or absolute that we simply don't have or don't need access to. Why don't we need access to it? Because transcendental knowledge, being the source of the division within the self as well as the external justification for this division, is simply the Other. Trying to push the concept harder, as a foundation for ethics, just makes it not work. It falls apart because it tries to reject too much good analysis and falls into the trap of metaphysics that Kant already talks about, which is Reason trying to go beyond its natural boundaries, which after all is defined as the boundary of the empirical world. Kant may be right in many ways, but DeBeauvoir is nonetheless ultimately the one who can add the important bit that he lacks, even given this

particular failing. It may appear that I am bracketing only the aspects of DeBeauvoir that adhere to my thesis, and neglecting the primary foundations of her claims. I will defend myself against the possible criticism of cherry picking simply by asserting that I think this can fit neatly into both ethics, and the existential part can be accepted or rejected on its own terms. My conclusions turn out to be a blend of existentialist relational metaphysics and Kantian ethics: they are grounding each other.

If our freedom is dependent not only on a metaphysical individuation but also on others, I want to argue that women remain in a childlike ethical position, since their freedom cannot be wholly expressed in the reciprocal way in which it should be—they are limited by this external lack which is not physically restrictive (as in literal slavery), but instead creates a situation in which they relate to themselves as the Feminine Other rather than the Other in a free relation. The child is in a metaphysical position of freedom within very restrictive constraints and this is legitimate because they do not have the full power of reason yet. Women are considered to be still in this childlike state, and this presumption is enacted in the abstract categorization of women as Other, as well as the cultural impositions of what is considered “appropriately” feminine. DeBeauvoir holds every rational person responsible for their own freedom, for “whereas a child's situation involving a lack of (moral) freedom is imposed upon him or her, (Western) women choose, or at least consent to, their situation which may involve a lack of (moral) freedom...Once the possibility of freedom exists, however, it is an abdication of freedom and a flight into bad faith not to seize the chance and act upon that freedom” (231). The moral responsibility of persons is grounded in **freedom** and **rationality**, both explicitly in the Kantian framework and implicitly (through necessity) in DeBeauvoir's work. Given these two necessary and sufficient conditions, we can hold a given individual responsible for their actions. We can

also hold a person responsible for not utilizing these aspects of themselves, since they have an obligation to be moral.

This leads to the thesis that Kant and DeBeauvoir share: that a woman makes herself an animal (or lives in perpetual bad faith, to use more contemporary language) when she does not act according to her freedom (to duty). I accept this, but only contingently. First, the problem of the metaphysical relationship between a person and her power of reason seems to be solved by DeBeauvoir's discussion of relevance of the Other to moral decision making. According to this argument, the self-Othering that seemingly restricts a woman from moral choice should actually encourage and foster her abilities. Though it would be an easy fix, it does not address the underlying problem with this experience of the Other. DeBeauvoir is using the relationship that exists between self-Other as a binary system, where each object of the binary is dependent in definition on the other term—the most common example cited in contemporary feminist literature is the binary of nature/culture, where each term is defined by negation.⁴ There cannot be an Other without the given individual, but the individual herself can only express herself ethically through the existence of the Other.

However necessary this relationship may be in *definition*, the operative concepts need not be harmonious in order to function in this way. DeBeauvoir seems to be making a mistake of autonomy here: Othering is not a reciprocal process, for those who are not yet aware of themselves as free. Instead, the status itself restricts them from designating external persons as the Other—they apply it to themselves, as a type or as an individual. Claiming that the class of persons who are culturally excluded from the 'in group' of ethical persons depends on the

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This of course is originally a Lacanian concept: the signifier/signified relationship exists as a binary dependance system.

dominant class for their ethical freedom may be true in some sense, though it is similar to the claim that a slave depends on their master for their feeling of freedom. Though true in a sense, it metaphysically does not quite work when discussing actual moral choice. Using 'Other' as a designation—in my example, both the slave and master are Other to each individual involved—undermines the systematic nature of the term. Rather than discussing individuals and their experiences, the concept of Woman/the Feminine is a metaphysical object that is definitionally identical to the Other. This is why women Other themselves instead of projecting the inescapable Other to external agents; similarly, this is why the problematic Other relationship is specifically found outside the masculine ideal, for those who do not find this status assigned to them seemingly do not have trouble reconciling the problem I found in Kant's metaphysics.

