

Can She Think For Herself?
Kant on Women and Enlightenment

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Abstract

In this dissertation, I argue that Kant's exclusion of women from enlightenment is due to the implicit legal and political conditions that he sets for the enactment of enlightenment. This exclusion proves to be significant not only with respect to Kant's conception of women, but also with respect to his conception of enlightenment, which is a form of progress of humanity that does not require the input of each and every one of its members. There are three main steps to my argument.

I first analyze Kant's conception of women, whom he regards as full-fledged rational beings and thus, in principle, fit for enlightenment. Sexual difference, at the anthropological level and echoing the ideal of complementarity between the sexes, should not irremediably compromise women's rationality. I also investigate the implications of Kant's remarks on women's nature for their moral agency in light of the evolution of his practical philosophy.

I then show that thinking for oneself, which Kant regards as the basis of enlightenment, is not merely an individual endeavour. It must also be performed publicly, in society – and thus in a manner consistent with the legal framework that Kant sets for the state. This suggests that the enactment of enlightenment may be excluding certain people who would otherwise be able to think for themselves. As suggested by Kant's essay on enlightenment, emancipation from self-incurred immaturity requires that one make public use of one's reason. But as I show, to make public use of one's reason one must be free from any external authority, which is not possible for those who are legally immature. Women's lack of civil independence makes them unable to represent themselves in public. This is why, I argue, their exclusion from enlightenment is justified on Kant's account by their civil status, rather than by his anthropological insights on femininity. Given the importance of one's civil status for taking part in the Enlightenment, this makes it unlikely that Kant would have been open to the inclusion of women in the Enlightenment.

In the last part of my dissertation, I argue that despite Kant's own views on the legal subordination of women, we are nevertheless justified in asking him for a more robust commitment to political equality. The idea is to show that while Kant's exclusion of women from the Enlightenment is caused by their inferior civil status, his political commitment to the legal subordination of women can be revisited – even from a Kantian perspective. I first show that Kant's account of marriage provides fruitful grounds to argue for the equality of men and women and that his argument concerning the purpose of marriage would be strengthened by granting equal civil status to men and women. I then contrast Kant's conception of Enlightenment with two alternative conceptions provided by Theodor von Hippel and Mary Wollstonecraft – both of whom were influenced by Kant's ideas and yet explicitly argued in favour of the inclusion of women within the Enlightenment. The discussion of these authors' views allows me to consider how other thinkers, familiar with Kant's ideas, were able to use his system (or parts of it) to argue for something that Kant did not allow.

Résumé

Dans cette thèse, j'avance l'hypothèse selon laquelle Kant exclut les femmes de sa conception des Lumières en raison de certaines conditions implicites, de nature juridique et politique, nécessaires à la mise en œuvre des Lumières. L'exclusion des femmes se révèle ainsi significative, non seulement pour la conception kantienne des femmes, mais aussi pour la conception kantienne des Lumières – laquelle est une forme de progrès de l'humanité qui ne requiert pas l'égalité de contribution de tous ses membres. Ma thèse s'articule en trois moments.

Je procède d'abord à une analyse de la conception kantienne des femmes. Kant les considère en effet comme des êtres raisonnables à part entière, et donc, en principe, aptes à prendre part aux Lumières. La différence sexuelle, qui prend place sur le plan anthropologique et s'articule sur la base d'un idéal de complémentarité entre les sexes, n'est pas de nature à compromettre irrémédiablement la rationalité des femmes. Je me penche également sur les remarques de Kant ayant trait à la nature des femmes et sur leurs implications pour leur agentivité morale, tout en prenant en considération l'évolution de sa philosophie pratique.

Je montre ensuite que penser par soi-même, un aspect fondamental de la conception kantienne des Lumières, n'est pas une entreprise purement individuelle. Penser par soi-même doit être accompli publiquement, en société – et ainsi, en conformité avec le cadre juridique prévu par Kant pour l'État. Ceci suggère que la mise en œuvre des Lumières en vient à exclure certaines personnes qui seraient pourtant capables de penser par elles-mêmes. Comme le suggère l'opuscule de Kant sur les Lumières, la sortie de l'état de minorité qu'on s'impose à soi-même implique de faire un usage public de sa raison. Mais comme je le démontre ensuite, faire un usage public de sa raison exige en outre d'être affranchi d'une autorité extérieure, ce qui n'est pas le cas des personnes qui demeurent mineures sur le plan juridique. Or les femmes, qui ne bénéficient pas d'une indépendance civile, ne sont pas autorisées à se représenter publiquement. C'est pourquoi j'avance que leur exclusion tient non aux considérations anthropologiques de Kant sur la féminité, mais bien au statut civil des femmes. Au vu de l'importance que détient le statut civil d'un individu pour sa participation aux Lumières, il est donc improbable que Kant ait été favorable à la participation des femmes aux Lumières.

Dans la dernière partie de ma thèse, je démontre que malgré la prise de position de Kant en faveur de la subordination juridique des femmes, il est possible de défendre l'égalité juridique des sexes sur la base de sa philosophie pratique. Ainsi, bien que l'exclusion des femmes des Lumières soit causée par leur statut civil inférieur, cette subordination juridique peut être revisitée dans une perspective kantienne. Dans ce but, je montre d'abord que la conception kantienne du mariage fournit des bases solides pour argumenter en faveur de l'égalité des hommes et des femmes, et que cette conception du mariage serait en fait renforcée par l'octroi de statuts civils égaux aux hommes et aux femmes. Je compare ensuite la conception kantienne des Lumières avec les propositions alternatives de Theodor von Hippel et de Mary Wollstonecraft – qui ont tous deux été influencés par les idées de Kant et ont pourtant insisté sur l'importance de la participation des femmes aux Lumières. Exposer les thèses de ces deux auteurs me permet d'examiner de quelle façon des philosophes familiers de l'œuvre de Kant ont été en mesure d'utiliser certaines de ses idées afin de rendre possible ce qu'il n'a lui-même pas voulu autoriser.

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Abbreviations

Anthropology: *Anthropologie in pragmatischer Hinsicht* / Anthropology from a Pragmatic Point of View

CB: *Mutmaßlicher Anfang der Menschengeschichte* / Conjectural Beginning of Human History

GMS: *Grundlegung zur Metaphysik der Sitten* / Groundwork of the Metaphysics of Morals

Idea: *Idee zu einer allgemeinen Geschichte in weltbürgerlicher Absicht* / Idea for a Universal History from a Cosmopolitan Perspective

KpV: *Kritik der praktischen Vernunft* / Critique of Practical Reason

KrV : *Kritik der reinen Vernunft* / Critique of Pure Reason

KU: *Kritik der Urteilskraft* / Critique of Judgment

NF: *Naturrecht Feyerabend*

Prolegomena: *Prolegomena zu einer jeden künftigen Metaphysik: die als Wissenschaft sird auftreten können* / Prolegomena to Any Future Metaphysics That Will Be Able to Present Itself as a Science

Religion: *Die Religion innerhalb der Grenzen der bloßen Vernunft* / Religion within the Boundaries of Mere Reason

RL: *Rechtslehre* / Doctrine of Right

SF: *Streit der Fakultäten* / The Conflict of the Faculties

TL: *Tugendlehre* / Doctrine of Virtue

TP: *Über den Gemeinspruch: Das mag in der Theorie richtig sein, taugt aber nicht für die Praxis* / On the Common Saying: This May Be True in Theory, but It Does Not Hold in Practice

Observations: *Beobachtungen über das Gefühl des Schönen und Erhabenen* / Observations on the Feeling of the Beautiful and Sublime

WA : *Beantwortung der Frage : Was ist Aufklärung?* / What is Enlightenment?

WO : *Was heißt: sich im Denken orientieren?* / What is Orientation in Thinking?

ZeF: *Zum ewigen Frieden* / Toward Perpetual Peace: A Philosophical Sketch

* All quotes refer to the Akademie Ausgabe pagination, except for the first *Critique* (I'm using the standard A/B pagination).

* I cite published translations of Kant's works whenever possible. Any modifications I have made to those have been flagged.

Introduction

1. Introductory remarks

1.1. Kant and women

Immanuel Kant's remarks on women have become an embarrassment for most scholars. They prove to be difficult to interpret for a number of reasons. First, these claims remain, most of the time, only minimally justified by their author. Second, they are spread throughout his published and unpublished works – and therefore made not only in various contexts, but also at various points in his career. And third, they are truly mortifying. In his 1764 *Observations on the Feeling of the Beautiful and Sublime*, Kant claims that women are elegant and self-possessed already at a young age (2:229) – but also that they dislike deep reflection and laborious learning (2:230). In his later *Anthropology from a Pragmatic Point of View*, he goes even further by asserting that “scholarly women [...] use their books somewhat like their watch, that is, they carry one so that it will be seen that they have one; though it is usually not running or not set by the sun.” (7:307) In his *Remarks on the Observations*, he claims that “[the] greatest obstacle that prevents the male sex from returning to a state of happy simplicity is the female sex” (20:108). While promoting the fundamental equality and dignity of human beings on the one hand, he relegates women to the status of second-class citizens on the other hand. And these are only a few examples.

My project focuses on a selection of Kant's remarks on women: those that pertain to his conception of enlightenment¹. More precisely, I am interested in why and how Kant excludes women from enlightenment. I argue that this exclusion, far from being due to some alleged intellectual or moral failure on the part of women, is the result of some implicit legal and political conditions that Kant sets for the enactment of enlightenment². Kant's conception of enlightenment is thus a form of progress of humanity that must take place within a specific legal framework. As it turns out, this framework does not allow for women to partake in public reason – which is a core feature of Kant's conception of enlightenment. In addition to contributing to a renewed interest in Kant's conception of enlightenment, my investigation is innovative in two ways. First, in providing a detailed account of Kant's reasons for excluding women from enlightenment; and second, in uncovering new implications of his conception of enlightenment.

The exclusion of women is of course not the most glorious aspect of Kant's conception of enlightenment. It is tempting to just look away from his sexist claims in order to focus on other exciting – and perhaps less embarrassing – parts of his philosophy. After all, as many have pointed out, Kant was a man of his time – and moreover, one who neither married nor had significant relationships with women³. His unflattering views on women should therefore not come as a surprise, and would perhaps better be forgotten.

¹ I follow the distinction suggested by, among others, J. Schmidt (2003, 426 sq.) and S. Fleischacker (2013, 2): capitalized “Enlightenment” refers to the historical period while “enlightenment” refers to the intellectual process at stake.

² The word “enactment” is not used by Kant himself; I found it to be the best way to describe the application of enlightenment within society demanded by him. “Enactment” also emphasizes that enlightenment is not only taking place on theoretical grounds, but also on practical ones: as suggested below and will be further discussed in chapter 3, the individual's idleness and cowardice are, for Kant, the main obstacle to his enlightenment. This changes the emphasis, from a merely theoretical phenomenon to a phenomenon that also belongs to the moral realm.

³ A long-lasting rumor claims that Kant remained a virgin for his whole life – a point that is often raised in order to mock his views on women and on sexuality. On this point, Varden raises a concern worth keeping in mind. Maybe Kant did not marry for misogynist reasons. And perhaps he really remained a virgin for his entire life. But the reasons behind those facts are difficult to know on the basis of the evidence available to us (biographical information

This approach, however, overlooks the existence and work of a number of philosophers of whom Kant must have heard. While it is possible that he was not familiar with the works of some German feminist writers of his day⁴, at least two philosophers that he knew well have significant contributions on the matter: Jean-Jacques Rousseau and Theodor von Hippel. While Rousseau is far from being a feminist writer, he wrote extensively on the education of women and on sexual difference – Kant engages with some of those insights in his *Observations and Remarks*. And as will be discussed in chapter 6, Hippel was a friend of Kant's who published anonymously a treatise called *On Improving the Status of Women* [*Über die bürgerliche Verbesserung der Weiber*] in 1792, in which he argues for the improvement of the education of women as well as for their inclusion in public life as full-fledged citizens. While Kant had no interest in taking part in those debates, which he probably regarded as belonging to the realm of popular philosophy, it is unlikely that he would have been unfamiliar with them or that he would not have reflected on the question at all.

1.2. What should we make of Kant's remarks?

Since, on the one hand, one cannot simply excuse Kant's remarks on women by appealing to his ignorance; but on the other hand, one cannot pretend that Kant regarded the question as fundamental to his philosophical project, it is necessary to further reflect on what to make of these remarks.

and correspondence); and in doubt, it might be better to find other things to criticize in Kant. His views on women and sexuality should be taken seriously, no matter what his personal life was like; and making fun of them on the basis of his alleged virginity implies regarding him as "less of a 'man' than any man who is sexually virile, married, and has a family" (Varden 2017, 690n19).

⁴ Such as, for instance, Dorothea Erxleben or Johanna Charlotte Unzer.

My own investigation is very much inspired by a suggestion made by Pauline Kleingeld. In her 1993 article analyzing Kant's use of gender-neutral language, Kleingeld helpfully summarizes four main approaches to Kant's remarks on women. The first consists of accepting and embracing them. Kleingeld cites a number of scholars who have praised Kant for his clever views on women, among them, Vörländer and Scruton⁵. This approach is not only appalling: it also ignores, as pointed out by Kleingeld, the tension between Kant's allegedly universal claims about human beings and some of his particular claims about women. This tension and its implications will be further developed in my first chapter. The second approach presented by Kleingeld consists in "[rejecting] Kant's moral and political philosophy out of hand as thoroughly misogynous" (1993, 139). While some philosophers have endorsed this approach, Kleingeld suggests that it has the downside of ignoring the contribution of some Kantian-inspired ideas to debates in feminist, moral, and political philosophy. I would add to her concern that while I believe that one can do valuable work in moral and political philosophy without engaging with Kant's ideas, this approach is bound to be less interesting to those interested in Kant scholarship. Kleingeld's third approach acknowledges that Kant's views on women are mistaken, but proposes leaving them aside in order to focus "on his more important philosophical achievements" (1993, 140). This approach runs into the same objection as the first one: in what

⁵ Stephen Palmquist, a renowned Kant scholar, published in 2017 an article in which he defends Kant's "egalitarian sexism" against feminist criticisms that he takes to be unfair and unsupported. The core of Palmquist's argument is that not all sexism is morally wrong: Kant's "egalitarian sexism" would thus be acceptable when understood in its context, as opposed to what he calls "domineering sexism". Palmquist makes claims such as "A Google search using 'Kant+sexism' reveals thousands of web pages (many set up by teachers for their students) where quotes are taken out of context and used to make Kant a scapegoat, an apparently easy target, exemplifying the evil tendency of past philosophers to be sexist." (Palmquist 2017, 39) The main weakness of his paper as I understand it is that it assumes that feminist criticisms of Kant attempt to deny the existence of differences between men and women. His primary objection to one of Sally Sedgwick's arguments, for instance, goes as follows: "Ironically, in explaining what more is needed, Sedgwick implicitly agrees with Kant's basic claim that men and women are fundamentally different, for she argues there is 'a [gender] bias in the categorical imperative itself' [...]" (2017, 37). Sedgwick's and other feminist criticisms that I am familiar with tend to agree that there are some fundamental differences between men and women – but unlike Kant, Sedgwick and others attribute those differences to social factors.

follows, I will show that one cannot easily dismiss the tension between Kant's views on women and some of his claims about, e.g., humanity or reason.

Kleingeld's fourth approach is the one that she endorses herself and that I am using in this project:

In order to avoid distortions and ambiguities in representing Kant's thought, authors who discuss his moral or political philosophy need to make explicit the tension that exists between what Kant writes about "human beings" and what he says about "women." Although there may be specific cases where this tension is not relevant, one should be alert for instances in which Kant's views on the different characters of the sexes do play a role. And whenever there is such a case, it deserves at least some discussion. (1993, 144)

Kleingeld's approach thus consists in acknowledging the tensions that one may find between Kant's claims on women and some of his other ideas. As mentioned above, the specific problem I am interested in investigating in this perspective is the status of women within Kant's conception of enlightenment. While enlightenment is meant to be a form of progress for humanity, more precisely with respect to the use of reason, Kant does not seem to think that women will take an active part in that progress. Those claims strike me as conflicting, and I intend to figure out the cause and implications of that conflict⁶.

2. Enlightenment in question

2.1. Overview of Kant's conception of enlightenment

⁶ While the status of women with respect to Kant's conception of enlightenment has not been much investigated, their ambiguous status within other conceptions of enlightenment, or Enlightenment in general, has puzzled many scholars. Schiebinger summarizes this problem as follows: "Enlightenment thinkers faced a dilemma: how was the continued subordination of women to be reconciled with the axiom that all men are by nature equal?" (Schiebinger 1989, 214-215)

Since Kant did not devote an entire book to his conception of enlightenment and discusses it mostly in the context of scattered passages of his main works (among others, in the *Critique of Judgment* and in the *Conflict of the Faculties*) or in the short essay “What is Enlightenment?”, his conception of enlightenment is often overlooked by scholars. A number of them still see it as a mere appendix to the critical philosophy and, for that reason, take it slightly less seriously than the rest of his work. Fortunately, things are changing: several scholars have published useful contributions on the Kantian conception of enlightenment over the past several years⁷. And many commentators have explored important connections between enlightenment and other aspects of Kant’s thought – for instance, the relationship between enlightenment and theoretical reason; between enlightenment and autonomy; between enlightenment and culture; between enlightenment and philosophy of right; and between enlightenment and the broader context of the progress of humanity.

Yet Kant’s conception of enlightenment is not only interesting within the framework of his philosophical system; it is also a unique contribution to the definition and shaping of the Enlightenment in general – and one that proved to be influential. Enlightenment is not a unified or unequivocal concept: there are many conceptions of enlightenment and Kant’s is far from being the only useful model. Yet some of the ideas he put forward are still regarded as constitutive of the Enlightenment, broadly construed: for instance, the motto “*Sapere aude!* Have the courage to make use of your own intellect!”, which points to the idea of an intellectual emancipation of humanity through thinking for oneself. Indeed, enlightenment is the response to what Kant calls self-incurred immaturity [*Unmündigkeit*]; that is, the unwillingness to think without someone else’s guidance (*WA* 8:35). The self-incurred dimension of this form of

⁷ Deligiorgi (2005) and Fleischacker (2013) have both published excellent monographs on the matter.

intellectual immaturity points to our propensity to rely upon external authorities in an uncritical manner. For Kant, the way out of self-incurred immaturity takes the form, first and foremost, of a free public use of reason, defined as “the kind of use that one makes thereof [of one’s reason] as a *scholar* before the *reading world*” (WA 8:37). In making a free public use of our reason, we are not only developing our own intellectual emancipation; we are also contributing to that of other people, who may well be inspired to do the same and to confront their thoughts with ours.

That being said, the scope of enlightenment remains imprecise. In general terms, it is meant to result in the improvement of humanity as a whole:

If it is asked, then, whether we live in an enlightened age, then the answer is: no, but we do live in an age of enlightenment. It is far from the case that humans, in present circumstances, and taken as a whole, are already or could be put in a position to make confident and good use of their own reason in matters of religion⁸ without the direction of another. But we have clear indications that they are now being opened up to the possibility of working toward this, and that the obstacles to universal enlightenment, or to the emancipation from one’s self-incurred immaturity, are now gradually becoming fewer. (WA 8:40; emphasis mine)

What Kant implies by a “universal enlightenment” or an “enlightened age” is, however, not clear. We would expect him to have in mind an age in which each and every person has been emancipated from his (or her) intellectual passivity: that is, in which everyone is thinking for himself or for herself, without relying on external authorities. Yet this does not seem to be the case: as I will show, there are good reasons to believe that Kant did not mean to include everyone in his conception of enlightenment – and women in particular. This implies that humanity as a whole may well progress towards enlightenment even if some of its members are bound to remain in a state of self-incurred immaturity.

⁸ Kant’s particular concern for religion is motivated by the context of publication of his essay: as explained below, one of the core issues for thinkers of the Enlightenment was the role of the church in celebrating marriages.

2.2. The social and political dimension of enlightenment

Kant's conception of enlightenment will be further described and analyzed throughout chapters 3 and 4. For now, I would like to emphasize the social and political dimension of this conception of enlightenment. While the core idea of thinking for oneself seems to point to a merely theoretical enterprise, and one that would be limited to the individual himself or herself, Kant's insistence on the role of the free public use of reason confirms that enlightenment also has a social dimension. Since escaping self-incurred immaturity requires making a public use of one's reason – an important idea that will be clarified throughout chapters 3 and 4 – enlightenment is a project that cannot be undertaken in the comfort of one's own home. It requires the contribution of other people and must take place in society.

This social dimension of enlightenment should not come as a surprise. From the very beginning, philosophers of the Enlightenment have seen it as a political phenomenon, which is why the context in which Kant published his essay "What is Enlightenment?" is worth considering. J. E. Biester, friend of Kant's and editor of the *Berlinische Monatsschrift*, anonymously published an article in that journal in which he promoted civil marriage ("Vorschlag, die Geistlichen nicht mehr bei Vollziehung der Ehen zu bemühen", 1783). Biester argues that in light of Enlightenment ideals, marriage should not be associated with religion – and therefore not celebrated by clergymen only. J. F. Zöllner, himself a clergyman, responded to Biester's piece with another essay, also published in the *Berlinische Monatsschrift* ("Ist es rathsam, das Ehebündniß nicht ferner durch die Religion zu sanciren?", 1783). Zöllner suggests that before arguing in the name of enlightenment ideals, one should first provide an answer to the question "What is Enlightenment?" (1783, 516). This resulted in a number of contributions meant

to define enlightenment, including Kant's famous 1784 essay. The political implications of enlightenment were therefore important for the tradition with which Kant was engaging.

2.3. Diverging perspectives: Wollstonecraft and Hippel

This political context raises in turn more questions of a political nature, such as the possibility of women partaking in enlightenment. So while, as will be made clear in chapter 4, I take Kant's exclusion of women from enlightenment to be motivated by their subordinated civil status, I will also argue that his commitment to the legal subordination of women can be revisited – even from a Kantian perspective. In order to better assert this point, I will contrast Kant's conception of enlightenment with two alternative conceptions of enlightenment provided by Theodor von Hippel and Mary Wollstonecraft – both of whom were influenced by Kant's ideas and yet explicitly argued in favour of the inclusion of women within the Enlightenment. The discussion of these authors' views allows me to consider how other thinkers, familiar with Kant's philosophical works, were able to use his ideas to argue for something that Kant did not allow.