B. Contemporary Criticisms

Since neither DeBeauvoir nor Irigaray directly address Kant, it is now necessary to provide contemporary feminist arguments dealing specifically with claims about the misogynist elements that can be extracted from Kantian ethics and its metaphysical foundations. I provide two opposing viewpoints on this theme: Mari Mikkola, who argues that the feminist criticisms of Kant's moral project do not satisfactorily lead to the conclusion of necessary exclusion of women from his ethics, and Sally Sedgwick, who heavily utilizes the work of Carol Gilligan to argue that the metaphysical presumptions of Kant's ethics are by nature inherently exclusionary. I do not agree in entirety with the subtleties either of these arguments, but they present the issues at stake in contemporary feminist criticism clearly and logically, so I will present them as charitably as possible for the purpose of my own conclusions.

I begin with Mikkola's criticism of feminist analysis, as she directly addresses and organizes many of my own criticisms. In "Kant On Moral Agency and Women's Nature", she argues specifically that Kant does not discriminate against women in his ethical framework: she makes her case by evaluating multiple arguments which posit misogyny from different aspects of Kant's writings and explaining how they are either misguided or can be disregarded as unimportant cases. Though I find her interpretations to be initially sound, it seems as if she not only has to re-interpret what it means to be truly a *good person* in order to allow for women to fall under Kant's ethic, but she also neglects entirely the importance of *practical* freedom to the metaphysical underpinning of ethics. This last is not entirely her fault—freedom is both a noumenal concept, virtually untouchable in most analytic writing (as it leads down seemingly infinite rabbit holes of free will vs determinism) and a (potentially) merely descriptive term, unuseful to ethics. However, practical freedom is extremely important to not only the development of an agent, but the *agent herself* as a rational person, and she is too willing to brush over Kant's admonishing of women who try to enact practical freedom for themselves, which he grounds in the language of ethics.

The first argument that she considers is that Kant portrays women as "innately morally deficient" and "deficient as autonomous agents, and this is thought to be particularly worrying since autonomy is the source of human dignity" (93). This she refers to as a "determination" theory, in that women are somehow determined, inescapably, to lack any possibility of moral character or agency. This is generally defended by citing examples of Kant referring to women as "avoid[ing] the wicked, not because it is unright but because it is ugly...[Women] do something only because it pleases them, and the art of [moral education] consists only in making only that

please them which is good.”⁵ Rather than acting from morally praiseworthy rational maxims, it seems that Kant thought of women as *merely driven by inclination*, which is clearly insufficient to base a universalist ethic on. The example of why is found in the *Metaphysics of Morals*, as the example of the shopkeeper. Rather than treating customers fairly because it is *right*, the hypothetical shopkeeper does so because it is *prudent*, for various reasons. This person tends to do the right thing essentially because he wants to. Even a strong inclination, guided by rational reasoning (“I will go out of business if I’m a terrible shopkeep”, “It feels nice to be nice to people”, “It’s important for the community”) is simply not moral action. Inclination *alone* is not sufficient for ethics. If women are supposedly guided by mere inclination, their actions will not have moral content, since they would then be guided by feelings or prudence rather than reason and duty.

She responds to this by citing how the shopkeeper’s actions, if he begins to act from duty, can be described as good—the example as provided does not imply anything about his character or potential. She compares the shopkeeper case to “the sympathetic man” who acts from “an immediate inclination to perform [right actions]” (*Groundwork* 397). Instead, “one’s actions [should be] performed from a concern about its moral requiredness” (94). In both of these cases, she argues, it would be absurd to consider duty and inclination mutually exclusive. Having an inclination to perform morally right actions does not automatically bar an individual from also recognizing their duty to moral law—may it be merely the potential to do so, or in other cases of moral dilemmas. When her critics claim that Kant found women driven primarily by inclination, these examples are meant to show that this is not limited to women, nor does it logically default

5 *Observations on the Feeling of the Beautiful and Sublime*, 77 (O): Mikkola avoids engaging the discussion of whether “drawing such conclusions while focusing on one of Kant’s early pre-Critical works is unfair” (91). She, as do I, feels that his work is otherwise consistent enough (and shows the example of the *Anthropology*, which contains similar types of assertions) to be taken as a whole, without “bracketing off” (92) works which seem more polemic or rough.

to their *additional* incapacity to be ethical beings. Mikkola refers to the exclusivity thesis as “the absurd view”, which “has been thoroughly debunked in the literature” (93). Inclination can even be seen as an important component of ethical behavior, for example “when an action conforms with duty and the subject has, besides, an immediate inclination to it” (*Groundwork* 397). Kant here is showing how it is difficult to determine whether the action can be said to have sprung from duty, but does not condemn this case as being an example of non-ethical action—instead, he is showing that we cannot accurately determine the origination of the decision. It is not harmful to the agent's adherence to duty to be inclined as well to act morally (a case could be made that, given the sway of inclinations, it helps overdetermine the right decision will be made), and due to this the exclusivity of the two should not be posited.

I agree with her perspective on the “absurd view”, but not in entirety. Even though it is “extremely rare” for men to act from duty (97), which is an important aspect of her point here, Kant still is dedicated to the concept that women, though rational, simply do not. Rather than seeking to show that, since women seem to act from intuition, they are automatically barred from the ability to act from duty, I would argue that the case must be made that even if an agent acts *merely* from inclination, this is not incompatible with also recognizing and acting from duty. As I have framed it, to prove this would require a contradiction, at least when discussing a particular decision. Claiming that the presence of inclination disables an agent from forming good maxims is clearly absurd, but that is not what Kant seems to be positing about the abilities of women. Instead, he appears to be classing them with those who are *unable to act from duty because they are merely driven by inclination*, a very different claim than the “absurd thesis”.

This claim of mine seems to assume too much about Kant's assertions—that every seemingly dutiful action undertaken by those excluded from ethics are purely accidental. Kant

allows that women seem to be able to recognize duty as “they soon join in when it is a question of how to make out the moral import of a good or evil action” (*CpractR* 153). The distinction then narrows to acting *from duty* (which is not only praiseworthy, but right) as opposed to acting *in accordance to duty*, which can demonstrate an awareness of what is right or wrong without there being a relationship with reason's absolute moral commandments. Mikkola uses the Kantian language of moral approval versus moral esteem to describe the claim that women's actions can be “still good” (96), but not the best they can be. This distinction she finds less damning than it first appears. Perfect adherence to duty is considered by Kant to be “holy”, reserved for the actions of angels rather than what any “rational being of the sensible world is capable of...” (*CpractR* 122). Every physical being fails to adhere to duty consistently, so to hold women to the standard of perfection is to ignore that those who are incontestably persons act from a mixture of motivation as well, and their actions are not systematically questioned as praiseworthy or appropriately dutiful.

Mikkola seems to be making a mistake here: she is focusing on the effects of acting correctly rather than the moral precepts that formulate the intention to act. An action itself is not normatively weighed, in Kant's ethics: the “only truly good thing is the good will”. Goodness is a term reserved for the actions which spring from an adherence to duty⁶ As I described in a previous chapter, there is potential conflation between the various linguistic uses of the term “good”. A good dog is not a creature which acts normatively, according to ethical precepts; instead, it could be said to be “good” in a more Aristotelian sense (perhaps it is the best at being a dog that it possibly can be). Any form at all of doing the right thing that is not coupled with the

6 I am not taking this from Kant in particular but instead from the generally accepted definitions within the academy of what “good”, “right” and “wrong” mean. These commonly accepted definitions can be reasonably expected to inform any translation of any work on ethics, so when Kant is translated as saying “Good” or when Mikkola makes a claim about “a good person”, they can be held to this standard.

particular restrictions of duty (awareness of duty and choosing to act on a maxim because of that universal law that duty informs us of) is simply not meeting the criteria of ethical action.