The choice of these two authors is motivated both by similarities between their ideas and Kant's, and also by historical considerations. Despite Hippel being slightly younger than Kant (Hippel was born in 1741, while Kant was born in 1724), they eventually became good friends. In 1758-1759, Hippel attended Kant's lectures on physical geography and metaphysics at the University of Königsberg. He then started a successful career in politics; he became city councillor, and then mayor of Königsberg in 1780 until his death⁹. It is unclear when exactly his

⁹ Hippel always took a significant interest in education, both in his profession and in his personal life. Sellner notes that as the mayor of Königsberg, he sought measures to provide free education to children in need, and funded some scholarships for them with his own money (2009, 43). He also adopted his 10-year-old nephew in 1786 and took care

friendship with Kant began, but it is known that he attended several of his dinner parties after 1780, and also invited Kant to his home on a regular basis. The two philosophers held each other in high regard. Although he proved to be very critical of some aspects of Kant's philosophy, Hippel's views were significantly influenced by Kant's ideas. This has generated rumours suggesting that Kant was in fact the author of two of Hippel's essays, originally published anonymously: his early essay on marriage (*Über die Ehe*, 1774) and his book *Lebensläufe nach aufsteigender Linie* (1778-81) – which, ironically, is autobiographical. Kant published a disclaimer in the journal *Allgemeine literarische Anzeiger* in 1796 (also reproduced in Kant's complete works, 12:360-361) in order to make clear that he never contributed to Hippel's works: "I am not the author of those works, neither alone, nor together with him" (12:360). In this disclaimer, Kant also makes clear that Hippel did not plagiarize his works in any way.

While Hippel was a friend of Kant's and familiar with his works, the connection between Wollstonecraft and Kant is not as obvious – which makes my choice to include her in this study also less obvious. But while Kant probably did not read Wollstonecraft's work, we have reasons to believe that she was familiar with a number of his. While Kant's works were not taught in English universities until the 19th century, they were fairly well known and discussed in literary circles earlier on. As pointed out by Micheli, some literary journals were already circulating his ideas in 1790: "The journal which from as early as 1790 seems to have shown the most interest in Kantian philosophy and more generally in German culture, was *The Analytical Review*" (Micheli 2005, 233). *The Analytical Review* published several reviews and discussions of Kant's works; since Wollstonecraft started working there in 1788 as an author and as a reviewer (Wardle 1947,

of his education – in a manner that some would perhaps find disproportionate, as he made the young man study for 13 hours a day everyday (2009, 45).

1000), we know that she was at least familiar with those reviews and discussions¹⁰. Beyond these interactions with Kantian ideas, Wollstonecraft explicitly refers to the *Observations on the Feeling of the Beautiful and the Sublime* in a set of remarks that she intended to include in a second edition of the *Vindication of the Rights of Women* (cf. “Hints” in Todd 1989, V, 275)¹¹. Wollstonecraft also had excellent command of the German language – she translated Christian Gotthilf Salzmann’s *Elements Of Morality For The Use Of Children* into English – which suggests that she could have read Kant’s works even if English translations were not yet available. While the extent of Wollstonecraft’s engagement with Kant’s works remains unclear, historically speaking, I am hoping that the presentation of her views on enlightenment will make clear the similarities between their ideas.

Besides the interest of acknowledging Kant’s influence on Hippel and on Wollstonecraft, I have also chosen to put these three authors in dialogue in order to show that some Kantian or Kantian-like ideas can be used to point to some specific problems within Kant’s philosophy of right and to advocate for more radical changes in society than those he put forward. While Kant was hopeful that humanity would make significant progress, both legally and politically, it is safe to say that he meant for that improvement to materialize gradually, and was reluctant to disrupt the political order in place. Wollstonecraft and Hippel’s proposals show that the ideas he argued for required more political change than he thought – and beyond that, that the legal emancipation of women proves to be necessary to the progress of humanity.

¹⁰ On this, see also Bergès 2013, 36. It remains, however, unclear whether Wollstonecraft wrote one of these reviews of Kant’s works, given that her contributions to *The Analytical Review* were published anonymously.

¹¹ In her edition of Wollstonecraft’s works, Tomaselli suggests that she might be referring to Kant’s *Critique of Judgment* as well, but without supporting her claim (1995, 298, 301).

2.4. What should we do with the ideals of the Enlightenment?

While my project is intended, first and foremost, as a contribution to Kant scholarship and to feminist perspectives on the Enlightenment in general, it should be distinguished from two very different forms of investigations of the ideals of the Enlightenment.

First, my project is not meant to provide a revisionist account of the Enlightenment like those put forward by Ernst Cassirer (*The Philosophy of the Enlightenment*) or Jonathan Israel (*Radical Enlightenment: Philosophy and the Making of Modernity, 1650–1750*; *Enlightenment Contested: Philosophy, Modernity, and the Emancipation of Man, 1670–1752*; and *Democratic Enlightenment: Philosophy, Revolution, and Human Rights 1750–1790*). Both of these authors, on the basis of impressive erudition, suggest new ways of interpreting the Enlightenment as a whole by focusing on certain themes, certain ideas or certain authors that they take to be particularly significant. They therefore put forward philosophical reconstructions of the Enlightenment structured around those new narratives. In insisting on the importance of feminist criticisms of and within Enlightenment, I do not mean to imply that they should structure and orient future readings of the Enlightenment; but rather, that they are important and should be taken into account.

Second, my project is not intended to be an apology for the ideals of the Enlightenment. Some recent essays have emphasized ways in which the ideals of the Enlightenment can still be useful and profitable nowadays – for instance Robert Loudon (*The World We Want: How and Why the Ideals of the Enlightenment Still Elude Us*) and Joseph Heath (*Enlightenment 2.0: Restoring sanity to our politics, our economy, and our lives*). These projects are also very different from mine. In emphasizing what work the ideals of the Enlightenment could do for

feminist arguments back in the 18th century, I do not mean to suggest that they are necessary to feminist arguments in general. There have been many ways, historically, to argue for the improvement of the lives of women; focusing on the improvement of their civil status and rights is one of them, but not the only one. My investigation emphasizes why this question should matter for Enlightenment thinkers, and how some of them have addressed it. In doing so, I am also eager to acknowledge the contribution of Enlightenment thinkers like Wollstonecraft and Hippel to the history of feminist philosophy. But holding that the ideals of the Enlightenment could be beneficial to contemporary feminist perspectives is a different claim, and one that I am not willing to make here.

3. Other exclusions

The importance of investigating Kant's exclusion of women from enlightenment being granted, one could wonder: why focus on the exclusion of women in particular? Kant is not known for the inclusivity of his moral and political views. His universal claims about reason and humanity also conflict at times with particular claims he makes about other groups of people; i.e., claims about human races; about intellectual disabilities; about sexual minorities; about various religions; about children; and more. The exclusion of women is far from being the only one. But while the fate of women in Kant's writings cannot be taken to be the only precarious one, I take it to differ from the others in certain ways and to require further investigation on its own. Each of those forms of exclusions has a unique character, and while it can be useful to group them in order to criticize the blind spots of Kant's practical philosophy as a whole, lumping them together would also make it more difficult to analyze their particular nature and implications. Women are not excluded from enlightenment on the same grounds as (e.g.) certain human races or children. I cannot investigate all the particular forms of exclusions in Kant's works here, but I have

appended to the bibliography below a list of works that investigate other forms of exclusion in Kant's work.

4. Summary of the chapters

In order to show that Kant's exclusion of women from enlightenment is due to the implicit legal and political conditions that he sets for the enactment of enlightenment, I first analyze his account of women's nature (chapters 1-2). I then investigate the elitism of his conception of enlightenment (chapter 3) and show that women do not meet certain basic political requirements for participating in enlightenment (chapter 4). Finally, I further discuss the implications of this claim by showing that the legal subordination of women is inconsistent with some of the core ideas of Kant's practical philosophy (chapter 5) and by contrasting Kant's views with the feminist projects of Mary Wollstonecraft and Theodor von Hippel (chapter 6).

Rationality is a salient feature of the Kantian enlightenment, which is grounded in the idea of using one's own reason. This raises the question of who counts as a rational being. In chapter 1, I discuss Kant's conception of a rational being in order to show that women were always meant to be included in that notion. I then address three objections to women's rationality – for even if we grant that women share reason with men, there could still be some significant obstacles hindering the proper exercise of their rationality. In the end, I intend to show that women have the intellectual skills necessary for enlightenment and that if they are excluded from it, it is not because they are intrinsically unable to make a correct use of their rationality.

In chapter 2, I further investigate Kant's account of women's nature by showing that this account is based on a Rousseauian-inspired ideal of complementarity between men and women. I

first argue that while this ideal of complementarity affects Kant's early conception of ethics, it does not compromise women's moral agency. I then show that Kant's remarks on women's nature cannot affect the core principles of his mature practical philosophy, of which enlightenment is a part.

Chapter 3 discusses the main features of Kant's conception of enlightenment. This conception revolves around the core idea of thinking for oneself, which requires being critical towards what other people tell us, but also getting rid of one's own prejudices. In addition to this, I show that enlightenment is not a merely theoretical enterprise: it must also be enacted within a political context. This enactment effectively excludes some people (who would otherwise be able to think for themselves) from the realm of enlightenment. The elitism pertaining to the enactment of enlightenment within society is further confirmed by Kant's insistence on the role of the scholar in enlightenment.

In chapter 4, I argue that Kant's exclusion of women from enlightenment is due to certain legal restrictions guiding his conception of enlightenment. As enlightenment is intended to take place in society, it appears that Kant has a specific legal context in mind that affects its enactment. His twofold conception of citizenship and the dimension of subordination he puts forward by restricting the private use of reason will prove useful in clarifying those legal restrictions. Given that women cannot access active citizenship and do not have civil independence, I show that they cannot partake in the public use of reason required for enlightenment. It thus seems unlikely that Kant intended them to take an active part in enlightenment.

I then move to questioning the legal subordination of women in the broader context of Kant's practical philosophy. In chapter 5, I argue that Kant's account of marriage provides fruitful grounds to argue for the legal equality of men and women and that his own argument would be strengthened by granting equal civil status to men and women. I first investigate Kant's conception of sexuality and the main issue it raises, namely the objectification of those who engage in sexual activity. I then show that Kant intends marriage to be a moral safeguard for sex and discuss the implications of this claim. Finally, I suggest that Kant's account of marriage would benefit from more egalitarian laws than those he put forward with respect to the civil status of women.

Finally, in chapter 6, I show that other philosophers, familiar with Kant's conception of enlightenment, were able to use his ideas to argue for something that he did not allow: that is, the inclusion of women within Enlightenment. Theodor von Hippel and Mary Wollstonecraft both show that Enlightenment is at risk of being compromised as long as women are excluded from it. They also emphasize that the legal subordination of women must come to an end if they are to contribute to the ideals of the Enlightenment. I then further investigate their concrete proposals to end the legal subordination of women. The contributions of Hippel and Wollstonecraft thus further emphasize the importance of the legal framework in which Enlightenment is taking place, as well as the implications of this legal framework for the participation of women in Enlightenment.

Chapter 1.

A Critique of Feminine Reason

Before discussing Kant's conception of enlightenment and the way women are excluded from it, it is worth investigating whether women qualify as rational beings at all according to him, or to what extent they do. Rationality is a salient feature of the Kantian enlightenment, which is grounded in the core idea of using one's own reason; this will be further discussed in chapter 3. This emphasis on rationality is, however, not limited to Kant's philosophy; although there are a number of very different conceptions of enlightenment, they all share that common feature¹². Enlightenment relies, directly or indirectly, on the assumption that the progress of reason is possible. Rationality is thus a pre-condition for enlightenment in general – which raises the question of who counts as a rational being.

While most scholars agree that Kant regards women as rational beings at least in theory – though perhaps not always in practice – some have argued that women are excluded from the category of rational beings from the start. The most common way to make such a claim is to argue that Kant simultaneously held two conflicting beliefs: that (i) all human beings are rational but that (ii) women's nature is in some way opposed to rationality. (ii) is often justified by relying on passages from the *Observations on the Feeling of the Beautiful and Sublime* that seem to deny rationality to women: for instance, by claiming that women's philosophical wisdom “is not

¹² This has led to various criticisms of the ideal of universal rationality put forward by enlightenment. Some of these criticisms were made by philosophers from the same period, such as Burke, Hamann and Herder. Similar criticisms have been expressed within German romanticism (following Herder), critical theory, postmodernism and feminist theory. This widely shared criticism of the enlightenment is sometimes seen as the basis for a “counter-enlightenment” movement, following Berlin's suggestion – though Garrard (2006) helpfully pointed out that since most critics of enlightenment do not see themselves as taking part in a unique and cohesive movement, it is more accurate to talk about “counter-enlightenments”.

reasoning, but sentiment” (2:230) or that women are “hardly capable of principles” (2:232). Susan Mendus, on the basis of those passages, argues that “it is denied [in Kant’s works] – fleetingly and indirectly, but nevertheless denied – that woman’s nature has a connection with reason. Woman’s nature is identified with inclination (...) It would appear that in the kingdom of rational beings there are only adult males.” (Mendus 1987, 36). Elshtain (1986), Marwah (2013), Moller Okin (1982) and, to some extent, Rumsey (1989), have also inferred from similar passages that women cannot be regarded as rational beings, or that they depart from rationality in some significant ways.

This chapter will set the grounds for my investigation of the place of women in enlightenment by providing an account of women’s rationality, in order to show that they meet this minimal pre-condition for enlightenment and that the reason for their exclusion must be found elsewhere (a topic to be further discussed in chapter 4). I will first show that according to Kant’s explicit views, women do take part in rationality. This claim is all the more important, for it makes clear that Kant’s readers should expect women to be fully included in the critical project. Indeed, women qua human beings partake in pure reason just like men – which means that the former should, just like the latter, be capable of theoretical reasoning and qualify as moral agents. But this explicit stance does not entail that Kant makes it easy for women to partake in reason. I will thus address three further objections to women’s rationality – for even if we grant that women share reason with men, there could still be some significant obstacles hindering the proper exercise of their rationality. In the end, I hope to be in a position to show that women have the intellectual skills necessary for enlightenment and that if they are excluded from it, it is not because they are intrinsically unable to make a correct use of their rationality.

1. Kant's explicit views on women's rationality

1.1. The meaning and scope of reason

Reason has, in fact, a twofold meaning within the framework of Kant's philosophy – and more precisely during the critical period officially starting with the publication of the first *Critique* (1781):

i) Reason in a narrow sense refers to the faculty of cognition investigated in the Transcendental Dialectic, which operates with ideas and is placed beyond the senses and the understanding in a famous passage of the *Critique of Pure Reason*: “All our cognition starts from the senses, goes from there to the understanding, and ends with reason” (*KrV* A298/B355). In order to define this faculty of reason in a narrow sense, Kant distinguishes it from the understanding. While understanding is defined as the faculty of rules, reason is the faculty of principles (A299/B356). That is because unlike the pure concepts of the understanding, the ideas of pure reason never apply directly to the objects of experience; instead, they unify the rules of the understanding under guiding principles. A good example of this is that of the totality of all possible experience. The totality of all possible experience is an idea, i.e. the guiding principle at stake. While the concepts of the understanding and their associated principles make experience possible, i.e. are conditions of the possibility of experience, the totality of possible experience is not something that we can cognize as such – it is not an object of experience. Which is why, to borrow the words of the *Prolegomena*, “the absolute totality of all possible experience is itself not experience” (4:328). Rather, it is an idea that we give ourselves in order to be able to talk about possible experience in general, taken as a whole, and under which the concepts of the understanding are unified.

ii) Reason in a broad sense refers to the higher faculty of cognition and encompasses the understanding, the power of judgment, and the abovementioned faculty of reason in a narrow sense¹³. The title *Critique of Pure Reason* refers to reason in that sense: “[R]eason is the faculty that provides the principles of cognition *a priori*. Hence pure reason is that which contains the principles for cognizing something absolutely *a priori*.” (*KrV* A11/B24)

Only the latter sense matters for my purposes here, for if women are endowed with reason in a broad sense, they will also have reason in a strict sense – as well as an understanding and a power of judgment¹⁴. This broad conception of reason is not limited to theoretical matters; it also encompasses practical reason, for in the end, “there can be only one and the same reason, which must differ merely in its application” (*GMS* 4:391). Indeed, the possession of pure reason also implies the capacity to derive actions from laws, i.e. to act freely, according to a will (cf. *GMS* 4:412; 446)¹⁵.

Reason, broadly construed, is therefore a faculty of theoretical and of practical use that characterizes human beings [*Menschen*]. Several passages in Kant’s works make clear that he attributes reason to human beings as a species – like for instance when he refers to the “universal

¹³ Kant follows Alexander Baumgarten’s distinction between higher and lower faculties of cognition; the lower faculty of cognition refers to sensibility. On this, see in particular Höffe (1994, 54), and Guyer/Wood’s introduction to their translation of the *Critique of Pure Reason* pp. 4-5.

¹⁴ I further discuss Lloyd’s essay on the masculinity of reason in section 2, but it is worth noting here that she does not use the broad sense of reason when discussing Kant in particular: she focuses on his account of reason taken in a narrow sense. (“Like Hume, [Kant] thought that pure Reason had no power to know the real natures of things. In the *Critique of Pure Reason*, he argued that pure Reason is impotent in the theoretical sphere [...]”; Lloyd 1993, 69) That choice makes it more difficult, in my opinion, to show the importance of having an inclusive conception of reason.

¹⁵ While the theoretical use of reason refers to the sphere of knowledge (cf. *KrV* B19), the practical use of reason refers to the sphere of action. The distinction between theoretical and practical reason (or, more precisely, between theoretical and practical uses of reason) will be further discussed with respect to Kant’s conception of enlightenment in chapter 3.

human reason” (B22); to the “two stems of human cognition” (A15/B29); to the “human being” as “the only rational creature on earth” (*Idea* 8:18); or claims that “the human being according to his species [is] an earthly being endowed with reason” (*Anthropology* 7:119)¹⁶. More precisely, it is the self-consciousness (or Kant’s version of the Cartesian “I think”) accompanying the use of reason (in a broad sense) that is the distinctive feature of the human species:

[...] the property of self-consciousness [is the one by] which the human being [*den Menschen*] is to be distinguished above all other animals, and in virtue of which he is a rational animal [...] (*Treaty* 8:414 ; see also *Progress* 20:270)

Whether one counts as a rational being or not has serious consequences – and there is much more at stake than one’s participation in enlightenment. Claiming that Kant does not see women as rational beings would not only mean that he was excluding them from enlightenment; it would also put them outside the scope of his critical philosophy. While such a claim is rarely made, it is worth highlighting what are its implications for the status of women within Kant’s critical philosophy. First, if women do not have reason, they do not have a proper understanding either, nor a power of judgment. They would not be able to form any higher cognitions, judgments or inferences. Their mental states would be comparable to those of beasts: besides some very basic mental functions like memory, not much would happen in their heads. Furthermore – and this is even more significant given the primacy of the practical use of reason over the speculative one (*KpV* 5:119 sq.) –, they would then have neither a will nor freedom:

A *will* is a kind of causality of living beings in so far as they are rational, and *freedom* would be that property of such a causality, as it can be efficient independently of alien causes *determining* it; just as *natural necessity* is the property of the causality of all non-rational beings to be determined to activity by the influence of alien causes. (*GMS* 4:446)

¹⁶ Kant does not reject the possibility of the existence of other rational beings, although he takes human beings to be the only ones on Earth (*Idea* 8:18). It is of foremost importance to him not to ground morality in anthropological considerations; the moral law is binding of all rational beings with no exception. See also *GMS* 4:389, 408; *RL* 6:379.

Assuming that women are not rational beings by Kant's standards would also entail that they are not endowed with freedom of the will; which means that their actions, far from being self-generated, would be completely determined by external causes or by their natural instincts, like non-human animals¹⁷. It also means that they would not have the intrinsic worth or dignity characteristic of moral agents. The claim that women are not rational beings would thus have quite dramatic implications within Kant's philosophy, that we can safely say he did not support.

Indeed, in addition to the passages associating reason to human beings as a species, there is also enough evidence available in Kant's works to make clear that he regards women as rational beings. This does not mean that he never implies otherwise or that other claims he made about women are not problematic; but rather, that one can safely say that direct textual evidence points to women partaking in rationality. In the abovementioned *Observations*, Kant states that "The fair sex has just as much understanding as the male, only it is a beautiful understanding" (*Observations* 2:229). The later *Anthropology* also refers to women as "rational beings" (7:303). Kant's conception of marriage in his mature works also corroborates that view. Marriage is defined in the *Doctrine of Right* as "the union of two persons of different sexes for lifelong possession of each other's sexual attributes"¹⁸. This union is officialised by a contract, that of the mutual acquisition of the two persons. Marriage involves the equality of possession of the partners, not only regarding wealth but also "in their possession of each other as persons" (*RL*

¹⁷ See also *Idea* 8:18-19: "Reason is the ability of a creature to extend the rules and ends of the use of all of its powers far beyond its natural instincts, and reason knows no limits in the scope of its projects."

¹⁸ This section of the *Doctrine of Right* is often mocked, for, in addition to this rather cold definition of marriage, Kant also defines sexuality as "the reciprocal use that one human being makes of the sexual organs and capacities of another" (*RL* 6:277). While this is certainly not the most appealing definition of sexuality, it is worth keeping in mind that the *Doctrine of Right* is, as the name suggests, a legal treatise (i.e. "the sum of the laws for which an external lawgiving is possible" (*RL* 6:229)). Kant is therefore not suggesting that sexuality and marriage are nothing more than rational and contractual acts; but only that the various passions involved in both are not relevant to his doctrine of right. If anything, Kant's choice to discuss sexuality mostly from a legal perspective (apart from some scattered remarks in his lectures on ethics) seems like a more promising line of criticism.

6:278). And “person” is used as a legal term that Kant defines as follows in the introduction of the same work:

A person is a subject whose actions can be *imputed* to him. *Moral* personality is therefore nothing other than the freedom of a rational being under moral laws. (6:223)

The case of marriage, which will be further discussed in chapter 5, thus not only shows that Kant is willing to accept a certain amount of equality between men and women, but also makes clear that the legal term “person” applies to both men and women – who thereby all count as rational beings and, incidentally, as moral agents.

It thus seems that all members of the human species, including women, share some faculty of reason, broadly construed. This implies that women are meant to be, just like men, included within the scope of critical philosophy. That being said, even if we grant that men and women share reason, there are various ways in which the rationality of women could be malfunctioning or compromised. I will address that kind of objection in section 2. What we can safely say for now is that the reason critiqued by Kant encompasses both men and women, at least in principle.

1.2. The transcendental subject has no sex

If women qualify as rational beings by Kant’s standards, it becomes slightly more difficult to justify their exclusion from the realm of his critical philosophy. Indeed, critical philosophy revolves around a conception of pure reason that is meant to be beyond anthropological considerations such as gender or race. Kant’s account of pure reason is nevertheless tied to the human condition: the *Critique of Pure Reason* is not about any kind of cognition but about human cognition. This constant preoccupation is in line with Kant’s so-called “Copernican

Revolution”; instead of assuming like his predecessors that our cognition must conform to objects, Kant suggests that the objects must conform to our mode of cognition. His critical inquiry into knowledge thus focuses on our mode of cognition of objects instead of on the objects themselves, given that “we can cognize of things *a priori* only what we ourselves have put into them” (*KrV* Bxviii). The critique accomplished in Kant’s magnum opus is a critique of pure, yet human reason; of the human mode of cognition. This is all the more apparent in the *Transcendental Aesthetic*, which focuses on sensibility, one of the two stems of human cognition. Indeed, objects are given through intuition, which, in the case of human beings, takes the form of sensibility: the human forms of intuition, i.e. space and time, are sensible. Other rational beings, if there are any, could very well have different forms of intuition¹⁹.

That being said, Kant makes very clear that his critical project is suited to the human reason (broadly construed), but that considerations on *a priori* knowledge must not depend on anthropological considerations (A841/B869; A848/B876), by which he refers to empirical features in general (such as biological, anthropological, or psychological features). Kant’s conception of pure reason is meant to transcend all empirical conditions – like character, nationality and age, but also sex and race. Since transcendental philosophy²⁰ is not bound to empirical considerations (or is not meant to be) and that Kant regards sex as belonging to those empirical considerations, it does not provide adequate grounds for the sexual differentiation of human beings. This is corroborated by the nature of the transcendental subject at the core of the critical project.

¹⁹ A good example is that of the *intellectus archetypus* discussed in the *Critique of Judgment* (5:408) – likely God –, who is described as having an intuitive understanding: the understanding of such a being intuits directly the objects, without the mediation of sensible forms of intuition like space and time.

²⁰ Critical philosophy is meant to set the grounds for this transcendental philosophy: as the science of the sources and boundaries of pure reason, it is the propaedeutic to the system of pure reason as a whole (A11/B25).

Indeed, it must be clear that the transcendental subject *has no sex* – to echo Poulain de la Barre’s famous formulation²¹. From a Kantian perspective, sexual difference would not be possible in the first place without this meta-sexual – so to speak – transcendental subject at the core of critical philosophy, which is the condition of possibility of any (male or female) empirical self. The transcendental subject plays a prominent role in cognition and yet is less than a concept: while a concept is already a mediate form of representation, the transcendental subject is not a representation as such. It is the unity of consciousness that makes those representations possible:

The *I think* must be able to accompany all my representations; for otherwise something would be represented in me that could not be thought at all, which is as much as to say that the representation would either be impossible or else at least would be nothing for me. (B131-132)

The transcendental subject, or synthetic unity of apperception, is thus the ground of all representations²². It is Kant’s very minimalist version of the Cartesian cogito²³; the consciousness of an “I think” that accompanies all of my representations (given in intuition, prior to all cognition) and that allows me to regard the manifold of intuition as representations and, what’s more, as *my* representations. This unity of consciousness makes all cognition possible. In turn, the identity of the self is also made possible because the unification of representations is performed within a given self-consciousness: the unification process is going both ways.

This meta-sexual transcendental subject does not significantly inform our knowledge of ourselves; it is a merely logical representation of the self that is bound to remain empirically

²¹ The analogy calls for a caveat: Poulain de la Barre’s original formula is that “the mind has no sex” (2002, 82). While the mind, understood in a broad sense, could be taken as synonymous for Kant’s conception of reason, it is likely that Poulain’s conception of the mind (very much inspired by Descartes’) would have been regarded by Kant as an example of the illicit substantialization of the self criticized by him in the Paralogisms of Pure Reason.

²² Kant describes elsewhere the role of the synthetic unity of apperception as the “the vehicle of all concepts” (A341/B399; A348/B406).

²³ For an insightful analysis of Kant’s appropriation of the Cartesian cogito, see Longuenesse 2008.

unknown to us²⁴. It does, however, provide the grounds for all knowledge (including the knowledge of ourselves²⁵), as without the synthetic unity of apperception, the transcendental deduction of the pure concepts of the understanding could not take place. There is thus no reason to assume that Kant would have meant for women to be deprived of that core feature of reason, which precedes all cognition, but also any form of empirical sexual differentiation.

2. Obstacles hindering women's rationality

Given that Kant's conception of reason in general is thus meant to encompass the human species as a whole, that he explicitly confirms in several passages that he regards women as rational beings, and that the self-consciousness at the core of his critical project is situated beyond any form of sexual differentiation, there seems to be little room to argue that women do not qualify as rational beings for Kant.

And yet, even if women are endowed with reason, various things could hinder their use of it. While the general picture of rationality provided in Kant's critical philosophy and the particular functions of rationality evoked in the above seem unequivocally associated with men and women insofar as they are human beings, there might be other functions or privileges of reason that Kant associates with one sex more than the other. One could also wonder whether Kant always refers to rational beings or humanity in a consistent way: some features could be

²⁴ Schott (and others) precisely criticize the fact that the "I think" is *not* informed by any kind of historical consideration and is divorced from all social relations – thus taking it to be an unrealistic and "bourgeois" fiction. This is undeniably a powerful criticism, summed up by Fleischacker as "difference critics". I will attempt to show in the third objection of the next section that Kant's "abstract" conception of reason is nevertheless not gendered in itself.

²⁵ Kant's well-known distinction between appearance and thing-in-itself (the former can be known, the latter cannot) is also true of us as thinking subjects: I cannot have an immediate intellectual intuition of myself, that is to say, I do not have a privileged access to myself as a thing-in-itself. "The human being himself is an appearance" (*KrV* A552/B580); what I can know of myself is my empirical self, i.e., myself as an appearance, taking place within time and space. And the knowledge of one's sex, as part of the empirical self, is situated on that level.

associated with rationality or humanity in general, but implicitly be meant to apply to men only. Kleingeld raises such a concern with respect to Kant's language choices. She points out that Kant's frequent use of gender-neutral language (for instance: "humanity" [*Menschheit*] or "human being" [*Mensch*], instead of gendered terms like "mankind" [*Mannheit*] or "man" [*Mann*]) should not be taken as a mark of inclusivity on its own, as Kant is in fact following common German writing practices in doing so (Kleingeld 1993)²⁶. One should thus not take Kant's conception of humanity to transcend gender considerations solely on the basis of his choice of gender-neutral terms – especially given that this apparent neutrality conflicts in many respects with his views on women. So while there is no doubt that Kant regards women as members of the human species, biologically construed, and that they are as such partaking in rationality, it is not as clear whether they also partake in all features associated with humanity, or to what extent they do. Further investigation is required to corroborate that reason and its functions have the same implications for men and women.

In line with this concern, I will now go over three obstacles to women's use of reason that could possibly justify their exclusion from Kant's conception of enlightenment. I will show that while they are useful in bringing up legitimate feminist concerns with respect to Kant's philosophy and can contribute in many ways to the explanation of the systematic exclusion of women from enlightenment, they fail to entirely explain it. The first obstacle to women's use of reason lies in their character. When discussing women's nature, Kant often alludes to character traits that could counteract the practical use of reason and result in a moral deficiency. The

²⁶ Hull makes a very similar point in her extended monograph on Sexuality, State, and Civil Society in Germany: "[The] fact that Kant's intervening critical philosophy, which conceivably might have encouraged him to adopt a more equal view of women by virtue of their shared rational qualities, did not do so, strongly suggests that Kant assumed that *der Mensch* about whom he wrote, was really *der Mann*" (1996, 305).

character attributed to women by Kant does not make it easy for women to perform morally worthy actions, but that given the context of Kant's remarks as well as his conception of morality, character cannot be taken to be a systematic obstacle to women's use of practical reason. The second pertains to intellectual elitism: Kant often makes pejorative remarks about women scholars. This obstacle is perhaps the most concerning one: given that Kant's conception of enlightenment is first and foremost addressed to scholars – as will be discussed in chapter 3 –, if women are not fit for intellectual labour (broadly construed) despite having a faculty of reason, they simply cannot be expected to play an active part in enlightenment. I will show that it is not the case: if it were only for their intellectual capacities, women could very well become scholars. Finally, the last obstacle that could threaten women's use of reason is the masculinity of reason itself. Various scholars have pointed out that the history of philosophy is built on an ideal of reason that is intrinsically masculine or associated with features taken to be masculine. I will show that while this argument provides us with valuable insights to better understand Kant's conception of reason and the exclusions that it entails, it does not explain on its own why Kant's conception of reason leads to the exclusion of women from enlightenment and calls for further investigation.

2.1. Women's character and morality

The first obstacle to women's use of reason, which is also the most common feminist concern raised against Kant's philosophy, is that Kant frequently depicts women's character in a way that seems to conflict with the exercise of practical reason. The most explicit remarks he makes in this respect are in the *Observations*, where he makes clear that he does not believe women should pursue abstract speculation or do scholarly work – although he recognizes that they have the ability to do so. He also says in the same work that women's philosophical wisdom

“is not reasoning, but sentiment [*Empfinden*]” (2:230), that “women will avoid evil not because it is unjust but because it is ugly, and for them virtuous actions mean those that are ethically beautiful” (2:231), and that it is difficult for him to believe that women are capable of principles (2:232). Some particular qualities, such as good-heartedness and compassion (*Observations* 2:229), but also coquetry, fear, timidity, weakness, modesty and eloquence (*Anthropology* 7:305-306), are associated with their character more than with men’s. The problem with such characterization of women is that it is sometimes taken to suggest that women cannot act in a truly moral way, i.e. by obedience to the moral law, if their actions are systematically motivated by inclinations or sentiments (no matter how benevolent) rather than by reasoning or principles²⁷. In other words, this depiction of the character of women may suggest that they act merely in accordance with duty and not from duty. In that sense, they would not be able to use their reason correctly.

Although this description of the character of women reveals problematic assumptions and raises serious questions about the status of character and sexual difference, it is not a serious threat for women’s use of reason. First, it must be noted that the case of the moral deficiency of women is considerably strengthened by the two key passages from the *Observations* emphasizing that women avoid bad actions out of sentiment rather than out of reason. Such a claim is often taken as evidence that Kant did not see women as moral agents and contrasted with some passages from the *Groundwork* like the following:

[The good] is distinguished from the *agreeable*, as that which influences the will only by means of sensation [*Empfindung*] from merely subjective causes, which hold only for the senses of this or that one, and not as a principle of reason, which holds for everyone. (*GMS* 4:413)

²⁷ Various versions of this argument have been made by: David-Ménard (1995), Kleingeld (1993), Mendus (1987), Moller Okin (1982), Marwah (2013) and Schott (1997), among others.

Indeed, it is well known that for Kant, the principle of moral action is rational (and thus universal and necessary), not sensitive. It is, however, less known that Kant did not write extensively on morality before composing the *Groundwork* in 1784 (to be published a year later) and that his conception of morality was quite different in the 60s. While Kant makes clear, in 1785, that the criterion for establishing that an action is morally good is rational, things were not so clear before, as his conception of moral principles was then partly grounded in feeling rather than in reason. Women acting out of feeling instead of out of reason is thus still compatible with Kant's moral standards in the 60s²⁸. But given the serious character of this objection and its prevalence in the secondary literature, the topic will be further developed in chapter 2 in order to show that the claims made about women in the *Observations* do not compromise their agency.

That said, it could nevertheless be argued that women are morally deficient on the basis of the fact that Kant seems to maintain, even after 1785, that women often act out of kindness, good-heartedness, etc. – even if he does no longer say that they act out of sentiment rather than out of reason. If they act in conformity with duty because they have an inclination to do so rather than from duty, the action is morally worthless. And if, because of their character, women tend to do so systematically, this means that all of their actions will effectively be worthless. This is a way to suggest that women, even if they are rational beings, are morally deficient. Mikkola's 2013 article addresses this issue by showing that it is connected to another debate in Kantian scholarship: namely, that of the (alleged) mutual exclusivity of duty and inclinations. This well-known problem has been raised by Kant's various examples in the *Groundwork*. Sometimes, we

²⁸ While a number of remarks on women's character reveal some continuity between the *Observations* (1764) and the *Anthropology* (1798), this specific claim is not taken up in the *Anthropology* or in works or reflections posterior to the 70s.

choose to act in a way that is in accordance with duty, but to serve another purpose. Kant gives the example of a shopkeeper who makes sure not to overcharge inexperienced customers, not out of duty but because his advantage requires it (*GMS* 4:397). In that case, the action is performed in accordance with duty, but really from an indirect inclination, i.e. an inclination for another purpose than the duty at stake. But there are cases where it is harder to assess the moral value of an action: namely, when one performs an action because it is the right thing to do, but also happens to have a direct inclination to do so. According to another of Kant's examples, the actions of a sympathetic person who finds "an inner gratification in spreading joy around [her]" have no genuine moral worth:

in such a case an action of this kind – however much it conforms with duty, however amiable it may be – still has no true moral worth, but stands on the same footing as other inclinations (*GMS* 4:398)

Such actions, according to Kant, deserve praise but not esteem: they contain legality but not morality. Many issues have been raised regarding this implication of Kant's conception of morality, starting with the fact that it seems to make any kind of moral education pointless: if moral education allows the agent to acquire better dispositions and to considerably improve his or her character, most of his or her actions will be performed in accordance with duty, but not out of duty; and they will therefore have very little to no moral worth.

Mikkola's strategy to address this problem is to remind us that acting in a morally good way is not easy for men either – after all, until proven otherwise, they can also be sympathetic, benevolent, etc. Men have an empirical character too, involving, among other qualities, courage (*Anth* 7:303). If we take seriously the requirement of mutual exclusivity between duty and

inclinations, it will be as hard, or nearly as hard, for men's actions to have moral worth as for women's. Kant is, in my opinion, fully aware of the rarity of truly moral actions:

In fact, it is absolutely impossible by means of experience to make out with complete certainty a single case in which the maxim of an action that otherwise conforms with duty did rest solely on moral grounds and on the representation of one's duty. (*GMS* 4:407)

That being said, the mutual exclusivity of inclinations and duty is not self-evident either. Some scholars have made powerful arguments as to why we should reject it. Korsgaard's attempt is certainly the best known: she argues that what matters is to perform an action out of duty in a reflective manner – because we know that it is our duty to do so, even if we also happen to have a helpful inclination (Korsgaard 1996). But this debate goes beyond the scope of the current chapter: what matters for now is that even if we stick to the reading holding that duty and inclinations are mutually exclusive, there is no reason to assume that women will be systematically disadvantaged – as there is no reason to suppose that women are more likely than men to act on inclination rather than from duty. Women's practical use of reason does not seem more compromised by their character and inclinations than men's.

2.2. Can women be scholars? The case of Émilie du Châtelet

A second obstacle to women's use of reason has to do with elitist considerations: even if all human beings share the faculty of reason, it does not entail that they will all be able to use it in the same way. Kant makes no mystery of his intellectual elitism: in his first preface to the *Critique of Pure Reason*, he claims that “this work could never be made suitable for popular use, and real experts in this science do not have so much need for things to be made easy for them” (*KrV* Axviii). But Kant also refers often to the common human understanding (or common

human reason), especially when it comes to moral issues²⁹. This implies that he takes some things, like his own transcendental philosophy, to be too difficult for most people to engage with, but that he nevertheless thinks that some other uses of reason are available and even necessary to everyone. Everyone is able to make some basic use of the pure concepts of the understanding (i.e. through the experience made possible by those concepts); everyone has access to the moral law; etc. Kant's democratization of morality does not suggest that the *Groundwork of the Metaphysics of Morals* or the *Critique of Practical Reason* will be accessible to all readers – they are not meant to be –, but rather that each and every human being can easily know what his or her duty is – and incidentally, that everyone can be held accountable for his or her actions, including women. Kant goes as far as to suggest that the simplicity of the common human reason makes it a better candidate for morality than the twisted minds of philosophers, who tend to overthink simple moral decisions. For “there is no need of science and philosophy to know what one has to do in order to be honest and good, indeed even to be wise and virtuous” (*GMS* 4:404)³⁰. And as pointed out in the *Critique of Practical Reason*, even “businessmen and women” often take an active part in discussions on the morality of actions (*KpV* 5:153).

Despite this relative democratization of reason, it is not clear whether Kant thought women were fit for intellectual labour. He actually made a number of remarks suggesting that a woman scholar is a contradiction in terms, for instance in the *Anthropology*: “As concerns scholarly women: they use their *books* somewhat like their *watch*, that is, they carry one so that it

²⁹ This is a recurring idea in the *Groundwork*, which takes the common human understanding as its basis.

³⁰ Kant's democratization of the moral criterion is in part due to Rousseau's influence. Compare with the following passage of Rousseau's first *Discourse*: “O virtue, sublime science of simple souls! Are so much effort and so much preparation really necessary to know you? Are your principles not engraved in all our hearts? Does it not suffice to learn your laws, to meditate and listen to the voice of our conscience in the silence of our passions? That is the true philosophy; let us be content with that [...]” (2002, 67). Kant acknowledges Rousseau's influence several times, not only in the *Groundwork* but also in various *Reflections*. This point will be further discussed in chapter 2.

will be seen that they have one; though it is usually not running or not set by the sun.” (7:307)³¹ And while discussing his conception of prejudice in his lectures on logic, Kant calls the learnedness [*Gelehrsamkeit*] of women a “favourable prejudice” (*Wiener Logik* 24:876). This raises the question of the intellectual capacities of women: even if they share reason with men, it is possible that Kant saw them as fundamentally less intelligent. A short section of the *Anthropology* acknowledges the possibility of mental deficiencies in the cognitive faculty (*Anthropology* 7:204 sq.), such as the lack of wit (stupidity) and distraction. Given Kant’s insistence on the figure of the scholar within his conception of enlightenment, the implications are very serious: if women are unable to do scholarly work, there would be no point in expecting them to take an active part in enlightenment. Their exclusion would be, in that sense, justified.

The most extensive discussion of the intellectual capacities of women is provided in the *Observations on the Feeling of the Beautiful and the Sublime* (1764). On the basis of the third section of the *Observations* (“On the difference between the sublime and the beautiful in the contrast between the two sexes”), I will now show that Kant’s pejorative remarks on women scholars (or learned women) are not due to an alleged lack of intelligence on their part. The case of Émilie du Châtelet confirms that even for Kant, there is no such thing as a natural impossibility for women to do scholarly work.

Kant’s lack of enthusiasm towards women’s intellectual capacities is best shown in the third part of the *Observations*. Women are, for him, characterized by the mark of the beautiful, while men are associated with the sublime. This means that women are more disposed to pursue the beautiful, and should strive towards it; while men are more disposed to pursue the sublime

³¹ Kant’s unpublished *Reflection* #1299 expresses exactly the same idea (15:572).

and should strive towards it. The distinction between the feeling of the beautiful and that of the sublime belongs to the realm of aesthetics and is somewhat difficult to define³². Broadly speaking, it refers to two different categories of pleasant feelings. The following passage gives a good overview of this distinction:

Lofty oaks and lonely shadows in sacred groves are sublime, flowerbeds, low hedges, and trees trimmed into figures are beautiful. The night is sublime, the day is beautiful. Casts of mind that possess a feeling for the sublime are gradually drawn into lofty sentiments, of friendship, of contempt for the world, of eternity, by the quiet calm of a summer evening, when the flickering light of the stars breaks through the umber shadows of the night and the lonely moon rises into view. The brilliant day inspires busy fervor and a feeling of gaiety. The sublime touches, the beautiful charms. (*Observations* 2:208-209)

From these observations, one can infer a hierarchy between the beautiful and the sublime: while the beautiful is undoubtedly pleasant and charming, the sublime evokes a deeper, more complex pleasure – intense, noble and mysterious. This distinction between the sublime and the beautiful is taken up again in the *Critique of Judgment* (1790), where Kant distinguishes between our power of judging the beautiful and that of judging the sublime in a much more systematic way, associating the former to the exhibition of indeterminate concepts of the understanding, and the latter to the exhibition of indeterminate concepts of reason (i.e., ideas). I will, however, not discuss these later developments, as they significantly change the grounds of the distinction between the beautiful and the sublime – for Kant is relating them to notions connected to his critical philosophy to which he did not refer in 1764. In 1764, Kant is putting together, as suggested by the title of his essay, some empirical observations on human nature; while in 1790,

³² The distinction between sublime and beautiful is not unique to Kant: Nicolas Boileau and Edmond Burke, to name but a few, wrote extensive treatises on the matter (see Boileau's *Traité du sublime* (1674) and Burke's *A Philosophical Enquiry into the Origin of our Ideas of the Sublime and the Beautiful* (1757)). Kant was familiar with the latter, as well as other British moralists' ideas on aesthetics and common sense (Hutcheson, Hume).

he is looking for universal and necessary judgments of taste on an *a priori* level³³. It is worth noting that in the first introduction to the *Critique of Judgment*, Kant criticizes Edmund Burke's essay on the notions of the sublime and the beautiful in a way that could apply to his own essay of 1764: while psychological observations can lead to empirical rules, they cannot claim the rank of a philosophical science (*KU* 20:238). Kant's 1764 remarks on the beautiful and the sublime must therefore be regarded as mere empirical observations, but not as grounds for science, which is a major difference with Burke's enterprise. This suggests that his corresponding remarks on the nature of men and women should be regarded similarly.

In his 1764 essay, Kant associates women to the character of the beautiful and men to that of the sublime. It should be clear, however, that this association does not entail that women cannot experience the sublime (nor, similarly, that men cannot experience the beautiful). He makes clear that women, just like men, have access to both ranges of feelings: the association of the former to the beautiful is not based on an incapacity for them to be otherwise. Furthermore, the beautiful, just like the sublime, encompasses a whole set of qualities (for instance: boldness, truthfulness and honesty belong to the realm of the sublime, while cunning, jocularly and pleasing flattery, to that of the beautiful (*Observations* 2:211)). Men and women can equally possess these qualities³⁴. Yet women should be aiming at the character of the beautiful, while men should be aiming at the character of the sublime – hence the introduction of a prescriptive dimension among the observations:

³³ Interestingly enough, after 1764, Kant does not make the beautiful/sublime distinction coincide with the women/men one, even in his later remarks on women. Besides the *Critique of Judgment* (5:244 sq.), see for instance *Anthropology* (7:241 sq.) for further discussion of the beautiful and the sublime that does not involve references to men and women.

³⁴ Kant also associates entire populations to the character of the beautiful or to that of the sublime (for instance, Germans and English are associated with the sublime, while French and Italians are associated with the beautiful) – which entails that some men will nevertheless be associated with the beautiful and some women, to the sublime.