What Mikkola neglects to mention is the possibility of being *intelligent* enough to know what duty means, form maxims and be generally familiar with morality without having a good will. This is the example of the “scoundrel” at the beginning of the *Metaphysics of Morals*, who is all the more worrisome than a regular immoral person for his intelligence in performing wrong actions. I am not implying that Kant thought of women as innately immoral, however, but instead that it would not be surprising to Kant that a person can speak to length about any given ethical dilemma without themselves being an ideally good person (or, a person who is capable of duty). Along with the scoundrel is the person who makes himself an animal, and no longer deserves respect as a person. This is achieved, according to Kant, by *consistently treating oneself as a means to an end*, or as a thing rather than a person. My purpose in the previous chapter was to demonstrate that women are encouraged to think of themselves this way, and in fact do through a process of self-Othering quite different from the experience of the presumed androcentric ideal of a person. They simply are not given the resources to act as an end in themselves, and instead treat themselves as a means to an end. What this “end” is turns out to be culturally constrained—it falls under the umbrella of “woman” as a definition, which Irigaray defines as a null-object (both 'one and none') but DeBeauvoir sees as well defined (motherhood, sexual object, “the angel in the kitchen”).

Kant also sees the latter roles as being the main object of feminine pursuits, which explains his views on the education of women. Since children are not born with the proper powers of dutiful recognition to the moral law, education is necessary to help them “until reason [achieves] the necessary strength” (Mikkola 104). Kant excluded women from rigorous moral

education, however. This can be interpreted as merely resulting in the type of agent which acts only from inclination, but it seems contradictory: why, if women are *capable* of a relationship to pure reason and the moral law, should they be excluded from education in childhood to best develop this? The only answer provided is that true moral education will “ruin women's charms” (Mikkola 107). Though systematic neglect of potentially rational agents would be contradictory to the universalist aim of Kant's ethics, Mikkola both rejects this as purely an anthropological point, and asks that it be bracketed off as “misguided” on Kant's part, though not damning overall: “Whatever these purported charms are and whatever their supposed source is, Kant saw women as having...absolute worth and human dignity” (Mikkola 109). These charms, however, are clearly as described by the category of the Other: submission, “excessive pride”, femininity in general (as described in Chapter 2 of this work). If women have a different experience of the world, their moral outlook will, on a whole, end up failing to meet the criteria of dignity and rationality. I will now turn to Sedgwick, in order to explore what relevance this difference has to feminist interpretations of Kant.

Sedgwick argues that Kant's metaphysics are problematic primarily because of the goal to universalize ethical claims: the 'different voice' does not always allow for a universal moral law at any time. The metaphysical assumption is of sameness, but difference is demonstrable (as in Carol Gilligan's⁷ research) and real. She cites Gilligan's Different Voice concept as undermining the universalization thesis, since ethics are determined in a community structure between individuals (rather than *by* individuals). There is “no guarantee that what is identified as the ground of duty or of human dignity will be beyond revision. There will on this account be no

⁷ Gilligan interviewed hundreds of subjects, both male and female, on topics ranging from childcare to war and business ethics, to demonstrate differences in self-perception which she initially published as a collection titled *In a Different Voice* (1982). Her research focus was primarily in the field of psychology, though the conclusions that she drew about the construction of gendered assumptions and roles have been utilized in a variety of disciplines.

a priori metaphysical foundation” (75). This is where her interpretation ceases to be a reasonable critique of Kant. I may agree to a point, but I disagree with the problems she sees in universalizing ethics. Theoretically, all that a static, universal ethic demands is adherence to morality through rationality. Reason is what matters, because only rational creatures can meaningfully be said to be responsible (they have intentions, form maxims, attempt to understand each others motivations as well as their own). It's not a problem to rest the ethics on reason. She doesn't argue with this, either. What she does argue is that the practice of reason 1: differs between individuals and 2: that women have different concerns when forming a moral code/their duties are different in some ways that are equally important (i.e., that they need to steer away from too much sacrifice rather than too much self love). This critique works well for me because women are seemingly differently abled or engaged in the ethical sphere and Kant does neglect this. I also attack him on the relational structure, but I wish to preserve individuality. The relation between a person and her reason or others is a problematic one, not one that needs to be integrated. The foundation of the a priori recognition of duty is necessary to any ethical structure that can be said to consistently preserve the rights of all individuals who “matter” under that system—making the claim that morality may change according to culture or circumstance leads to all the well-known problems with relativism⁸.