Here it is not to be understood that woman is lacking noble qualities or that the male sex must entirely forego beauties; rather one expects that each sex will unite both, but in such a way that in a woman all other merits should only be united so as to emphasize the character of the beautiful, which is the proper point of reference, while by contrast among the male qualities the sublime should clearly stand out as the criterion of his kind. (*Observations* 2:228)

Kant also points out that men and women should receive different educations, suited to the different aims towards which they should strive. Again, this is not to say that women do not possess any of the qualities associated with the sublime, nor that they cannot strive towards it. Kant's position is rather that they *should* not do so, because their natural end differs from that of men. This important teleological stance will be further discussed in the next chapter. The important point is that although human beings "are not all of the same sort" (*Observations* 2:228), they still share some basic capacities, including reason. The way they develop these capacities, though, is supposed to take into account their respective aims.

This is where things get difficult for women doing scholarly work, as Kant explicitly associates "deep reflection" and "laborious learning" to the character of the sublime and concludes that women should not pursue them – even if they are able to. This is made clear in the following passage of the *Observations*:

Deep reflection and a long drawn out consideration are noble, but are grave and not well suited for a person in whom the unconstrained charms should indicate nothing other than a beautiful nature. Laborious learning or painful grubbing, even if a woman could get very far with them, destroy the merits that are proper to her sex, and on account of their rarity may well make her into an object of a cold admiration, but at the same time they will weaken the charms by means of which she exercises her great power over the opposite sex. (*Observations* 2:229; see also 2:242)

This passage is particularly interesting, as it shows awareness of the existence of women scholars and acknowledges their scholarship and intelligence³⁵. Yet while women can “get very far” in laborious learning, they are apparently destroying the very essence of their femininity by doing so³⁶. This understanding of women, as pointed out in the later *Anthropology* (1798), requires using as one’s principle “not what we *make* our end, but what *nature’s end* was in establishing womankind” (7:305)³⁷. Although women can certainly pursue scholarly ambitions (and determine their end accordingly, independently of nature), encouraging them to do so is thus a mistake on Kant’s account – and he severely judges Fontenelle and Algarotti for doing so³⁸.

It is now worth looking at the case of Émilie du Châtelet, as it is particularly interesting with respect to Kant’s views on women scholars. In the same section of the *Observations*, Kant provides two examples of women who, instead of sticking to “beautiful” aspirations, took on laborious learning: Anne Dacier and Émilie du Châtelet.

A woman who has a head full of Greek, like Mme. Dacier, or who conducts thorough disputations about mechanics, like the Marquise du Chatelet, as well also wear a beard;

³⁵ While this may seem trivial, it is worth keeping in mind that a common misogynist strategy in the early modern period consisted in denying the very existence of women scholars. This surely does not make Kant a feminist writer, but definitely adds to the complexity of his views.

³⁶ This idea about femininity is very much in line with Rousseau’s ideal of complementarity between men and women. In *Émile*, Rousseau writes the following: “Who can possibly suppose that nature has prescribed the same advances to the one sex as to the other, or that the first to feel desire should be the first to show it? What strange depravity of judgment! The consequences of the act being so different for the two sexes, is it natural that they should enter upon it with equal boldness?” (1921, 286). His propositions for the education of Sophie are shaped by those considerations of complementarity: Sophie, in order to be a good wife for Émile, should pursue certain ends and refrain from others. Science is one of those ends taken to be incompatible with femininity. This point will be further discussed in the next chapter.

³⁷ Kant notes, in the same passage, that these natural ends are “conjectural” (7:305). We cannot *know* what nature’s ends are; we can only suppose them.

³⁸ It is worth noting that these two authors did not go as far as to argue for the equality of women, but rather argued that women could benefit from learning (some) science. They wrote treatises intended to instruct women: Algarotti’s *Newtonianismo per le Dame* (1736) is meant to make the bases of Newtonian physics accessible to women and Fontenelle’s *Entretiens sur la pluralité des mondes* (1686) is teaching astronomy to women. Guyer and Frierson miss this point by presenting Fontenelle’s essay as a “conversation among women on astronomy” (2011, 37n55): Fontenelle was somewhat open to the inclusion of women in science, but only insofar as men would do the teaching. To get a sense of the mixed feelings a 17th century woman could get from this reading, it is worth having a look at Aphra Behn’s preface to her translation of Fontenelle’s *Discovery of New Worlds* (1688).

for that might perhaps better express the mien of depth for which they strive. The beautiful understanding chooses for its objects everything that is closely related to the finer feeling, and leaves abstract speculation or knowledge, which is useful but dry, to the industrious, thorough, and deep understanding. (*Observations* 2:229-230)

Although Kant's remark on women wearing a beard is often laughed at, this passage should be taken very seriously: for him, Anne Dacier and Émilie du Châtelet gave up on their femininity in order to do science. This is particularly true of Émilie du Châtelet: it is often ignored that in an early essay on the *vis viva* controversy (*Thoughts on the True Estimation of Living Forces*, published in 1747), Kant discusses at length Émilie du Châtelet's contribution to the debate (along with Mairan's and Leibniz's)³⁹. Kant not only praises her eloquence and enlightenment⁴⁰ (*Thoughts* 1:45; 67); he also takes very seriously her main objection to Mairan's conception of living forces – enough to devote an entire section of the essay to the matter and to refer to two of her works⁴¹.

To be sure, there is undeniable condescension on Kant's part towards Émilie du Châtelet – for instance, when he accuses her of being uncharitable towards Mairan's views:

I cannot avoid adding a note on the way Frau Marquioness attacks the doctrines of her adversary. [...] A serious presentation would provoke the appropriate attention and inquisitiveness in the reader, and leave the mind open for all sorts of reasons that could enter it, from either the one or the other side. But the strange guise, in which she presents her adversary's views, immediately takes control of the reader's gullibility, destroying the reader's motivation for any closer examination. (*Thoughts* 1:132)

³⁹ Émilie du Châtelet is quoted or referred to in a significant manner at least 8 times in this essay (Ak. 1:45; 55; 56; 67; 92; 124; 128; 130).

⁴⁰ "The enlightened Marquise du Châtelet" here stands for "der *erleuchteten* Frau Marquisin von Chastelet" – unfortunately not for *aufgeklärte*, which would have been a nice anticipation of Kant's *Aufklärung*.

⁴¹ Kant refers to Du Châtelet's essay on living forces ("Réponse de Mme la Marquise Du Chastelet à la lettre que M. de Mairan, secrétaire perpétuel de l'Académie royale des sciences, lui a écrite, le 18 février 1741, sur la question des forces vives" (1741)), as well as to her major work (*Institutions de physique* (1740)). The latter was well known in the 18th century Germany: a translation (*Der Frau Marquisinn von Chastellet Naturlehre an ihren Sohn*) was published as early as 1743. For a thorough discussion of Kant's contribution to the *vis viva* controversy, see Schönfeld 2000 (ch. 1-2). On the relationship between Kant's pre-critical theses on this topic and his later views, see Friedman 2013.

Yet this criticism of the tone and style of Émilie du Châtelet does not prevent him from discussing her arguments at length, nor from praising her distinction of understanding and scientific training (1:133). Interestingly enough, these qualities, which confirm that Émilie du Châtelet is a fine scholar, also discredit her as a woman:

[these qualities] not only [make] her superior to all others of her gender, and to a large portion of the other sex as well, but this distinction also deprives her of the actual privilege of the fairer portion of humanity: flattery, and praise based on flattery (*Thoughts* 1:133)

Indeed, for Kant, flattery is associated with the character of the beautiful (*Observations* 2:211) and, as such, is the privilege of women⁴². By doing scholarly work, Émilie du Châtelet excludes herself from the privileges due to women, which is why Kant suggests that she might as well grow a beard⁴³. Her case nevertheless confirms that women's reason is not fundamentally malfunctioning: women are perfectly able to do scholarly work and Kant, despite some disapproval, is aware that many of them did. It is thus unlikely that he thought women's reason was fundamentally malfunctioning or less powerful than men's.

And yet Kant's comments on women's intellectual abilities should raise another concern: that for Kant, intellectual labour and scholarly pursuits might belong to some sort of masculine ideal. In other words, women would be able to embrace this ideal and engage in scholarly work, even by Kant's standards, but by doing so, they would be losing touch with their femininity. This leads to the third objection presented next: that Kant's account of reason or of some of its features might have a gendered meaning.

⁴² See also, in Kant's *Remarks*, 20:64

⁴³ Ironically enough, Émilie du Châtelet had to dress up as a man several times in order to attend informal meetings of l'Académie des Sciences in a café where women were not allowed, le Café Gradot. (cf. Touzery 2008)

2.3. Is Kant's account of reason inherently gendered?

Even if it cannot be denied that women possess the intellectual capacities required for scholarly work, the previous objection revealed something quite disturbing: Kant seems to dissociate what he takes to be feminine characteristics from intellectual labour. This echoes a common criticism of the history of philosophy, namely that reason, despite its pretension to universality and neutrality, is in fact an ideal (or a sum of ideals) biased in favour of masculinity from the start. Such ideal has been built on characteristics associated with masculinity, with the simultaneous exclusion of characteristics associated with femininity – with the result that women can never fit this ideal of reason, perhaps in spite of Kant's (or other philosophers') best intentions. The proponents of this type of critical approach to the history of philosophy work with the core assumption that the meaning of a philosophical text is not limited to the letter of that text: a number of elements that are taken to be innocuous or neutral (the concepts used, the imagery, the vocabulary, the references, etc.) are in fact open to interpretation and can reveal considerable gender biases⁴⁴. Reuter sums up this approach as follows:

By trying to capture unthought elements, feminist philosophers have tried to explicate gendered implications hidden in philosophical texts which are, on the surface, gender neutral. (Reuter 69, 2004)

Arguments about the masculinity of reason (or of objectivity, or of science, or of philosophy) are built on that core assumption. They claim that some classical conceptions of reason, presented as universal and objective, are in fact skewed and rely on a number of features that are closely associated with conceptions of masculinity. Lloyd's *The Man of Reason* is one of the best-known examples of that kind of reading. The following passage provides a good overview of her thesis:

What is valued—whether it be odd as against even numbers, 'aggressive' as against 'nurturing' skills and capacities, or Reason as against emotion—has been readily

⁴⁴ Some of the authors that have used that approach are Bordo (1986, 1987); Lloyd (1993); Le Doeuff (1980, 1989, 1998); Schiebinger (1989).

identified with maleness. Within the context of this association of maleness with preferred traits, it is not just incidental to the feminine that female traits have been construed as inferior—or, more subtly, as ‘complementary’—to male norms of human excellence. Rationality has been conceived as transcendence of the feminine; and the ‘feminine’ itself has been partly constituted by its occurrence within this structure. (Lloyd 1993, 104-105)

Lloyd’s strategy is thus based on textual analysis: her claim about the maleness of reason is to be understood within a context where certain features of reason are associated with ideals of masculinity. To give a brief example, if an author defines reason in opposition to emotion, and also associates women’s character with emotion (either by explicitly conceptualizing it as such, or by making that association implicitly through images), this author makes it more difficult for women to partake in reason even if they allegedly have the capacity to do so.

Historically, claims about the masculinity of reason have relied on a number of grounds: for instance, on the intentions of the author, or on metaphorical interpretations of the text⁴⁵. Various criticisms of the masculinity of reason, of rationality or of knowledge have been directed at some authors in particular – typically, to major figures of the history of philosophy such as Plato, Aristotle, Descartes, Kant or Hegel. In Kant’s case, various kinds of evidence have been

⁴⁵ Reuter (2004) helpfully distinguishes two main feminist methodological strategies in uncovering the maleness of reason: (i) textual-based analyses; and (ii) the search for hidden psychocultural motives. Apart from a few considerations on Kant’s own sexism in what follows, I am leaving aside investigations of hidden psychocultural motivations, as those investigations have mostly been conducted with respect to Descartes’ philosophy, not Kant’s – the paramount example being Susan Bordo’s work (i.e. her 1986 article (“The Cartesian Masculinization of Thought”) and 1987 volume (“The Flight to Objectivity: Essays on Cartesianism and Culture”)). Whether Bordo’s psychoanalytic-based investigation of Descartes’ theses is sound or not, it can hardly be applied to Kant’s theses: most of her claims are based on Descartes’ conception of objectivity, which Kant considerably departs from. One of Bordo’s few mentions of Kant consists in arguing that “Human intelligence, Kant discovers, is *founded* on the distinction between subject and object.” – a distinction that he would have inherited from Descartes. While Kant has undoubtedly been influenced by Descartes, his Copernican revolution in philosophy consists precisely in investigating how our knowledge of objects in fact relies on inner subjective structures making that knowledge possible – therefore blurring Descartes’ distinction between subject and object. Bordo’s conclusions on Descartes thus cannot simply be transferred to Kant.

provided to support this claim⁴⁶, starting with his own implicit motivations. Some biographical anecdotes suggest that Kant had little esteem for women⁴⁷; and these anecdotes are often taken to confirm that Kant never meant to include women in his conception of reason. While these concerns are legitimate, I consider that the author's intentions are, in the end, too unreliable to be taken into account. This is not to say that Kant was not sexist in his everyday life (we have enough anecdotal evidence to say that he was) or to claim that his works are immune to sexism. But to infer that Kant's conception of reason is sexist on the basis of his own sexism seems like begging the question: it is worth having a closer look at the features of reason to check whether they are sexist as such. Ultimately, our reading and interpretation of an author might be of greater interest than speculations on what his or her true motivations were – if only, to use a Kantian insight, because we are opaque to ourselves; our motivations are often unknown to us and even more so to others⁴⁸. As for explicit motivations, Lloyd insightfully notes that the best intentions can sometimes lead to philosophical projects that are sexist in various ways (Lloyd 1993, 40; 110) – and conversely, that an author's sexist remarks can stand in tension with a project that is otherwise compatible with feminist purposes⁴⁹. Instead of wondering what Kant's motivations were, I will investigate whether his conception of reason, while not straightforwardly excluding

⁴⁶ For instance in Lloyd (1993), Mendus (1987), Rumsey (1997) and Schott (1996); and, to some extent, in Kleingeld (1993).

⁴⁷ For instance, Stuckenberg reports that Kant was reluctant to discuss his critical philosophy or the French revolution with women, and preferred to discuss cooking and recipes with them. According to the anecdote, a female guest ended up saying “It really seems, dear professor, as if you regarded all of us as mere cooks.” (Stuckenberg 1882, 186)

⁴⁸ Cf. *GMS* 4:407 sq. I am not comfortable either with attempts to psychoanalyze the intentions of the author – even when these attempts are not used to ground an entire philosophical project like in Bordo's essays. For instance, Schott claims that “Kant's alienation of sexuality from personhood signifies a fearful and defensive attitude toward erotic existence. His discomfort is so strong that he can scarcely bring himself to discuss it in his native tongue.” (1988, 113) Schott may well be right; but Kant is often using Latin terminology when discussing legal questions. There is thus more than one plausible interpretation at stake. Overall, these psychoanalysis attempts strike me as too open to interpretation.

⁴⁹ Spinoza is a good example of philosopher who has generated quite a lot of interest within feminist perspectives, despite his despicable remarks on women in the *Political Treatise*: see among others Gatens 1996; Gullan-Whur 2008; Sharp 2011.

women, could implicitly make it more difficult for them to embrace reason or some features associated with it.

Setting aside Kant's intentions, one could suggest, like Lloyd (1993) and Schiebinger (1989), that the imagery used by Kant and other philosophers contributes to conflating reason with ideals associated with masculinity. Lloyd reminds us that "[from] the beginnings of philosophical thought, femaleness was symbolically associated with what Reason supposedly left behind" (1993, 9). Schiebinger similarly points to a "decline of the feminine icon" (1989, 146) and uses this idea to criticize Kant's imagery:

"The late eighteenth century saw the decline of the feminine icon in scientific culture. In his *Critique of Pure Reason* Kant banished Metaphysics – "Queen of all the Sciences... a matron outcast and forsaken, mourning like Hecuba" – from critical philosophy. Kant coupled this attack on the feminine icon with an attack on learned women. [...] Science has properly a "masculine mind"; [...]" (Schiebinger 1989, 146)

Schiebinger's point is that Kant's despicable remarks on women, like the ones discussed under objections (i) and (ii), become much more significant in light of the imagery he is using (here, associating the fallen metaphysics with a woman). While I share her concern (and Lloyd's) for Kant's various offensive remarks about women, I do not find his imagery particularly helpful in showing what's wrong about the remarks themselves. For every metaphorical association between (e.g.) the fallen metaphysics and women, one can find other gendered metaphors that are far from being pejorative. For instance, Kant also compares the moral law to a veiled goddess: "The veiled goddess [*Die verschleierte Göttin*], before whom we both bow the knee, is the moral law within us in its inviolable majesty." ("On a Recently Prominent Tone of Superiority in Philosophy", 8:405) There is not enough evidence to claim that the metaphors used in his works are particularly pejorative for women, which is why I will set that consideration aside and further investigate the remarks themselves.

But Lloyd, Schiebinger, Le Doeuff and others use more than just imagery to support their claims that certain philosophers have (involuntarily) reinforced the connection between reason and masculinity. They also draw attention to how, on a smaller scale, certain particular features or areas of application of an allegedly universal reason are in fact restricted to men. Lloyd makes this important point with respect to Cartesian dualism and science: while the idea of a sexless mind might not be disadvantageous to women as such, when this idea is applied in a world in which the access to science is very much gendered, women are bound to be disadvantaged:

“The realities of the lives of women, despite their supposed equality in Reason, precluded them, too, from any significant involvement in the collective endeavours of science, the developing forms of which quickly out- stripped the private procedures of Descartes’s method.” (Lloyd 1993, 50)

While I want to refrain from making the stronger point that some conceptions of reason are intrinsically masculine on those grounds, I intend to explore the insight that there are grey areas when it comes to the instantiations or particular domains of applications of an otherwise allegedly universal reason. The universality or apparent genderlessness of reason thus fails to capture something: that even if reason is universal at its core, some of its features or functions will not apply equally to all. While Kant takes reason in general to be universal and equally shared by men and women, there are certain particular aspects of his conception of reason that do not apply equally to men and women and that can be taken to be, as such, masculine instantiations of an otherwise (allegedly) universal reason. The particular feature I have in mind is the public use of reason, which is at the core of Kant’s conception of enlightenment. As I will show in chapters 3 and 4, this public use of reason is closely connected to Kant’s conception of citizenship – which definitely does not apply in the same way to men and women⁵⁰. If Kant’s account of

⁵⁰ Hull notes this contradiction between rights that are grounded in sexual nature, but only implicitly: “the implicit nature of the grounding” is what allows Kant to leave aside the egalitarian insights of his moral philosophy. (Hull 1996, 302)

enlightenment is tied to certain political functions that are inaccessible to women, it means that while his conception of reason may well be universal, the enactment of reason required by his conception of enlightenment is connected in an arbitrary way to men. This enactment of reason can thus compromise its universality. Over the next chapters, I will show that this particular way in which women are excluded conflicts with some of Kant's own prescriptions – in order, ultimately, to try to save the Kantian conception of reason from what could be seen as a propensity to masculinity.

Chapter 2.

Sexual Complementarity in Kant's Practical Philosophy

Kant's insights on sexual difference occur mostly in the *Observations on the Feeling of the Beautiful and Sublime* (1764), in his Remarks to the *Observations on the Feeling of the Beautiful and Sublime* written approximately one year later, and in the 1798 *Anthropology*, as well as in the various lectures on anthropology he gave between 1772 and 1789. It is common to regard the various claims he made on the matter in the '60s and '70s as belonging to his pre-critical philosophy and to claim that his critical, mature philosophy renders these claims obsolete. The *Anthropology*, although published much later, has often been similarly dismissed as made of pre-critical lecture materials that are of lesser importance than the major outcomes of critical philosophy⁵¹. For this reason, the topic of sexual difference has received little attention in Kant scholarship. Yet Pauline Kleingeld has shown that far from being "inessential and negligible", Kant's account of sexual difference proves to be highly relevant for critical philosophy:

[This account implies] particular political institutions, a split between the public, political and economic male-dominated sphere on the one hand, and the domestic, reproductive female sphere on the other, a division of labor according to sex, an undervaluation of reproductive and domestic labor. (Kleingeld 1993, 143)

The discussion of legal institutions and their implications is an important part of the *Metaphysics of Morals*: Kant takes citizenship, juridical personality, marriage, and property ownership (among other legal notions) to be constitutive elements of the set of laws he puts forward in the Doctrine of Right. If sexual difference shapes those legal notions, then sexual difference directly affects

⁵¹ In a 2003 essay, Banham argues that the term "pre-critical" can be used in a conceptual rather than a chronological sense – i.e., in order to refer to Kant's works that "do not conduct a critique of moral claims" (2003, 8) such as the *Anthropology* and the late (published) lectures on education. This classification is helpful in many ways, but for the purpose of this chapter, I will stick to a chronological sense of pre-critical in order to make explicit the evolution of the role of sexual difference throughout Kant's works.

the fundamental principles of Kant's practical philosophy. And through legal and political institutions, sexual difference is also bound to affect the enactment of enlightenment.

In chapter 1, I have shown that Kant's views on the characters of the sexes do not provide enough evidence to conclude that he denies women some basic form of moral agency. But this is not enough to conclude that his conception of sexual difference does not interfere with the use of practical reason. This chapter investigates how and to what extent sexual difference plays a role in Kant's practical philosophy by paying special attention to the evolution of his conception of ethics. While it is important not to dismiss Kant's early claims on sexual difference on the ground of their pre-critical nature, it proves to be relevant to maintain a distinction between Kant's early remarks on sexual difference (in the *Observations* and in the *Remarks*) and his later ones (in the *Metaphysics of Morals* and in the *Anthropology*) – for despite some similarity between the two sets of remarks, it is likely that Kant gives them a different meaning and role. Here I argue that what Kant says about women in 1764 cannot be read in light of his mature practical philosophy, and that what he says about women in the *Anthropology* has a different meaning in the context of his mature practical philosophy. The core issue I will address is the normative value of Kant's claims about women and, more precisely, to what extent those claims affect their participation in moral activity. This problem has often been raised in feminist criticisms of Kantian ethics: if women are expected to act in a certain way (for instance: to follow their intuition) that conflicts with what Kant sees as the morally good thing to do (for instance: to act out of reason, not out of feeling) – one can fear that even if they have the resources to act in a morally good way, they are in practice encouraged to do otherwise.

Throughout this chapter, I argue that the normative status of Kant's claims on women is significantly affected by the advent of critical philosophy. While Kant's insights about women's nature significantly affects their participation in moral life in the context of his early writings, the context set by his mature practical philosophy considerably limits the influence of sexual difference on moral agency. Setting those grounds will allow me to show, in chapter 5, that critical philosophy provides us with resources to argue for the legal equality of men and women within the context of enlightenment – despite Kant himself promoting the legal subordination of women.

This chapter will first discuss the ideal of complementarity on which Kant's conception of sexual difference, from 1764 to 1798, seems to be based. I will then investigate the role played by sexual difference within Kant's practical philosophy before the '80s. I will finally explain how the advent of critical philosophy changes the status of sexual difference in light of the new architectonic of practical philosophy put forward in Kant's works posterior to the '80s. This will confirm that sexual difference was allowed, by Kant's own standards, to play a more significant role in his early practical philosophy than in his later one.

1. Kant's ideal of complementarity

While Kant's conception of sexual difference varies in some ways between 1764 and 1798, what remains constant is the ideal of complementarity guiding it⁵². When sexual difference is discussed, it is always in view of the union of men and women, with the underlying assumption that they complement each other. In this section, I will first show Rousseau's influence on Kant's

⁵² I am here using the word "ideal" in a loose sense, as a goal to strive for, a model. I do not mean to imply that Kant sees complementarity as an ideal in the particular sense he gives to that word.

ideal of complementarity (1.1). I will then further discuss the normative implications of Kant's ideal of complementarity for his moral philosophy (1.2) in order to set the grounds for section 2.

1.1. Rousseau's influence on Kant's conception of women

Rousseau's influence on Kant is well-known and discussed in the literature⁵³. Kant was familiar with the two *Discourses*, the *Confessions*, *Émile, or On Education* and *Julie, or the New Heloise*, and a great admirer of their author⁵⁴. Kant's most extensive discussion of Rousseau's ideas takes place in the *Remarks on the Observations*. I will now show that acknowledging Rousseau's influence on Kant allows for a better understanding of the latter's account of women's nature. This influence works on two levels: first, in emphasizing some basic similarity between men and women with respect to their common understanding; and second, in emphasizing the importance of complementarity for a successful heterosexual union and, ultimately, for the progress of humanity.

1.1.1. The common human understanding

When Kant acknowledges Rousseau's influence, it is mostly on topics related to morality and education – and not (or not directly) on sexual difference. Indeed, it is in the *Remarks to the Observations* that Kant provides his perhaps most famous tribute to Rousseau, which pertains first and foremost to morality – but, as we will see, also proves to be relevant with respect to women's status:

One must teach youth to honor the common understanding for moral as well as logical reasons. I myself am a researcher by inclination. I feel the entire thirst for cognition and the eager restlessness to proceed further in it, as well as the satisfaction at every

⁵³ See among others the contributions of Delbos (1969), Schneewind (1998), Shell (2003).

⁵⁴ To the extent where the only picture in Kant's house was apparently a portrait of Rousseau hung over his desk (Kuehn 2001, 272).

acquisition. There was a time when I believed this alone could constitute the honor of humankind, and I despised the rabble who knows nothing. Rousseau has set me right. (*Remarks* 20:44)

This praise of the common understanding is anticipating a very important feature of Kant's critical conception of morality: its accessibility to everyone – as opposed to more elitist conceptions associating morality with a science that not everyone can master. Kant makes very clear in the *Groundwork* that everybody has access to the moral criterion (i.e. the categorical imperative) and that no particular knowledge is required to act on it:

Here it would be easy to show how, with this compass [the categorical imperative] in hand, [common human reason] is very well informed in all cases that occur, to distinguish what is good, what is evil, what conforms with duty or is contrary to it, if – without in the least teaching it anything new – one only, as Socrates did, makes it aware of its own principle; and that there is thus no need of science and philosophy to know what one has to do in order to be honest and good, indeed even to be wise and virtuous. (*GMS* 4:404)

This passage echoes, probably on purpose, the well-known passage concluding Rousseau's first *Discourse*:

O virtue, sublime science of simple souls! Are so much effort and so much preparation really necessary to know you? Are your principles not engraved in all our hearts? Does it not suffice to learn your laws, to meditate and listen to the voice of our conscience in the silence of our passions? (2002, 67)

According to Rousseau's first *Discourse*, sciences have done more harm than good with respect to the moralization of humanity. Far from making human beings better, they corrupt them by contributing to the multiplication of their needs, increasing their laziness and distracting them from far more important moral preoccupations. This anti-intellectualist nature of morality was to be confirmed a few years later in *Émile* – where Rousseau, while insisting on the importance of moral education, acknowledges that everyone has a moral conscience.⁵⁵ While Kant does not entirely share Rousseau's criticism of sciences and arts, and would definitely not go as far as to claim that sciences compromise morals, he does, like him, believe that acting in a morally good

⁵⁵ Cf. *Émile* I, 288

way does not require mastering a science or extensive knowledge. With the assistance of the sentiment of respect, the moral law shows itself immediately in all of us and no other competence is required to act in a morally good way besides having a power of judgment “sharpened by experience” (*GMS* 4:389)⁵⁶

This agreement between Kant and Rousseau on the accessibility of morality, although not directly related to sexual difference, provides reasonable grounds for arguing that they both regarded women as moral agents. Insisting on the non-elitist nature of a theory has often been a way, in the history of philosophy, to argue that women too (or: even women) could understand it or take part in it. Descartes’ conception of the philosophical method is a good example of that. The *Discourse on the Method* is grounded in the idea that good sense is the “best distributed thing in the world”. Furthermore, in a letter to Father Antoine Vatieer, Descartes claims that he expects that “even” women will be able to read and understand the *Discourse* (February 22nd, 1638)⁵⁷. Similarly, Bernard de Fontenelle’s *Conversations on the Plurality of Worlds* were written in French rather than in Latin, with the explicit purpose of making astronomy accessible even to

⁵⁶ Which is why moral education consists mostly in practice and exercise for Kant – as shown in the final section of the *Critique of Practical Reason* (the “Doctrine of the method of pure practical reason”) (*KpV* 5:151 sq.)

⁵⁷ Descartes’ benevolence towards women does not imply that he regarded them as equal to men. In fact, his letter to Vatieer reveals somewhat condescending views about women:

“I must say first that my purpose was not to teach the whole of my method in the discourse in which I propound it, but only to say enough to show that the new views in the *Optics* and the *Meteorology* were not casual thoughts [...]. It is true that I have been too obscure in what I wrote about the existence of God in this treatise on Method [...]. The certainty and evidence of my kind of argument for the existence of God cannot really be known without distinctly recalling the arguments which display the uncertainty of all our knowledge of material things; and these thoughts did not seem to me suitable for inclusion in a book which I wished to be intelligible in part even to women while providing matter for thought for the finest minds.” (Descartes 1984; emphasis mine)

Since we also have evidence that Descartes regarded Princess Elisabeth as a valuable interlocutor, it is possible that his above-quoted comment refers merely to lack of education of women in his day. But in the absence of further evidence, we cannot be sure of his exact views on the matter. This is not to say that Cartesian philosophy cannot be used to make a case for the equality of men and women: this is precisely what Poulain de la Barre, for instance, successfully achieves.

those without prior scientific knowledge – women in particular⁵⁸. It would therefore not be surprising that Rousseau and Kant took the common understanding to include women and men alike. This does not imply that they also took women and men to be equal in every respect when it comes to morality. Rousseau distinguishes between masculine and feminine virtues, and consequently plans a different moral education for men and for women⁵⁹. And as we shall see in section 2, Kant’s early conception of ethics was also gendered – as he encouraged women to strive towards certain particular virtues and men towards others. His later conception, by singling out a unique unconditional moral good (i.e., the good will), does not allow for such gendered differentiation of morality. Furthermore, Kant insists on the worth of the common understanding in the context of this later conception. As pointed out in the *Critique of Practical Reason*, even “businessmen and women” enjoy taking part in discussions on the morality of actions (*KpV* 5:153) – and women, just like men, are held accountable for their bad deeds in the later *Metaphysics of Morals* precisely because they should have known better⁶⁰. Kant also claims in the third *Critique* that the common understanding is “the least that can be expected from anyone who lays claim to the name of a human being [...]”(KU 5:293). As has been shown in chapter 1, it is unlikely that he would have been willing to compromise women’s nature to the extent where they would not be a part of humanity.

1.1.2. Models of complementarity

Yet despite this common rational basis shared by men and women, Rousseau and Kant both believe that some significant differences between men and women ought to be preserved

⁵⁸ It is worth noting that Kant makes fun of Fontenelle’s inclusive views in the *Observations* (2:230), because he takes astronomy to be a science that women should not attempt to study.

⁵⁹ While the first four books of *Émile* are devoted to the moral education of men, only the fifth book discusses the moral education of women.

⁶⁰ See for instance Kant’s discussion of the *infanticidium maternale* (RL 6:336).

and reinforced in the name of some ideal of complementarity between men and women. A closer look at Rousseau's ideas shows that there is a strong normative connotation associated with his conception of sexual difference, as his conception of sexual difference is used to justify two different moral educations. As for Kant, while his pre-critical works in particular associate certain virtues with women and others with men, we will see that the extent to which they affect his conception of morality is less clear. The complementarity of men and women can take many forms; I will first clarify the way in which I use that concept.

The assumption that some complementarity between men and women is desirable was relatively common in the late 17th and in the 18th century. Rousseau's influence on the matter proved to be decisive for a number of philosophers, Kant included. Schiebinger emphasizes the importance of those models of sexual complementarity as a strategy to reconcile the claim that all human beings are by nature equal with the claim that women ought to remain politically subordinated (1989, 215-216)⁶¹. While Varden emphasizes some positive aspects of such ideals of complementarity⁶², most commentators worry about their implications for women.

A basic feature shared by models of complementarity is that they avoid depicting women as straightforwardly inferior to men. Instead, they put forward the claim that women and men are fundamentally different in some ways and that those differences are beneficial to their union.

⁶¹ See also Schiebinger 1989, 244 sq.; and Hull 1996, 305 sq.

⁶² "Kant's [sic] thinks that by empowering each other in the gendered ways he describes, the couple grounds and complements each other (enables each other to realize their embodied, social natures together in good ways), and it enables them to form a good social unit from which they engage the rest of the world." (Varden 2015, 16-17) While it is true that Kant does not see men as inherently superior to women in every respect and that both parties are taken to contribute to the other's well-being in a relationship, I disagree with Varden's further conclusion that Kant's account of human nature is more promising than Beauvoir's for women – some other features of the complementarity model put forward by Kant (and that Varden does not mention) compromise women's active participation in society.

That claim is not merely descriptive: it also has normative implications. Indeed, proponents of complementarity typically hold that differences between men and women are desirable and should be reinforced by education. As we will see in both Rousseau and Kant, those differences (in character traits, virtues, etc.) can be understood as inequalities: for instance, the claim that women are more modest than men implies that men are also modest to some extent, but that women are superior to men in that respect. So while men can be taken to be superior in some ways, they cannot be regarded as superior to women altogether, in every respect.

Models of complementarity can carry different implications for the worth of women. Despite the similarities in their conceptions of sexual complementarity, I take Rousseau and Kant to exemplify two types of approaches to complementarity. While both of them hold that some fundamental differences in men and women result in particular inequalities (with respect to certain virtues, character traits, etc.), we will see that Rousseau is more reluctant to conclude that these differences balance out in the end, and more eager to suggest that men might be of superior worth altogether. He nevertheless holds women, despite their inferior worth, to be just as necessary to humanity as men. While Kant also puts special emphasis on the worth of male virtues, he is slightly more willing to suggest that masculine and feminine traits balance out in the end, and more reluctant to assert that men are of superior worth.

(i) Rousseau's model of complementarity

Rousseau plans a wholly different moral education for men and women, as exemplified by the case of Sophie in *Émile*, book V. This is meant to prepare Sophie to be the best possible spouse for Émile, with the underlying assumption that in order for the union to be successful, they must not be equal in every respect. We will see in the next subsection that Kant follows

Rousseau's lead on this last point: while both philosophers avoid straightforwardly claiming that men are superior to women, they nevertheless feel the need to stress that they should not be equal in every respect either. Those inequalities, which take the form of differences in qualities and character, prove to be essential to their conceptualization of heterosexual unions as complementary. While describing the feminine nature, Rousseau explicitly goes against proponents of the equality of the sexes:

These resemblances and differences must have an influence on the moral nature; this inference is obvious, and it is confirmed by experience; it shows the vanity of the disputes as to the superiority or the equality of the sexes; as if each sex, pursuing the path marked out for it by nature, were not more perfect in that very divergence than if it more closely resembled the other. A perfect man and a perfect woman should no more be alike in mind than in face, and perfection admits of neither less nor more. (*Émile* V, 321-322)

Moreover, this difference between the sexes is what makes their union so valuable – not only for actual couples, but also for the whole human species, perfected by the respective strengths of men and women. While Rousseau pinpoints a number of ways in which men are superior to women (for instance, with respect to physical strength; to the use of authority; to genius; etc.), he endows women with one indisputable superiority over men: that of pleasing men. This chief superiority of women somewhat compensates for their weakness, as it makes it possible for them to rule over men – of course only within the household:

This special skill with which the female sex is endowed is a fair equivalent for its lack of strength; without it woman would be man's slave, not his helpmeet. By her superiority in this respect she maintains her equality with man, and rules in obedience. She has everything against her, our faults and her own weakness and timidity; her beauty and her wiles are all that she has. (*Émile* V, 334-335)

It is thus safe to say that in Rousseau's model of complementarity, women are, at least quantitatively, inferior to men in that they possess fewer qualities and skills. Despite his claim that women are preserving their equality with men through their one indisputable superiority, he portrays them as being of lesser worth than men. But despite that lack of worth, women are still

just as necessary to humanity as men. Complementarity, in Rousseau's case, is thus used to emphasize the need for the inferior member of the couple.

(ii) Kant's model of complementarity

Kant's ideal of complementarity is first put forward in the *Observations*. The third section of that work culminates in a description of marital life in which "the united pair should as it were constitute a single moral person" (2:242). The description of each sex is meant to complement the other. We have seen in chapter 1 that in order to make explicit that complementarity, the *Observations* associate women to the character of the beautiful and men, to that of the sublime. The beautiful and the sublime both involve a range of qualities and characteristics that the corresponding sex, according to Kant's conjectures, possesses to a higher degree than the other⁶³. This is not to say that men and women are the complete opposite of each other: the beautiful is the contrary not of the sublime, but of the disgusting (2:233) – and Kant certainly has no intention of characterizing men as disgusting. Men and women are rather taken to contribute to a harmonious whole. The importance of this ideal of complementarity is confirmed in the Remarks on the *Observations*:

At best union [*Einigkeit*] can occur in the case of equality [*Gleichheit*], but never unity [*Einheit*]; since there must be unity in marriage, everything must be ruled by one, the man or the woman. (*Remarks* 20:76)

It is worth noting that Kant emphasizes again the importance of such unity between men and women in the later *Anthropology* and, again, contrasts it with equality – each partner "must be

⁶³ Kant often remains elusive when it comes to men's characteristics and seems much more interested in listing those associated with women, probably for the reason provided in the *Anthropology*: given that men are more powerful than women and that less powerful machines require more art to properly function, "one can assume that the provision of nature has put more art into the organization of the female part than of the male" (7:303). Women are therefore, so to speak, more interesting machines.

superior to the other in some way” (7:303)⁶⁴. Kant thus understands equality as some form of sameness in qualities and characteristics that he does not think is advisable for a couple.

Although Kant does not go as far as Rousseau in his depreciation of women⁶⁵, he, just like him, sees their power over men as their foremost superiority. For Kant, this superiority of women is playing an important role in the moral improvement, or cultivation, of the entire human species:

Since nature also wanted to instill the finer feelings that belong to culture [...] it made this sex man’s ruler through her modesty and eloquence in speech and expression. It made her clever while still young in claiming gentle and courteous treatment by the male, so that he would find himself imperceptibly fettered by a child through his own magnanimity, and led by her, if not to morality itself, to that which is its cloak, moral decency, which is the preparation for morality and its recommendation. (*Anthropology* 7:306)

To be sure, Rousseau also sees the complementary union of men and women as a convenient way to improve human nature (*Émile* V). He does not, however, insist on women’s specific role in the moralization of humanity.

Moreover, Kant contrasts the difference between partners within marriage with the equality grounding friendship – which takes place between same-sex people⁶⁶:

⁶⁴ Contrary to what this passage of the *Anthropology* may suggest, the *Doctrine of Right* – published one year before the *Anthropology* – insists on the equality of men and women within marriage and sexuality in a legal perspective. This important qualification confirms that Kant’s philosophy of right provides useful resources to argue for the equality of men and women. The implications of this will be investigated in chapter 5.

⁶⁵ Besides insisting on women’s multiple defects, Rousseau also claims that their only purpose is to please men; that men are active and strong, while women are passive and weak (*Émile* V, 6); and so on. Kant, despite his admiration for the Citizen of Geneva and his own views on the political subjection of women, felt the need to explicitly dissociate himself from Rousseau’s perhaps too obviously misogynist views: “I would certainly not want, indeed who knows how much, to have said what Rousseau so impudently asserted: that a woman never becomes anything more than a big child. Yet the acute Swiss wrote this in France, and presumably, as such a great defender of the fair sex, felt indignant that it was not treated there with more real respect.” (*Observations* 2:247n) This is of course not to say that Kant is a champion for women’s rights, as shown by his own views on their legal subordination.

⁶⁶ Yet Kant also claims elsewhere that women are “constantly feuding” with each other (*Anthropology* 7:305) and that they are “rarely friends with each other in the true sense” (*Observations* 2:233, 235) – we can therefore assume that he thinks first and foremost of men when referring to friendship, despite women not being explicitly excluded.

Man and woman do not have the same sentiment [*Sentiment*] and also should not have it, but just from this arises the unity, not of the *identity*, but of the *subordination* of inclinations, since each feels that the other is necessary to him for the greatest perfection. Friendship presupposes *sentiments* that agree. (*Remarks* 20:164)

This disagreement in sentiment between men and women thus seems to be the distinctive feature of their union, as opposed to the agreement of sentiments required by friendship. In his later works, Kant goes as far as to associate friendship to an ideal for humanity, combining both love and respect. Indeed, friendship involves a unique kind of mutual trust and openness to the other, as true friends must have no secrets from one another. It also recalls the importance of sociability for the progress of humanity⁶⁷. While the union of men and women based on complementarity proves to be important with respect to the conjectural ends of nature discussed in the *Anthropology*, it seems that relationships based on equality and reciprocity are just as important for other purposes.

1.2. How normative are Kant's claims?

The unity based on the complementarity of men and women is thus a recurring theme throughout Kant's works and proves to be essential to understanding his conception of sexual difference. Indeed, it seems that Kant's claims on women and men's characters should be interpreted in light of their expected union. This also helps to explain why, although one could be tempted to interpret the remarks of the *Observations* and of the *Anthropology* as merely descriptive⁶⁸, they also seem to have a normative connotation. The following passage of the *Observations* provides a good example of such implicit normativity:

[...] one expects that each sex will unite both [the character of the sublime and that of the beautiful], but in such a way that in a woman all other merits should only be united so as

⁶⁷ See *RL* 6:469, 473 and *Remarks* 20:174.

⁶⁸ As suggested by the title "Observations", but also by the common (and perhaps too narrow) understanding of anthropology as an empirical investigation on human nature.

to emphasize the character of the beautiful, which is the proper point of reference, while by contrast among the male qualities the sublime should clearly stand out as the criterion of his kind. (2:228)

While women and men might empirically exhibit some features associated with, respectively, the beautiful and the sublime, Kant insists that they should also strive towards that character. Similar normative claims are made in the *Anthropology* with respect to features of the feminine and masculine characters. Human beings, men and women alike, are expected, according to the conjectural ends of nature, to strive towards heterosexual unions based on the complementarity of men and women. Such union is also described as the vocation of human beings in Kant's *Remarks*:

A married man acquires and deserves more esteem than a single man or an old bachelor. A wife [is] more than a girl. A widow [is] also more than a girl. The reason is because the vocation [*Bestimmung*] is then completed [...] (*Remarks* 20:142)⁶⁹

The complementarity between the sexes for the purpose of their union thus seems like an essential feature of Kant's conception of sexual difference, following in that respect the model put forward by Rousseau before him. But while Rousseau makes no mystery that men and women should strive towards different moral goals and consequently receive different moral educations, it is less clear to what extent considerations about sexual difference affect the individuals' participation in moral life in Kant's works. I will now discuss the concrete consequences of this ideal of complementarity for Kant's early conception of ethics.

2. Sexual difference in Kant's ethics before the '80s

While the idea of a complementarity between men and women remains relatively unquestioned between Kant's early and late writings, the status and importance of such claim changes after the critical turn in the '80s. As we will see, empirical observations and

⁶⁹ See also *Anthropology* 7:305-306.

psychological assumptions about human nature, such as the conception of sexual difference described in the previous section, have a stronger normative connotation in the context of Kant's pre-critical writings than in his later writings.

2.1. The context of the *Observations*

Kant's discussion of sexual difference in the *Observations* takes place within the context of the broader distinction drawn between the sublime and the beautiful – men being associated with the former and women with the latter. From the entire essay, one can infer a hierarchy between the beautiful and the sublime: while the beautiful is undoubtedly pleasant and charming, the sublime evokes a deeper, more complex pleasure – intense, noble and mysterious. Such hierarchy is also present in Kant's conception of sexual difference. According to the same work, nature has established a “charming difference” between the sexes; men and women are “not the same sort” of human beings (*Observations* 2:228). This difference consists mainly in qualities and character traits associated with one or the other sex, consistent with Kant's conception of the sublime and of the beautiful. The status of these remarks is unclear: while the title of the essay suggests that they are observations, thereby ascribing them an empirical and descriptive value, Kant nonetheless seems to give them a normative significance – for instance, when he claims, still in the section dedicated to sexual difference, that

All education and instruction must keep [this difference] before it, and likewise all effort to promote the ethical perfection of the one or the other [sex], unless one would make unrecognizable the charming difference that nature sought to establish between the two human genders. (*Observations* 2:228)

The characteristics associated with men and those associated with women must therefore be taken very seriously, which is why a number of scholars have interpreted some of the remarks of the *Observations* as evidence supporting the thesis that Kant compromises women's moral agency.

Indeed, Kant claims, when discussing women's moral education, that "[their] philosophical wisdom is not reasoning, but sentiment [*Empfinden*]" (*Observations* 2:230). He then adds that "Women will avoid evil not because it is unjust but because it is ugly, and for them virtuous actions mean those that are ethically beautiful. Nothing of ought, nothing of must, nothing of obligation." (*ibid* 2:231). He concludes that it is "difficult for [him] to believe that [women] are capable of principles" (*ibid* 2:232).

These three remarks in particular have been taken to suggest that women cannot act in a truly moral way, that is, by obedience to the moral law. If their actions are, for some reason, systematically motivated by inclinations or sentiments (no matter how benevolent) rather than by reasoning or principles, it seems that they are a lost cause according to the well-known standards set by Kant's major works on practical philosophy. Insofar as women act from inclination, they act at best in accordance with duty but definitely not from duty. As I will show next, this issue has been discussed at length in the secondary literature.