Both Sedgewick and Mikkola agree that the central concern seems to be that of autonomy: if women are not autonomous under Kant then they are simply unable to form meaningful ethical assertions. This lack of autonomy is what Kant hopes to “preserve” about the “intrinsic nature of women”: their femininity which Others them. Women “may as well grow a beard as practice philosophy” because they are abandoning that which makes them women. Now

8 Though the major problem here would be that of tribalism: when the boundaries of 'who matters' is potentially shifting according to an arbitrary standard, any 'in group' will attempt to maximize their own position as consistently as possible, leading to all the atrocities of relativism that need not be recounted here.

it is more clear why I am using “woman” to stand in for the broader term “gender deviant”: those who do not fit the ideal model of masculinity, defined by the binary as “femininity”, an important aspect of those who do not fit the androcentric model of pure reason. This seems circular for a good reason: it takes as definition that those who are masculine are rational, and thus rationality is a definition of masculinity. But this model is well embedded in cultural and theoretical assumptions about gender relations. It transcends an anthropological claim because it becomes a definitional claim: these persons are not moral, because an intrinsic aspect of them is excluded. In order to define herself as a woman, the agent must give up that part which can form meaningful ethical claims.

C. Conclusions

Is it reasonable to then presume that a person cease to define herself as Woman in order to be moral? Whether this is even possible is equally relevant. I disagree with the surface reading of Irigaray which would posit that the sex characteristics of a given person determines their ability to destroy this binary, since I have used the term “woman” throughout as DeBeauvoir does, since “one is not born, but rather becomes” the collection of aspects which limit a person's ability to be truly moral. The identity of the individual persisting through my criticisms depends on the agent’s desires: retaining “Femininity” or Otherness requires the extra step that DeBeauvoir poses, whereas the presumed agent of Kant's metaphysics do not require this criticism/analysis/personal journey. Though rejecting the (internal) Other and the cultural impositions of femininity that lead to the difficulties that I have been discussing seems to be the most viable

option, the gender binary is not going anywhere anytime soon. As such, the category “woman” is populated with individuals who perceive themselves as meaningfully belonging to a group which, biologically and culturally, has historical reality and requires only the modification of self-awareness and equality to jettison the aspects which limit the morality of women.⁹

Kant is not to blame for being unaware of this, since his system works otherwise; the relationship of self to Reason, which I discussed earlier, is not problematic due to the relationship to all noumenal objects being problematic in this way. It's only an issue when it reinforces one's own disconnect from ethical reasoning. Universalization is still functional, even given this critique, because the definition of a person can still hold (and thus, maxims apply to all persons who are rational in the normal human sense). It is absolutely mandatory that universalization be maintained because of this connection to robust personhood. Allowing ethics to become contextual due to relationships or shifting perceptions of personhood would not result in the best possible treatment of persons, nor would it solve the metaphysical, self-relational problem I have been discussing here (though the question still remains as to *how important* these relationships nonetheless are). In this integrated system, women can be said to be ethically responsible for themselves being amoral, wicked, or moral, but only metaphysically, and it requires my additions of the DeBeauvoirian Other as stated here in order for the responsibility to be even meaningful (they cannot be held responsible *per se* under just a Kantian framework). Kant's ethics are thus preserved, and his metaphysics complete in their foundational purpose, but the aspects which so many others have identified as problematic have been, in part, remedied.

9 “Only” being somewhat tongue in cheek. Self-recognition as both the Other and as a rational being would in fact change the definition of women, from external/internal Other to the same type of Other that all persons unconsciously must balance in the world of appearances with the noumenal aspects of reason. Rather than being a robust concept, women or feminine would in this case be reduced to a bare descriptor rather than an identity.

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