2.2. Some interpretations of *Observations* 2:230-232

Unsurprisingly, the striking contrast between the above-quoted passage from the *Observations* and the prescriptions of the *Groundwork of the Metaphysics of Morals* and of the *Critique of Practical Reason* has been noted and used as evidence to support the thesis that Kant denies women moral agency. Several versions of this argument have been made. In the context of a broader reflection on philosophical conceptions of women's role in the family, Susan Moller Okin claims that in order to make them good wives and good mothers, Kant had to deprive women of their moral agency:

When Kant asserts categorically that, for women, there is to be ‘nothing of ought, nothing of must, nothing of due’ we know that their dehumanization is complete. [...] For if women are, and should be, characterized not by rationality but by that sensibility and delicacy of feeling [...] then a moral theory that is to apply not only to men but to ‘all rational beings as such’ has no need to be applicable to women. (1982, 82)

In a more recent piece, Inder S. Marwah uses the same passage from the *Observations* to support a similar claim: he argues that women, according to Kant, are expected to participate in moral life only indirectly, that is, “by stimulating moral feeling, rather than by engaging in immediately moral action” (2013, 556). This puzzling contradiction between what women are expected to do according to the *Observations* and what is expected of a moral agent in general has been noted, and similarly criticized, by a number of other scholars: Monique David-Ménard (1995, 28-29), Susan Mendus (1987, 36), Jean P. Rumsey (1989, 256; 1997, 323) and Robin May Schott (1988, viii), to name but a few.

Moreover, even some scholars who attempt to show that Kant does *not* in fact deny women’s moral agency see a tension between the passage of the *Observations* and Kant’s moral philosophy and attempt to resolve it. Mari Mikkola, for instance, drawing on other secondary literature, convincingly argues that duty and inclinations need not be mutually exclusive⁷⁰. Here again, the passage from the *Observations* is referred to as raising a problem for women’s moral agency (Mikkola 2011, 92-93).

Yet those attempts to take the *Observations* as evidence that Kant excludes women from moral agency (successfully or not) depend on an important assumption: that what is said about women in the *Observations*, a pre-critical work, can be read in light of Kant’s later works on

⁷⁰ In order to support her claim, Mikkola refers, among others, to the well-known contributions of Baron 1995; Herman 1993; Korsgaard 1996. I have further discussed this problem in chapter 1.

ethics – or, at least, that some key ideas of Kantian ethics were already presupposed or anticipated in 1764. Contrary to the abovementioned secondary literature, I take this assumption to be mistaken and will now argue that Kant’s remarks on women in the *Observations*, far from suggesting that women did not possess moral agency by his standards in 1764, at best show some of the specificities of his early conception of ethics.

2.3. Anthropological assumptions in Kant’s pre-critical ethics

Kant’s first extensive discussion of ethics takes place in the *Inquiry Concerning the Distinctness of the Principles of Natural Theology and Morality* (1764). To be sure, some of Kant’s best-known ideas are anticipated in that work – like, for instance, the distinction between categorical and hypothetical imperatives, only the former being ground of obligation⁷¹. Yet Kant’s pre-critical ethics also differ in some important respects from his later practical philosophy and, as we shall see, the difference between the two matters for the present investigation. More precisely, there are two ways in which Kant’s conception of ethics significantly changed after the ‘60s: (i) with respect to the role of feeling in moral judgments; and (ii) with respect to what counts as morally good. Keeping those two changes in mind will help to clarify the moral status of women in the *Observations*.

Kant’s first developments on practical philosophy were not intended to be definitive. He was then, by his own admission, still trying to figure out the nature of the fundamental principles of morality. Those principles are meant to settle some fundamental moral questions, such as: how can one distinguish between good and bad? What grounds the notion of moral obligation? What makes certain actions duties? Kant was to settle the matter for good only years later, in the

⁷¹ Compare *Inquiry* 2:298sq and *Groundwork* 4:414sq.

Groundwork of the Metaphysics of Morals (1785). In that work, he puts forward the categorical imperative as the supreme principle of morality, thereby grounding all obligations and duties.

But things were not as clear in 1764. In the second section of the *Inquiry* (“The fundamental principles of morality in their present state are not capable of all the certainty necessary to produce conviction”, 2:298 sq.), Kant introduces a mysterious, “unanalyzable” feeling of the good, which allows human beings to distinguish between what is morally good and what is morally bad. But the exact role of this feeling with respect to the first principles of practical philosophy remains imprecise: “It has yet to be determined whether it is merely the faculty of cognition, or whether it is feeling which decides [the] first principles [of practical philosophy].” (*Inquiry* 2:300). Kant’s dilemma pertains to whether morality should be grounded in a principle of perfection, or in a feeling of the good, or perhaps in something else.

Kant’s investigation of the first principles of morality is guided by a concern for the concept of obligation, which he sees as still undetermined. Having a feeling of the good, for instance, is not to say that the feeling itself grounds a moral obligation. This feeling could, for instance, be merely a sign confirming that we are about to do the right thing. Alternatively, moral obligation could also be grounded in a principle of perfection (i.e. performing the most perfect action possible). Morality as Kant knew it in the ‘60s was not able to provide satisfactory answers to that question because it had not yet, in his opinion, been properly grounded as a science:

Moral philosophy has this special fate: that it takes on the semblance of being a science and enjoys some reputation for being thoroughly grounded, [...] and that in spite of the fact that it is neither a science nor thoroughly grounded. (*Announcement* 2:311)

Further investigation on the first principles of morality is required in order to ground it as a science. On the one hand, Wolff, Baumgarten and Crusius’ conceptions of moral perfection, with

which Kant engages, face some serious objections; and on the other hand, Shaftesbury, Hutcheson and Hume's accounts of the moral sense prove not to be entirely satisfying either⁷². Both sides provide valuable insights, but fail, in Kant's opinion, to safely ground morality⁷³. The first principles of practical philosophy thus remain undetermined in his published works of the '60s.

Yet this lack of grounds for morality did not stop Kant from reflecting on ethics, broadly construed, during that period. He was then following a distinction inherited from Baumgarten: the division between, on the one hand, the universal principles grounding practical philosophy as a whole and, on the other hand, the "doctrine of virtue", understood as the application of those grounding principles⁷⁴. The second part of the division suggests that Kant's *Observations* discuss some moral considerations and virtues while not attempting to ground morality any further. I believe that this lack of grounds also partly explains the somewhat naturalistic orientation of Kant's early conception of ethics noted by Guyer⁷⁵. In the absence of duly grounded principles of practical philosophy, anthropological insights and observations on human beings can provide valuable resources for thinking morality. The "Announcement of the Program of [Kant's] Lectures for the Winter Semester, 1765–1766" emphasizes that point:

⁷² Kant does not go as far as to assimilate this feeling to the moral sense put forward by Francis Hutcheson and other British moralists, despite acknowledging the interest of their work. See *Observations* 2:300 and "Announcement of the Program of [Kant's] Lectures for the Winter Semester, 1765–1766" 2:311.

⁷³ For thorough expositions of Kant's engagement with both sides in his pre-critical works, see Schmucker 1961 and Henrich 1963.

⁷⁴ Cf. Alexander Baumgarten's *Initia philosophiae practicae primae* and *Ethica philosophica*. When announcing the program of his lectures for the winter of 1765–1766, Kant notes that he will follow that distinction (*Announcement* 2:311).

⁷⁵ In "Naturalistic and Transcendental Moments in Kant's Moral Philosophy" (2007), Guyer develops an interesting comparison between Kant's arguments on the nature of freedom in his early writings and his later attempt to produce a transcendental deduction of the moral law in the *Groundwork* – calling the latter "one [of Kant's] most spectacular train wrecks" (2007, 445) and arguing for a return to Kant's early naturalistic approach. While I have no intention to settle for one or the other here, Guyer's emphasis on the importance of human nature in Kant's early ethics is all the more instructive.

In the doctrine of virtue I shall always begin by considering historically and philosophically what *happens* before specifying what *ought to happen*. (*Announcement* 2:311-312)

Indeed, the *Observations* and the *Remarks* provide a picture of morality informed by anthropological insights. That suggests that in the absence of definitive grounds for morality, anthropology could play a more prominent role in Kant's pre-critical ethics than in his later practical philosophy⁷⁶. This is not to say that Kant sees anthropology as providing the necessary grounds for morality, but just that pending a better solution, it could provide some provisional moral insights. He also makes clear that the *Observations* are not intended to provide permanent moral grounds. Within a passage comparing a man and a woman's failure to exhibit certain virtues, he points out that "the question is not what intrinsically deserves the greatest reproach, but rather what is actually felt as the harshest one" (*Observations* 2:233).

The importance of anthropology within Kant's early practical philosophy thus raises an important question: given that the ideal of complementarity described earlier is shaped by anthropological insights on men and women, one can wonder to what extent sexual difference is playing a role within his early ethics. This recalls the tension noted by Moller Okin, Marwah and others, but on different grounds. In the next section, I will show that while Kant's early ethics do not exclude women from morality (as argued by Moller Okin, Marwah, etc.), sexual difference still proves to play an important role with respect to the kind of virtues women should strive for.

⁷⁶ In his 2002 monograph, Zammito emphasizes the importance of anthropology within Kant's pre-critical conception of practical philosophy, as well as the influence that Kant had on the development of anthropology in the 18th century. It is, however, a bit of a stretch to claim that "Kant clearly considered anthropological inquiry a propaedeutic to fundamental moral philosophical inquiry" and that he was taking anthropology to be providing the grounds that practical philosophy was in need of (Zammito 2002, 109-110). While Kant's main works from the '60s certainly use more anthropological insights than his later works, those insights on human beings seem to be more of a temporary solution that are not meant to replace adequate grounds. Both the *Inquiry* and the *Announcement* emphasize that he was not satisfied with the current state of morality and that he was hoping that it could eventually be grounded in universal principles.

Indeed, Kant's early conception of ethics was partly built on sexual difference, but without excluding women. Instead, it looks like women were assigned to a second-class category of morality, in that the virtues associated with them are taken to be morally good, but not as good as the masculine virtues.

2.4. Women's moral status in 1764

2.4.1. The role of feeling in moral judgments

The first and perhaps most obvious reason why women seem to be excluded from Kantian ethics in 1764 is because they are explicitly associated with sentiment or feeling in place of reason in the first above-quoted claim of the *Observations* (2:230)⁷⁷. Yet one of the most important distinctions between Kant's early ethics and his later conception pertains to the role of feeling in morality. In the *Inquiry*, Kant explains that the concept of obligation must be understood not only through the principle of perfection, but also by taking into account the input of an "unanalyzable feeling of the good" (*Inquiry* 2:299). We have seen that the exact role of this feeling with respect to the first principles of practical philosophy remains imprecise in 1764. Yet he was still acknowledging the possibility, in the '60s, that a nonrational feeling might play the role of moral criterion. The following passage of the *Observations* corroborates this idea:

True virtue can only be grafted upon principles, and it will become the more sublime and noble the more general they are. These principles are not speculative rules, but the consciousness of a feeling that lives in every human breast and that extends much further than to the special grounds of sympathy and complaisance. (*Observations* 2:217; emphasis mine)⁷⁸

⁷⁷ The distinction between sentiment [*Empfinden*] and feeling [*Gefühl*] is of little importance for the present investigation, since both are contrasted with reason.

⁷⁸ See also in the Announcement: "The distinction between good and evil in actions, and the judgment of moral rightness, can be known, easily and accurately, by the human heart through what is called sentiment, and that without the elaborate necessity of proofs." (2:311)

Kant's conception of moral principles was thus at least partly grounded in feeling in 1764. Kant's willingness to associate women with feeling or sentiment as opposed to reason is therefore not intended to suggest a moral deficiency on their part – he even insists, a few pages later, on the necessity to broaden their moral feeling (*Observations* 2:230). To be sure, his claim that women act out of sentiment instead of out of reason is pejorative in a number of ways, but it remains nevertheless compatible with Kant's moral standards in the 60s.

2.4.2. What counts as morally good?

Yet the emphasis on feeling in Kant's earlier ethics raises another issue: that of what gives moral worth to an action and, more broadly, of what counts as morally good. For even if insisting on the role of feeling in moral judgments is not a problem as such in the context of Kant's 1764 conception of ethics, there seems to be a second obstacle to women's moral agency raised by the *Observations*: if women are hardly capable of principles (*Observations* 2:232) then, according to the above-quoted passage from *Observations* 2:217, they do not have access to "true virtue"⁷⁹ – which suggests, if one has in mind the later definition of virtue provided in the *Doctrine of Virtue*, that women do not act from duty (6:394)⁸⁰. This is consistent with Kant's other remark pointing out that they do not act out of obligation, but rather because they seek what is ethically beautiful. In the context of Kant's later ethics, the idea of acting in accordance with duty but really because of favourable inclinations is undoubtedly problematic, as shown in the following passage of the *Groundwork of the Metaphysics of Morals*:

[The good] is distinguished from the *agreeable*, as that which influences the will only by means of sensation [*Empfindung*] from merely subjective causes, which hold only for the

⁷⁹ Kant does not go as far as stating that women are incapable of principles, but he does seem to think that they are struggling more than men in that respect. See also, for a similar claim, Herder's notes on Kant's lectures on ethics (27:49).

⁸⁰ See also *Critique of Practical Reason* 5:84, 128.

senses of this or that one, and not as a principle of reason, which holds for everyone. (GMS 4:413)

From this passage, one would rightly conclude that acting from duty is the one and only motive giving moral worth to an action; other motives are, at best, agreeable, which is not relevant for morality. The concept of duty involves that of a good will, which is described in the first section of the *Groundwork* as the only good without limitation; it thus seems uncontroversial to say that for Kant, what is morally good must be good without limitation. But here again, the context of pre-critical ethics allows for a slightly different interpretation. Although, as suggested by Dieter Henrich, Kant was already reflecting on the distinction between the good will as an unconditional good and other goods that are merely conditional in the '60s (2012, 14), some moral worth was still granted to the latter in the *Observations*. Besides the abovementioned “true virtue”, which is principle-based and thus related to the notion of obligation, Kant explicitly acknowledges other moral qualities such as sympathy and complaisance (2:215 sq.) – thereby admitting different types of moral goods. To be sure, sympathy, complaisance and other moral qualities are carefully distinguished from true virtue, as they are not good in and of themselves; but they nevertheless count as morally good. So, even supposing that women do not possess true virtue at all, they can still have moral qualities.

The issue is even more complicated given that Kant does not say that women are not able to access sublime virtues, but rather that they should not – he in fact acknowledges that some women have great skills at occupations or features associated with the sublime/men, possess some noble qualities (*Observations* 2:235) and tend to get closer to the sublime with age (*Observations* 2:239)⁸¹. It is also not clear whether the normative connotation of the *Observations*

⁸¹ I thank Robert Gressis for bringing that last point to my attention.

and *Remarks* indicates what Kant thinks morality truly suggests, or what he thinks popular ideas about morality suggest – as pointed out in the following passage:

I will leave this for what it is worth in so far as it is judged with the strictness of morality [i.e., the question of what kind of action is morally better/worse]. Only here the question is not what intrinsically deserves the greatest reproach, but rather what is actually felt as the harshest one. (*Observations* 2:233; emphasis mine).

This is not to say that Kant does not endorse the ideas he presents in the *Observations*; but there seems to remain a reasonable doubt as to whether these ideas are, in his opinion, thoroughly grounded.

2.5. Towards gendered ethics?

In light of the specific context in which they take place, the *Observations* cannot be taken as evidence that women are excluded from the moral realm or that Kant takes them not to have moral agency. In fact, guaranteeing their moral accountability seems very important for him already in 1764; while discussing women's virtues and defaults in the third section of the *Observations*, he emphasizes that

It is intolerable that one should not be able to commit evil even if one wants to, because then even its omission would always be only a very ambiguous virtue. (*Observations* 2:233)

Investigating the question of women's moral agency in the context of that work has also brought to light two points on which Kant's early conception of ethics differs from his later one: (i) the role of feeling in morality and (ii) the scope of what counts as morally good. Taking into account the evolution of his thought in these two respects proves to be necessary in order to fully understand the moral status of women in 1764. I do not share, for those two reasons, the criticism raised by Moller Okin, Marwah and others presented in section 2.2.

Nevertheless, Kant's early ethics still raises some concerns with respect to the status of women⁸². While the abovementioned context allows for women to be moral agents despite their alleged aversion to reasoning, Kant's hesitations with respect to the grounds of morality, together with his inclusion of anthropological insights at the heart of his early ethics, results in the creation of a, so to speak, second-class morality. His remarks on women thus have a significant normative connotation in the context of his early writings. As we have seen, women are expected to strive towards "beautiful virtue" (2:231), contrasted with men's "noble" or sublime virtue and broadly understood as any kind of virtue that is not good in and of itself. Beautiful virtue was characterized in an earlier section of the *Observations* as "adopted virtue", then contrasted with "genuine virtue" (2:218) – where the comparison was of course favourable to the latter. It is interesting to note that Kant is fully aware of the negative connotation of the kind of virtue he associates with women: a footnote accompanying the introduction of their "beautiful virtue" tries (not very convincingly) to downplay that connotation:

Above [2:218], this was in a strict judgment designated as adopted virtue; here, where on account of the character of the sex it deserves a favourable justification, it is called in general a beautiful virtue. (*Observations* 2:232n)

Yet it seems that the category of morality that Kant is willing to associate in women in particular in the *Observations* is bound to be inferior to the one associated with men. Despite Kant's efforts to emphasize that the sexes are complementary rather than one being absolutely inferior or superior to the other, the overlap between beautiful virtue and adopted virtue reveals the existence of a hierarchy in his early ethics that disadvantages women.

⁸² I am slightly less optimistic than Frierson in this respect and would not go as far as to say, as he does, that Kant's emphasis on feeling in pre-critical works on ethics "anticipates feminist critiques of overemphasis on rationality" (2011, xxxi n28).

3. Sexual difference after the critical turn

We have now seen how Kant's model of complementarity shapes his early conception of ethics. I will conclude this chapter by showing that the evolution of Kant's conception of morality in his critical writings, together with the decreasing importance of anthropological insights within ethics and with a better grounding of morality, forces him to move away from the normativity suggested by the ideal of sexual complementarity.

Kant's *Anthropology* (1798) provides several remarks about women that seem to be in line with the pre-critical claims discussed earlier. Kant claims that men and women must, in their union, be superior to each other in different ways:

The man must be superior to the woman through his physical power and courage while the woman must be superior to the man through her natural talent for mastering his desire for her [...] (*Anthropology* 7:303)

He adds that women are more prone to fear physical injuries and are more timid than men (7:306). Kant also distinguishes feminine virtues from masculine virtues: women should be patient and sensitive, while men should be tolerant and sentimental (7:308). The *Anthropology* thus confirms that the model of complementarity previously described is still guiding Kant's reflections on sexual difference. While none of these claims directly conflicts with his mature conception of ethics – as he does not claim anymore that (e.g.) women do not act on principle, or do not act out of reason – another consideration has raised some concerns. Indeed, Kant also suggests in the *Anthropology* that womankind is intended to refine and cultivate society, according to some conjectural ends of nature:

[...] these conjectural ends can also serve to indicate the principle for characterizing woman – a principle which does not depend on our choice but on a higher purpose for the human race. These ends are: 1) the preservation of the human species, 2) the cultivation of society and its refinement by womankind. (*Anthropology* 7:305)

While men also partake in the preservation of the human species and can be characterized accordingly, it seems like the second conjectural end of nature gives a special role to women that has no equivalent for men. This second conjectural end is described as follows:

Since nature also wanted to instill the finer feelings that belong to culture – namely those of sociability and propriety – it made this sex man’s ruler through her modesty and eloquence in speech and expression. It made her clever while still young in claiming gentle and courteous treatment by the male, so that he would find himself [...] led by her, if not to morality itself, to that which is its cloak, moral decency, which is the preparation for morality and its recommendation. (*Anthropology* 7:306)

This special role of women in the refinement of humankind has been interpreted by Hull (1996), by Rumsey (1989), and by Marwah (2013) following Rumsey, as suggesting that women are not really autonomous and are thus defective moral agents. Their argument is that women’s ultimate end lies not in autonomous self-determination, but rather in a “mediate moral goal of drawing humanity towards its moral realization” (Marwah 2013, 558). Moral agents, according to Kant’s mature conception of ethics, set their own ends; if women are expected to pursue an end set by nature for themselves, they are bound to be bad moral agents. Rumsey provides further nuance to this common criticism by explaining that this criticism does not deny women’s “fundamental moral capacity”, but rather explains why they are unable to develop that capacity properly – in light of their special function (Rumsey 1989, 251).

This criticism can be addressed in two ways. First, it should be noted that although Kant focuses on the end of womankind in the *Anthropology*, he mentions other conjectural ends of nature elsewhere that do not apply to women only. The preservation of the species is one of them. The eighth proposition of the *Idea for a Universal History* also puts forward another conjectural end of nature:

The history of the human race as a whole can be regarded as the realisation of a hidden plan of nature to bring about an internally – and for this purpose also externally – perfect

political constitution as the only possible state within which all natural capacities of mankind can be developed completely. (*Idea* 8:27)

Progressing towards the perfect political constitution is an end that applies to humanity as a whole. If this end is regarded merely as an end of nature, it would suggest, by Rumsey's argument, that human beings do not set their own ends and, in that sense, are not fully autonomous. But the problem is avoided if one takes into account that those ends of nature are, in fact, conjectural ends – an important nuance for Kant. Pursuing an end set by nature for us is not quite the same as pursuing an end that we postulate to be set by nature, i.e. a conjectural end of nature. The latter implies that we choose it, endorse it, and make it our own. This idea is further supported by the fact that Kant describes his *Anthropology* as pragmatic, as opposed to physiological:

Physiological knowledge of the human being concerns the investigation of what *nature* makes of the human being; pragmatic, the investigation of what *he* as a free-acting being makes of himself, or can and should make of himself. (*Anthropology* 7:119)

The *Anthropology* thus puts forward a pragmatic approach to the knowledge of human beings: an approach that regards them as free, as opposed to an approach that regards them as determined by their natural features. To be sure, there is something very disturbing in the idea of women setting for themselves an end that directly benefits men. But the nuance between ends of nature and conjectural ends of nature is enough to avoid regarding women as mere means to an end that they have no control on.

A more general point on the status of Kant's *Anthropology* will also help to address the above criticism, and must be taken into consideration when it comes to assessing the normative value of sexual complementarity in his late works. Unlike in his early works, Kant had finally grounded his conception of morality in 1798; and he had also put forward the structure and

organization of his practical philosophy. This confirms that the *Anthropology* is a part of his practical philosophy, but a peripheral one – that is, a part that is subordinated to his other metaphysical and ethical works. The *Metaphysics of Morals* explains this subordination as follows. In order for moral obligations to be universal and necessary, that is, in order for them to bind us qua rational beings, practical philosophy must be grounded in a priori knowledge from concepts alone – meaning that it cannot be derived from experience. The *Metaphysics of Morals*, building on the foundational principle of morality brought to light in the *Groundwork* and in the *Critique of Practical Reason*, thus puts forward universal judgments and moral notions that apply to every human being qua rational being. According to this organization of practical philosophy, anthropology, which relies on conjectures and empirical observations about human nature, only comes downstream:

But [...] a metaphysics of morals cannot dispense with principles of application, and we shall often have to take as our object the particular *nature* of man, which is known only by experience, in order to *show* in it what can be inferred from universal moral principles. [...] This is to say, in effect, that a metaphysics of morals cannot be based upon anthropology, but can still be applied to it. (*Metaphysics of Morals* 6:216-217; emphasis mine)

Anthropology is thus concerned with the concrete application of practical principles to human beings, not with the elaboration of those practical principles. In his introduction to the *Metaphysics of Morals*, Kant also emphasizes the dangers of reversing that order of priority. Anthropology “must not precede a metaphysics of morals or be mixed with it; for one would then run the risk of bringing forth false or at least indulgent moral laws, [...]” (6:217) If moral principles were derived from anthropology instead of being derived from a priori concepts, they would be derived from empirical material and their certainty would be compromised. Anthropology as Kant sees it is thus only meant to facilitate the application of moral laws by

taking into account the peculiarities of human nature⁸³. Given that status, reflections made in the *Anthropology* cannot be used to justify the principles put forward in the *Metaphysics of Morals*; which is why it would be a mistake to regard the legal subordination of women put forward in the *Doctrine of Right* as justified by (e.g.) their alleged fear or timidity put forward in the *Anthropology*.

Reflections made in the *Anthropology* should thus be taken with a grain of salt, as by Kant's prescriptions, they do not carry the same weight for morality than the ideas put forward in the *Metaphysics of Morals*. It should also be noted that Kant acknowledges that his *Anthropology* relies on somewhat questionable sources, as it must be built on experience and therefore face certain obstacles, such as "circumstances of place and time":

Circumstances of place and time, when they are constant, produce *habits* which, as is said, are second nature, and make it difficult for the human being to judge how to consider himself, but even more difficult to judge how he should form an idea of others with whom he is in contact; for the variation of conditions in which the human being is placed by his fate or, if he is an adventurer, places himself, make it very difficult for anthropology to rise to the rank of a formal science. (*Anthropology* 7:121)

One should thus keep in mind that Kant is aware that particular circumstances can shape human beings in a way that makes it hard to see what their true nature is. And while he does not explicitly acknowledge that implication, his anthropological remarks about women and sexual difference may well be influenced in such a way. In light of the lesser normative value assigned to Kant's late anthropological remarks, chapter 5 will argue that Kant's practical philosophy

⁸³ Kant's general characterization of anthropology should be enough to question the normative value of his claims about women, but it is worth noting that Kant's *Anthropology from a Pragmatic Point of View* might even be further away from morality given its *pragmatic* status. Kuehn has gone as far as to suggest that this work is "practical, but not moral" (2006, xxii). His argument relies on the classification of imperatives provided by Kant in the *Groundwork*. The categorical imperative, the only one that "may be called that of morality" (4:416), is distinguished from hypothetical imperatives, which call for actions that are not good in themselves, but rather good as means to something else. Pragmatic imperatives are a form of hypothetical imperatives: they are practical principles that command actions in view of the general welfare, but they are not, strictly speaking, moral.

would be improved by further insisting on the equality of men and women and thus getting rid of the legal subordination of the latter – thereby moving away from the model of complementarity put forward in the *Anthropology*.

Chapter 3.

Kant's restrictive conception of enlightenment

I have emphasized, in my general introduction, the unclear scope of Kant's conception of enlightenment. Since he sees enlightenment, broadly construed, as a progress of humanity pertaining to the use of reason, one could assume that he also expects all rational beings to partake in enlightenment. But we have seen that for Kant, the progress of humanity is a matter of generations, and can very well leave certain individuals out. Moreover, it seems like Kant is well aware that even within a generation or a population in particular, entire groups of people will not get to partake in enlightenment as he understands it. As we will now see, Kant's conception of enlightenment is not egalitarian: enlightenment implies that one is able to make public use of one's reason "as a *scholar* before the *reading world*" (WA 8:37)⁸⁴. An implication of this conception is that one may not express his or her views in the way that best suits him or her: the public use of reason must be performed as a scholar, that is, as someone who is entitled in some way to speak publicly. The elitist dimension of Kant's conception of enlightenment will be discussed at length in this chapter, for commentators tend to disagree on whether or not this conception of enlightenment is elitist.

I will first point out and discuss the main features of Kant's conception of enlightenment. These features revolve around the central idea of thinking for oneself; as such, enlightenment can be taken to be a theoretical project, concerned with cognition (or more precisely, with the proper

⁸⁴ This is a point emphasized by Piché (2015), who convincingly argues that Kant's conception of enlightenment does not apply to members of society who are uneducated in the same way than to those who are educated – only the latter being in a position to make a public use of their reason as scholars. My own argument is indebted to this approach, but insists more on the legal requirements that one must meet in order to partake in public reason than on the level of education associated with it.

use of the cognitive faculty) and undertaken in an individual manner. I will, however, show in my second section that enlightenment is not a merely theoretical enterprise: Kant's emphasis on the role of the public use of reason shows that enlightenment must be also enacted within a certain social and political context. Due to this particular context, taking an active part in enlightenment demands that one meets certain basic political and legal requirements. Since the enactment of enlightenment relies on certain political and legal requirements, a number of people, who would in principle have the intellectual capacities required for the theoretical aspect of enlightenment, are left out because they are not in a position to make a public use of their reason due to their civil status. The enactment of enlightenment is thus bound to exclude certain people, or certain groups of people. The elitism pertaining to the enactment of enlightenment within a specific organization of society will be confirmed by Kant's insistence on the role of the scholar in enlightenment, and further discussed in section 3. This chapter is therefore a first step towards investigating the systematic exclusion of women from enlightenment, a task that will be undertaken in chapter 4.

1. The theoretical dimension of enlightenment

1.1. An evolving conception of enlightenment

Kant's conception of enlightenment, like a number of other topics, evolved throughout his works. This evolution is not a problem for the identification of a consistent conception of enlightenment, but it must be taken into consideration. I will briefly highlight the main steps of this evolution before focusing on what we can consider to be Kant's "core" conception of enlightenment.

Kant first explicitly fleshed out his conception of enlightenment [*Aufklärung*] in his famous 1784 essay, “What is Enlightenment?”. While he occasionally alluded to this conception before⁸⁵, the word *Aufklärung*, as well as the corresponding verb *aufklären*, were used in a slightly different sense in Kant’s writings published before 1784⁸⁶. In those works, *Aufklärung/aufklären* refer first and foremost to the idea of a conceptual clarification. Kant refers to this sense of *Aufklärung* in a passage of the *Critique of Pure Reason* insisting on the importance of a proper self-knowledge of reason. This self-knowledge consists in the accurate understanding of how reason operates and of the rules regulating its use. Kant points out that the self-knowledge of reason requires “a sufficient clarification [*Aufklärung*] of our concepts” (A735/B763)⁸⁷; that is, further investigation of the nature and function of the concepts used in cognition. What is at stake here is thus an epistemological enterprise involving a merely individual use of reason, and not (or not directly) the progress of humanity towards enlightenment. The word *Aufklärung* was to become explicitly identified with the core idea of Kant’s conception of enlightenment, thinking for oneself, only in 1784⁸⁸.

Indeed, in his 1784 essay, Kant discusses this idea of thinking for oneself as well as its implications. Some of the main features of Kant’s conception of enlightenment are also discussed in another essay (“What is Orientation in Thinking?”, 1786), in the *Critique of Judgment* (1790) and in the *Conflict of the Faculties* (1798), as well as in some of his lectures on logic and on

⁸⁵ See for instance the first preface of *Critique of Pure Reason*, where Kant evokes the “incipient transformation and enlightenment” of the sciences (Ax).

⁸⁶ For an exhaustive study of Kant’s pre-critical views on enlightenment, see Kreimendahl 2009.

⁸⁷ Guyer and Wood’s choice of translation for *Aufklärung* in the first *Critique* is not always consistent: they sometimes use “enlightenment”, and sometimes, as is the case here, “illumination”.

⁸⁸ Nevertheless, I believe that there is a connection between the *Aufklärung* as conceptual clarification and the *Aufklärung* as enlightenment – for Kant makes clear that the conceptual clarification must come from reason itself and not from an external authority (see for instance in the first *Critique*: “it is quite absurd to expect enlightenment [*Aufklärung*] from reason and yet to prescribe to it in advance on which side it must come out” (A747/B775)) I discuss the connection between these two senses of *Aufklärung* in Sabourin 2016.

natural law. I will draw on these features in order to emphasize a consistent conception of enlightenment throughout Kant's works. These features mostly pertain to the correct use of one's reason (as implied by the idea of thinking for oneself) and may therefore suggest that enlightenment is strictly theoretical, in that it would merely involve one's use of their own cognitive faculty. Yet, as we shall see, Kant is well aware that enlightenment, if it is to benefit to humanity as a whole, also involves one's practical use of reason; one's ability to act according to principles. Enlightenment, through the public use of reason it demands, must be enacted in society. I will therefore also pay attention to the conditions Kant sets for the enactment of enlightenment – like, for instance, the importance of public debates, and the requirements that one must fulfil in order to partake in those public debates.

Finally, it is worth mentioning that Kant's conception of enlightenment undergoes a major change between 1784 and 1798: the restriction of public debate to philosophers only. Up to 1798, Kant's enlightenment was characterized by such public debate and open to everyone who was willing and able to speak up publicly as a scholar; in 1798, the *Conflict of the Faculties* officially reserves the right to take part in public debates to the members of the philosophy faculty only. Kant now believes that university scholars who belong to other faculties would jeopardize the public order and disrupt society if they attempted to do so:

If, that is to say, these officials -for example, clergymen and legal officials- should want to put before the public their objections and doubts about ecclesiastical and civil laws that have been given, they would be inciting the people to rebel against the government. (*SF* 7:29)

Faculty members are still encouraged to discuss and criticize one another, but not in a public way. The members of the philosophy faculty are an exception, for they have a special duty to “discover the truth for the benefit of all the sciences” (*SF* 7:28) – as well as for that of the rulers.

Kant's elitism is all the more apparent at this point, as enlightenment outside the university and among ordinary people now takes a very minimalist and quite disappointing form:

Enlightenment of the masses is the public instruction of the people in its duties and rights vis-à-vis the state to which they belong. (*SF* 7:89)

This major restriction to the scope of enlightenment will, however, be left out here – not because, as is sometimes suggested, the *Conflict of the Faculties* and similar later works should not be taken seriously, but rather because (i) this overrestrictive version of enlightenment does not provide any additional information on the status of women and (ii) it conflicts with the views Kant held from 1784 to 1790⁸⁹. This change is, however, not a problem for my argument: if anything, it confirms that, for Kant, enlightenment does not require the same kind of participation from every human being⁹⁰.

On the basis of this overview of Kant's evolving conception of enlightenment, I will now expand on the theoretical features of this conception. There are, in fact, two main aspects to stress in this respect: first, the intellectual autonomy entailed by the idea of thinking for oneself; and second, the elimination of prejudices that it also implies.

⁸⁹ In a 1795 essay, *Towards Perpetual Peace*, Kant insists on the importance, for the head of the state, to let philosophers “speak freely and publicly” concerning matters of war and peace (*ZeF* 8:369) – for the rulers will benefit from the philosophers’ advices. This essay is thus foreshadowing the role of the philosopher presented in the *Conflict of the Faculties*; yet, in 1795, Kant does not go as far as to say that scholars who are not philosophers should not speak up.

⁹⁰ Deligiorgi suggests that Kant does not really argue for an alternative conception of enlightenment in the *Conflict of the Faculties*, but rather defines a subsection of public communications: “Kant concentrates on philosophical freedom and emphasizes the public role of the philosophers and their freedom to “instruct” the rulers. Far from replacing the freedoms of participation and of communication, philosophical freedom should be seen rather to relate to them as a part to a whole.” (2005, 77). Her interpretation can make sense of the passage in *SF* 7:89 on the enlightenment of the masses, but not of that in 7:29 on the prohibition of public debates involving members of faculties of law, medicine and theology.

1.2. Intellectual autonomy

For Kant, as well as for many of his contemporaries, “*Sapere aude!*” is the motto of enlightenment: “Dare to know!” – to which Kant adds, “Have the courage to make use of your own intellect!” Kant also provides the following definition of enlightenment:

*Enlightenment is the human being’s emancipation from its self-incurred immaturity*⁹¹ [*Unmündigkeit*]. *Immaturity* is the inability to make use of one’s intellect without the direction of another. (WA 8:35)

Indeed, enlightenment implies thinking for oneself – as opposed to the merely passive use of one’s reason: always relying on what others tell us without thinking further. This merely passive use of reason is what Kant refers to as self-incurred immaturity. Enlightenment can thus be understood as a plea for intellectual autonomy. This is of course stretching Kant’s primary use of the word “autonomy”, by moving it from a practical context to a theoretical one. I nevertheless believe this extended use to be justified.

Kant’s best known works in practical philosophy (i.e. the *Groundwork for the Metaphysics of Morals* and the *Critique of Practical Reason*) present autonomy as the capacity rational beings have to give themselves the moral law or, more precisely, as “the property of the will of being a law to itself” (GMS 4:447). Such conception of autonomy is opposed to the many cases where (external) objects determine our will, i.e., when our will receives its law from the outside, as is the case when our actions are motivated by inclinations or by a desire to reach happiness. Autonomy therefore provides the principle of morality (GMS 4:439-440; see also *KpV* 5:33); and, as such, constitutes “the ground of the dignity of a human and of every rational

⁹¹ *Unmündigkeit* is often translated by “immaturity” (on this, see among others Fleischacker 2013, 195n12). But Green helpfully notes that the word *Unmündigkeit*, besides its psychological connotation, also has an important legal connotation in German, perhaps less perceptible in “immaturity” (1996, 292). This legal connotation will be further discussed in chapter 3.

nature” (*GMS* 4:436). Strictly speaking, autonomy thus refers to the field of practical reason. But Kant’s further discussion of enlightenment in §40 of the *Critique of Judgment* allows for the use of the word “autonomy” in a broader sense that can also be extended to theoretical philosophy: in the third *Critique*, enlightenment is explicitly contrasted with the “propensity to a passive reason, and hence to a heteronomy of reason” (*KU* 5:294; emphasis mine)⁹².

Yet this intellectual autonomy characterizing enlightenment is not easy to accomplish – very few people are able to do so. Kant views his own century not as an “enlightened age”, but rather as “an age of enlightenment” (*WA* 8:40) – thus as undergoing important changes. Enlightenment is to be understood as a process; and such a process is slow and difficult. The reason is that we can very easily count on other people to think for us. In Kant’s words: “It is not necessary that I think if I can just pay” (*WA* 8:35). The problems associated with letting other people think for us are Kant’s main focus in *What is Enlightenment?* He provides several examples of this situation: “a book that reasons for me”; “a pastor who acts as my conscience” and “a physician who determines my diet for me” (*WA* 8:35). While it is true that we tend to rely a lot on authorities in our everyday life and that we often do it blindly, it should be noted that Kant’s injunction to think for oneself does not imply that taking advice from other people is prohibited or that one must be an expert on everything. For instance, while writing a paper, I will refer to the articles of several scholars: this does not contradict the maxim of thinking for myself, as long as I am being critical in my reading of those articles. This indicates something peculiar to

⁹² The *Critique of Judgment* introduces, in addition to the abovementioned notion of a heteronomy of reason, a distinction between the heteronomy and the autonomy of our power of judgment. This distinction, however, has a different connotation. Far from being undesirable, the heteronomy of judgment is necessary when it comes to making determinate judgments (which must agree with the laws of the understanding, that is, with laws that are heteronomous to the power of judgment itself), while the autonomy of judgment is required when it comes to making reflective judgments (i.e., aesthetic and teleological judgments), which are precisely not derived from external laws. This is, however, a “merely subjectively valid” form of autonomy. (*KU* 20:225; see also *KU* 5:281; 5:385, 5:389)

Kant's conception of enlightenment, namely that it cannot be reduced to the acquisition of information: "often he who is richest in information is the least enlightened in the use he makes of it" (*WO* 8:147)⁹³. In other words, for Kant, the possession of information is not a sufficient condition for enlightenment. This is of course not to say that knowledge is useless, or that Kant is an enemy of science. For him, enlightenment is situated at a more fundamental cognitive level than (e.g.) the pursuit of science: it allows us to make the best use of the information we have⁹⁴. Incidentally, Kant makes clear that the opposite of enlightenment is not ignorance, but immaturity. Someone who is not enlightened is not necessarily ignorant, but rather immature. The nature of this immaturity is, however, not straightforward and has yet to be discussed.

1.3. Elimination of prejudices

Thinking for oneself thus requires being critical towards what other people tell us and, ultimately, what we know in general. But the critical examination of our own knowledge also involves another important task: getting rid of our prejudices – an ideal shared by many other enlightenment thinkers and that can also be traced back to earlier philosophers such as Descartes, Poulain de la Barre and Spinoza. Kant alludes to this other important implication of thinking for oneself in "What is Enlightenment?":

So harmful is it to instill prejudices, for they ultimately avenge themselves on their originators or on those whose predecessors invented them. [...] A revolution is perhaps capable of breaking away from personal despotism and from avaricious or power-hungry oppression, but it can never bring about a genuine reform in thinking; instead, new prejudices will serve as a guiding rein for the thoughtless masses. (*WA* 8:36)

⁹³ This contrasts with some of Kant's contemporaries who identified enlightenment exclusively with the pursuit of modern science (cf. Fleischacker (2013, 6)) – though of course, in a Kantian perspective, science can (and must) be pursued critically. Enlightenment is to take place at another (and more fundamental) level.

⁹⁴ This is why Kant often presents thinking for oneself as a "negative principle" (*Anthropology* 7:228); see also the *Critique of Judgment* 5:294n.

Indeed, instilling and nurturing prejudices is a convenient way to maintain an entire society in a state of immaturity. Unfortunately, Kant does not say much more on the nature or on the status of these prejudices in his 1784 essay. Their connection with enlightenment was to be confirmed in §40 of the *Critique of Judgment*. There, Kant presents “To think for oneself” as “the maxim of the unprejudiced way of thinking” (*KU* 5:294; emphasis mine). Thinking for oneself thus implies to get rid of one’s prejudices, which are constitutive of passive (or heteronomous) reason:

[To think for oneself] is the maxim of a reason that is never *passive*. A propensity to a passive reason, and hence to a heteronomy of reason, is called *prejudice*; and the greatest prejudice of all is *superstition*, which consists in thinking of nature as not subject to rules which the understanding through its own essential law lays down as the basis of nature. Liberation from superstition is called *enlightenment*. (*KU* 5:294)

Unfortunately, Kant does not say more about the epistemological nature or status of prejudices in the *Critique of Judgment*. One would expect to find something on prejudices in Kant’s magnum opus; and yet, prejudices are not discussed in the *Critique of Pure Reason* or in the *Prolegomena*⁹⁵. In order to understand what Kant means by *prejudices*, one must turn to his lectures on logic. The absence of an extensive discussion of prejudices in Kant’s published works seems to be due to two reasons. The first is only conjectural: if Kant did not bother to provide a proper definition of prejudices, it is probably because he did not intend to come up with a radically new conception of prejudices and assumed his readers would be familiar with what he meant. As will be shown by his various references to Georg Friedrich Meier’s logic handbook, I take Kant to be referring to a certain German tradition when it comes to prejudices. The second reason is provided in one of the transcriptions of Kant’s lectures on logic:

Prejudices are actually not part of logic at all. For logic has to do with the objective grounds of the understanding, and not with its subjective grounds. [...] Logic considers only the objective, universal grounds of reason, without seeing whether the understanding

⁹⁵ The word “prejudice” [*Vorurteil*] is used a few times in the *Critique of Pure Reason*, most of the time to refer to theoretical prejudices in philosophy such as dogmatism: see *KrV* Bxxx; A53/B77; A740/B768; A747/B775. See also *Prolegomena* 4:262; 4:285.

is corrupted or not. Prejudice is a mere fact. All explanation of fact belongs to psychology. (*Wiener Logik* 24:879)

Prejudices must be understood as psychological obstacles that prevent one from thinking clearly. Their psychological nature thus puts them outside the scope of the first *Critique*⁹⁶. Kant nevertheless justifies including a section on prejudices within his logic lectures, given that they can be a hindrance to the proper use of logic.

Indeed, Kant's lectures on logic prove to be helpful in understanding his general conception of prejudices in connection to enlightenment. A caveat must however be expressed: these lectures were not transcribed by Kant himself, nor reviewed by him. We have access to several transcriptions of his lectures on logic (going from the 1770s to the late 1790s), likely made by students. These transcriptions were not intended for publication. The only exception is the *Jäsche-Logik*, put together by Gottlob Benjamin Jäsche, a former student of Kant, at his request. The *Jäsche-Logik* was published in 1800, but we do not know to what extent Kant reviewed it himself⁹⁷. Kant's lectures on logic must therefore be used with caution: in order to flesh out Kant's conception of prejudices, I will not only compare the transcriptions among themselves, but also refer, whenever possible, to Kant's published works for corroboration.

⁹⁶ Kant carefully distinguishes between transcendental philosophy and (empirical) psychology in the *Critique of Pure Reason*; see for instance B152 and A848/B876.

⁹⁷ See J. M. Young's introduction to his translation of several transcription of Kant's lectures on logic, p. xvii-xix. The organization of this manual reflects Jäsche's perspective on Kant's lectures on logic much more than the organization of Kant's lectures itself. As pointed out by Lu-Adler, while Kant's lectures reflect the basic structure of Meier's *Auszug aus der Vernunftlehre*, Jäsche somewhat modified that structure: "By contrast, although Jäsche's Logic likewise has Doctrine of Elements and Doctrine of Method as its two principal parts, the former includes just the sections on concepts, judgments, and inferences. Topics like quality of cognition and prejudices are all shoveled into the Introduction." (Lu-Adler 2018, 12) Lu-Adler provides more useful suggestions in the introduction of her monograph as to why we should not rely uncritically on the *Logik Jäsche*.

The organization of Kant's lectures on logic follows that of the logic handbook he was using, G. F. Meier's *Auszug aus der Vernunftlehre* (1752). The discussion of prejudices refers to §168-170 of Meier's work, although in the end, Kant's lectures reveal a lot more about his own views than Meier's. Indeed, while Meier is mostly interested in describing and classifying various kinds of prejudices (e.g. the "prejudice of excessive authority" [*Praeiudicium autoritatis*], the "prejudice of antiquity" [*Praeiudicium antiquitatis*], etc.⁹⁸), Kant prefers to investigate the epistemological status of prejudices (in general) and their causes. Throughout the various transcriptions of Kant's lectures, several aspects of his conception of prejudices come up.

According to Kant, prejudices arise from insufficient and subjective grounds. They affect our cognition upstream, prior to any reflection:

A subjective ground of holding-to-be-true prior to all reflection, as the ground of the action of the understanding that is necessary for this and, moreover, useful, can be called *prejudice*. (*Logik Blomberg* 24:162)⁹⁹.

Prejudices occur prior to particular judgments: in that sense, they are literally pre-judgments¹⁰⁰. They occur without further investigation, but also without reflection – a very important concept for Kant, and yet not discussed in Meier's handbook, nor discussed at length in Kant's lectures either. The concept of reflection was to be further investigated in the *Critique of Pure Reason*, where Kant draws an important distinction between logical reflection and transcendental reflection. While certain aspects of Kant's conception of transcendental reflection are anticipated

⁹⁸ Meier 2016, §170, 39-40

⁹⁹ See also *Logik Blomberg* 24:165; *Wiener Logik* 24:865; *Logik Dohna-Wundlacken* 24:737; *Logik Jäsche* 9:76.

¹⁰⁰ Kant uses indifferently *Praeiudicium* and *Vorurteil*, both of which preserve that meaning. Deligiorgi notes that Kant draws here from the same legal tradition that was to inspire Hans-Georg Gadamer's rehabilitation of prejudices as pre-judgments (2005, 80). For a comparison between Kant and Gadamer's views on prejudices, see Makkreel 1997, 160-161. It is worth noting that Makkreel focuses exclusively on the content of Kant's early 1770s lectures (*Logik Blomberg*), in which Kant reluctantly suggests the possibility of preserving some useful prejudices – unlike in later lectures. This may give the impression that Kant anticipates on Gadamer's positive view of prejudices, while lectures from the 1780s and 1790s show that it is not the case.

in his lectures on logic, it is more likely that he has in mind a logical sense of reflection in the context of his discussion of prejudices. The Blomberg Logic describes the relationship between prejudices and reflection as follows:

A prejudice always arises when one judges without reflection, i.e., when one judges concerning a thing or its cognition without previously having compared this cognition with the laws of the understanding or of reason. Prejudices cannot properly lie in defects or mistakes of our understanding. (*Logik Blomberg* 24:168)

Prejudices, as we will see, generate judgments that are false as to their form. Prejudices manifest themselves when we make certain judgments too quickly, without proceeding to some reflection first. Reflection, in that context, is an intellectual tool that can help us to realize that those judgments are false, and thereby reveal that there is an underlying prejudice at work.

So far, prejudices have been defined as prior to further judgments and unaccompanied by reflection. Another distinction introduced by Kant (and not discussed by Meier) also proves to be useful in shaping his conception of prejudices: the distinction between prejudices and provisional judgments [*Vorläufige Urteile*]¹⁰¹. Prejudices and provisional judgments are both anticipations based on insufficient grounds and they both precede proper investigation¹⁰². What distinguishes them is that, unlike prejudices, provisional judgments are not meant to be universal or necessary grounds for further judgments. Provisional judgments guide one's reason when sufficient grounds are unavailable, and, as such, they are very useful: Kant repeatedly refers to inventors in this respect ("There has never been an inventor in the world, and there has never been anyone who invented something, who did not at the same time make a provisional judgment concerning his invention and the invented thing." (*Logik Blomberg* 24:162)¹⁰³) Provisional judgments provide an

¹⁰¹ On Kant's conception of *Vorläufige Urteile*, see C. La Rocca (2001)

¹⁰² *Logik Dohna-Wundlacken* 24:737

¹⁰³ See also *Logik Blomberg* 24:164; *Logik Dohna-Wundlacken* 24:737

incomplete perspective on something, but they can still be of valuable inspiration for further investigation. Using Kant's example: we often judge of books provisionally according to their title (*Wiener Logik* 24:861) – which may well guide, for instance, the choice of references I will use in this dissertation. Prejudices, though, go one step too far: they are a kind of provisional judgment that is used as a principle for making further judgments¹⁰⁴.

In other words, prejudices are used as if they were sufficient grounds for making other judgments, while they are in fact not sufficient. Provisional judgments are not sufficient grounds for taking something to be certain; and this is precisely what prejudices are intended to do. Prejudices therefore lead to a number of errors, as they provide grounds for judgments that are false as to their form. Indeed, prejudices generate universal judgments from inadequate or incomplete grounds. This means that even if the content of those universal judgments happens to be true, they will still be false as to their form, in virtue of being universal without adequate or sufficient evidence.

Kant gives an interesting example of such faulty judgment based on a prejudice:

Almost everyone, be he who he may, esteems the fashions and customs of his country or his fatherland as the best and most proper. Among us, e.g., we bare our heads, but not so among the Turks; therefore we consider them crude, although it is not yet settled whether it is crudeness to cover one's head or to bare it. The Turks, again, perhaps consider us impolite. But this is actually not a prejudice, but rather only something that is accepted through prejudice. (*Logik Blomberg* 24:165)

In the above example, the prejudice is that of the superiority of the fashions and customs of one's own country. This prejudice, used as a universal principle, leads to the depreciative judgment on the Turks. Here, the content of the depreciative judgment is obviously just as false as its form.

¹⁰⁴ *Wiener Logik* 24:862; *Logik Dohna-Wundlacken* 24:737; *Jäsche-Logik* 9:75.

But again, judgments based on prejudices are not always false as to their content. A judgment could be based on a prejudice (and therefore false as to its form) and still be true – by chance or by coincidence¹⁰⁵.

Interestingly enough, the connection between prejudices and enlightenment becomes stronger in Kant's later lectures. From the 1780s to his last lectures, Kant associates prejudices to a passive reason: "The inclination toward passive use of reason, or toward the mechanism of reason rather than toward its spontaneity under laws, can also be called a prejudice of imitation." (*Jäsche-Logik* 9:76)¹⁰⁶ Such passive or mechanical use of reason is opposed to thinking for oneself, as stressed in the above-quoted passage of the *Critique of Judgment* (*KU* 5:294). When we make judgments based on prejudices, we are in fact basing our judgments on subjective grounds that we mistake for objective ones due to a lack of reflection. These subjective grounds are imitation, custom or inclination – which are, for Kant, the sources of all prejudices¹⁰⁷. The connection to enlightenment becomes clear here: taking a judgment to be true because someone else said so, or because this judgment has always been regarded as true, or because it just seems like a natural thing to say, amounts to making a passive use of one's reason. Furthermore, Kant points to idleness [*Faulheit*] as a major cause of such intellectual passivity¹⁰⁸; and he confirms in his 1784 essay on enlightenment that idleness and cowardice are the reasons why most people remain in a state of intellectual immaturity (*WA* 8:35).

¹⁰⁵ *Logik Blomberg* 24:168-170.

¹⁰⁶ See also the *Wiener Logik*: "Prejudice is the mechanization of reason in principles." (24:863)

¹⁰⁷ *Logik Blomberg* 24:165-167; *Wiener Logik* 24:865-866 ; *Jäsche-Logik* 9:76-77.

¹⁰⁸ *Wiener Logik* 24:866 ; *Logik Dohna-Wundlacken* 24:739.

It therefore seems that prejudices are an important part of the state of immaturity opposed to enlightenment. Consequently, enlightenment requires getting rid of one's prejudices, and, whenever possible, helping other people to do so. Kant insists on the importance of this task in the *Jäsche-Logik*:

Is it good and advisable to let prejudices stand or even to encourage them? It is astonishing that in our age such questions can still be advanced, especially that concerning the encouragement of prejudices. Encouraging someone's prejudices amounts to deceiving someone with good intent. (*Jäsche-Logik* 9:80-81)¹⁰⁹

There are of course a number of different prejudices, all derived from the same three sources (imitation, custom, inclination). At this point of his lectures, Kant simply takes over Meier's classification of prejudices and comments on it. But it is worth adding that in the *Critique of Judgment*, Kant insists on one prejudice in particular: superstition [*Aberglaube*]. Being superstitious means to represent nature to oneself as not subject to the necessary laws provided by the understanding (*KU* 5:294)¹¹⁰, which amounts to a belief in supernatural phenomena. Kant regards it as the greatest of all prejudices, for "the blindness to which superstition leads, which indeed it even demands as an obligation, is what makes most evident the need to be led by others, hence the condition of a passive reason." (*KU* 5:294-295). Incidentally, enlightenment must be understood as the liberation from prejudices in general – and from superstition in particular. Prejudices therefore seem to be the most important threat to the intellectual autonomy required by enlightenment.

¹⁰⁹ For a similar reflection, see *Wiener Logik* 24:868-869.

¹¹⁰ See also in the *Conflict of the Faculties*: "Superstition is the tendency to put greater trust in what is supposed to be non-natural than in what can be explained by laws of nature, whether in physical or in moral matters." (7:65n) and in *What is Orientation in Thinking?*, "the complete subjection of reason to facts" (8:145)

2. The enactment of enlightenment

The intellectual features discussed in the previous section are undoubtedly constitutive of enlightenment. I will now emphasize that for Kant, enlightenment must always take place in society. The abovementioned theoretical conditions must therefore be understood in a practical context, which significantly changes the scope of enlightenment. If enlightenment were merely theoretical – as a set of healthy intellectual habits –, we could consider it to be accessible to anyone possessing reason. But enlightenment must also take place in society and thus with certain restrictions that would not have been visible otherwise. These practical considerations pertain to what I will refer to as the enactment of enlightenment.

2.1. The scope of enlightenment

It is worth mentioning first that while enlightenment may sound very theoretical, it is meant to apply to all domains of human life¹¹¹. Given the context of publication of his essay¹¹², it is no surprise that Kant pays special attention to the implications of enlightenment for religion in “What is Enlightenment?”:

I have described the main point of enlightenment, that is, the human being’s emancipation from its self-incurred immaturity, primarily in terms of *religious matters*. (*WA* 8:41)

Kant further justifies this insistence by pointing out that with regard to the arts and sciences, rulers have very little interest in keeping people in a state of immaturity, unlike when it comes to

¹¹¹ The project of enlightenment thus mirrors the critical enterprise, described as follows in the first preface to the *Critique of Pure Reason*: “Our age is the genuine age of criticism, to which everything must submit. Religion through its holiness and legislation through its majesty commonly seek to exempt themselves from it. But in this way they excite a just suspicion against themselves, and cannot lay claim to that unfeigned respect that reason grants only to that which has been able to withstand its free and public examination.” (*KrV* Axin) It is worth noting Kant’s insistence on the “free and public” examination led by reason, which is reminiscent of the free public use of reason necessary to enlightenment (see section 2.3.)

¹¹² See my general introduction.

religious matters¹¹³. We can therefore assume that enlightenment must take place in the arts and sciences, but also in religion. And it is worth noting that Kant stresses the importance of thinking for oneself in politics as well. Indeed, paternalistic governments are harshly criticized in *Theory and Practice*:

A government that would be established on the basis of the principle of benevolence toward the people, as a *father* vis-à-vis his children, that is, a *paternalistic government* (*imperium paternale*) would be the greatest imaginable *despotism* [...]. Such a government is one where the subjects, as dependent children, cannot decide what is useful or damaging to them and are required to behave merely passively. (*TP* 8:290-291)¹¹⁴

Kant's conception of enlightenment thus seems incompatible with a state in which the government thinks for its citizens, as well as one in which citizens would blindly follow the orders of their leader. One of the main conclusions of "What is Enlightenment?" is that citizens must in all cases obey authority (*WA* 8:41) – but they must do it actively, by thinking further about it and, if they disagree with the order, point out why.

2.2. The collective dimension of enlightenment

Enlightenment must therefore be understood as a wide-reaching project, not limited to philosophy or to intellectual fields. Furthermore, Kant makes clear that enlightenment is not a solipsistic project. While getting rid of one's prejudices is in some respects a solitary task, thinking for oneself also involves interactions with other people. As we will now see, this comes with a number of difficulties, but also with some advantages.

¹¹³ This is a rather surprising claim given that Kant must have been aware of the various historical cases where rulers interfered with the freedom of artists and scientists. But under the reign of Frederick the Great in Prussia, philosophers, artists and scientists benefited from a relative freedom. Frederick is also known to have supported the Berlin Academy of Sciences (Van der Zande 2000, 101).

¹¹⁴ For similar criticism of paternalistic governments, see *RL* 6:317 and *Anthropology* 7:209 ("Heads of state call themselves *fathers of the country*, because they understand better how to make their subjects happy than the subjects understand; but the people are condemned to permanent immaturity with regard to their own best interest.") Kant also points out in *Naturrecht Feyerabend* (27:1334) that paternalistic laws are simply useless.

Thinking for oneself is not easy: it takes courage and willingness to do so. After all, “the largest part of humanity (including the entirety of the fairer sex)” is content to “remain immature for life” (*WA* 8:35). Indeed, the reason of our all too frequent immaturity is to be found in our own idleness and cowardice. We can already see that the failure of thinking for oneself is associated with character traits that have an obvious moral connotation – thereby already hinting at the practical dimension of enlightenment. Kant holds every individual responsible for his or her own intellectual immaturity, that is, regardless of gender, education, social condition, etc. However, he does acknowledge that it can be very difficult to find a way out of immaturity, partly because of other individuals. Indeed, some people find a non-negligible interest in keeping other people in a state of immaturity. The guardians who assume such supervisory responsibility are not necessarily enlightened themselves, but they nevertheless make sure that other people are not in a position to be enlightened. To use Kant’s example, the pastor who “acts as my conscience” (*WA* 8:35) whenever I’m not thinking for myself is not necessarily enlightened. He himself may well have a superior who, in turn, acts as his conscience.

Although the individual is the first to blame for his or her own immaturity, other individuals may well play a significant role in it – by taking advantage of it. But they may also help one to escape it. The best way to become enlightened is to do so collectively. Kant’s argument is well summarized in the following passage:

It is much more likely that an entire public should enlighten itself; indeed it is nearly unavoidable if one allows it the freedom to do so. For there will always be some independent thinkers even among the appointed guardians of the great masses who, after they themselves have thrown off the yoke of immaturity, will spread the spirit of rational appreciation of one’s own worth and the calling of every human being to think for himself. (*WA* 8:36)

Enlightenment can be conceived of as a snowball effect: seeing or interacting with persons who think for themselves is probably the most powerful incentive to do the same – for people cannot be forced to think for themselves. Kant is well aware of the difficulty, discussed in his 1786 essay:

It is [...] very easy to lay the basis of enlightenment in *individual subjects* by means of education; one must merely begin at an early stage to accustom young minds to this reflection. To enlighten an *era*, however, is a very protracted process; for there are numerous external obstacles which either preclude that mode of education or make it more difficult to implement. (*WO* 8:147)

Indeed, in the presence of external obstacles (such as an intrusive pastor in a small town, or a patronizing physician, or even a controlling husband), the best way for someone to learn to think for himself is probably to witness other people doing so.

This points to something very important in Kant's conception of enlightenment: namely, that while getting rid of one's prejudices and thinking for oneself seems to be a merely theoretical undertaking, it must also (and always) be enacted in a social context. In this sense, enlightenment is also a practical task. And Kant is well aware that one benefits from confronting his thoughts with someone else's. As pointed out in "What is Orientation in Thinking?", it is by thinking in community with others and exchanging with them that we will gradually improve our way of thinking:

[...] how much and how correctly would we *think* if we did not think as it were in community with others to whom we *communicate* our thoughts, and who communicate theirs with us! (*WO* 8:144)

Enlightenment is thus a form of public and collective education – and it becomes quite obvious that the enactment of enlightenment requires the protection of a certain freedom of expression.

We will now see that the kind of freedom of expression Kant wishes to ensure reveals a lot about his conception of enlightenment.

2.3. On the public and private uses of reason: the political dimension of enlightenment

If the best way to enlighten is collectively, this already entails that enlightenment will take place not so much in the comfort of one's own house, but in public space – and thus in a certain political context. The distinction between public and private uses of reason must now be discussed, for Kant uses it as a justification for the partial limitation of freedom of expression.

By “public use” [*öffentlichen Gebrauche*] of reason¹¹⁵, Kant refers to “the kind of use that one makes thereof as a *scholar* before the *reading world*”. This is to be contrasted with the “private use” [*Privatgebrauch*] of reason, which is “the use that one may make of it in a *civil* post or office with which one is entrusted”, that is, for affairs that serve the interests of the commonwealth (*WA* 8:37)¹¹⁶. In a nutshell: when on duty, a citizen makes a private use of his reason, and when off duty, this citizen makes a public use of his reason. Of course, in both cases, the “use of reason” refers to the expression (verbal or written) of one's thoughts, not merely to the thoughts themselves: a civil servant can still think for himself when on duty. Onora O'Neill helpfully draws on the etymology of the word “private” (*privat* in German, from the Latin *privatus*) in order to make sense of Kant's distinction:

The speech of officers to troops, of ministers to their congregations, of officials to taxpayers – all are said to be “private” uses of reason. The point is that they are deprived (*privatus*), incomplete uses of reason. In all such communication there is a tacit, uncriticized and unjustified premise of submission to the “authority” that power of office establishes. The antithesis to private, partial exercises of reason must be a (more fully)

¹¹⁵ On this, see K. Davis' useful typology of Kant's various uses of the word “public” (1992).

¹¹⁶ Laursen points out that the distinction between public (*ius publicum*) and private (*ius privatum*) may be imputed to Cicero (1996, 254).

public use of reason that steadfastly renounces reliance on powerful but ungrounded “authorities” in favor of self-discipline. (O’Neill 1989, 17)

Private uses of reason thus address a specific audience that is subject to an external authority – not to the authority of reason itself. This external authority is, for instance, the authority of one’s superior. Private uses of reason must meet the specific criteria of this external authority. Kant cites the example of the army officer¹¹⁷ to illustrate the necessary limitation of reason in its private use: if the officer were to question every order he receives when on duty, he would put at risk the interests of the commonwealth. Kant thinks it is essential to the state that people, as part of their civil duties, be “led by the government in the pursuit of public ends [...] or at least be kept from undermining these ends” (*WA* 8:37). But the civil servants (officers, priests, etc.) may well make remarks and criticisms in public, as scholars, when off duty. There is no external authority to respect in the case of public uses of reason: reason is its only authority. Thus, if the military officer disagrees with an order he receives, he must obey on the spot, but he can (and should) nevertheless discuss the matter afterwards, with his superior at the very least or even with a larger public. This is what Laursen calls a “two hats doctrine” (1996, 257): the same person may well make private use of his reason (restricted) when on duty, and a public one (free) when not on duty. No matter what Kant had in mind, the limitation of the private use of reason is still controversial. It is, at the very least, contentious – and it may even sound suspicious or alarming to some¹¹⁸. One can also wonder to what extent such a limitation of freedom (regarding the private use of reason), far from being a hindrance to enlightenment, “rather even serves to

¹¹⁷ Following Laursen, it is interesting to note that in *What is Enlightenment?*, Kant is mainly concerned with the freedom of reason of civil servants [*Beamten*], as his examples show. The freedom of the public use of reason of independent writers, for instance, is less of an issue. (Laursen 1996, 257 sq.)

¹¹⁸ It is worth noting that Mary Wollstonecraft, who was likely familiar with Kant’s 1784 essay, also uses the examples of officers and clergymen on duty, but for the opposite purpose. For her, military discipline is incompatible with freedom, as “despotism is necessary to give vigour to enterprizes that one will directs” (1993, 81) – such hierarchy and subordination is even threatening the progress of enlightenment. Wollstonecraft’s views on the matter are investigated in chapter 6.

promote [enlightenment]” (*WA* 8:37)¹¹⁹. In any event, the limitation of the private use of reason is, at the very least, not incompatible with freedom in its public use.

So despite this restriction of freedom of expression in respect to the private use of reason, it is clear that freedom of expression must be secured for what pertains to the public use of reason. Indeed, Kant points out that enlightenment requires the freedom to make public use of one’s reason (*WA* 8:36). Freedom of thought is undeniably an important part of enlightenment: we have seen that it is not easy to think for oneself, even if one is not directly coerced into thinking as someone else does. Whenever I endorse popular beliefs or prejudices without thinking about it, I am not really thinking for myself. But the public use of reason requires thinking for oneself. Indeed, for Kant, it does not make sense to consider freedom of thought independently of freedom of expression:

Of course it is said that the freedom to *speak* or to *write* could be taken from us by a superior power, but the freedom to *think* cannot be. Yet how much and how correctly would we *think* if we did not think as it were in community with others to whom we *communicate* our thoughts, and who communicate theirs with us! (*WO* 8:144)

The enactment of enlightenment thus comes with certain political requirements – first and foremost, ensuring the free public use of reason for those who are to take part in enlightenment, that is, by speaking up as scholars. I will now investigate Kant’s notion of a scholar, which cannot be understood outside the social and political context in which enlightenment is to take place.

¹¹⁹ Judith Butler discusses at length this possible contribution of the restriction of freedom in the private use of reason to the freedom in the public use of reason in her 2009 paper “Critique, Dissent, Disciplinarity” (cf. 778 sq.)

3. The discrepancy between theoretical enlightenment and its practical enactment

3.1. Who is a scholar?

So far, I have stressed the main aspects of enlightenment on an individual and theoretical level, and then shown how enlightenment must also be applied practically, in a social context. I now intend to show that Kant's notion of a scholar reveals a discrepancy between these two levels of enlightenment – the theoretical enlightenment and its practical enactment.

We have seen that the enactment of enlightenment requires the protection of a specific form of freedom of expression, that is, the free public use of reason: “the kind of use [of one's reason] that one makes thereof as a *scholar* before the *reading world*” (*WA* 8:37). Someone who makes a public use of his or her reason is not only thinking for himself or herself, but also actively sharing his or her reflections with other people and, hopefully, thereby contributing to their enlightenment. Furthermore, this person must do so “as a scholar”. This suggests that the figure of the scholar is a little more than the embodiment of the theoretical ideals of enlightenment (i.e. thinking for oneself, without prejudices). The insistence on this notion of a scholar suggests that the enactment of enlightenment will not be fully egalitarian, as the public use of reason Kant has in mind does not allow for everyone to express his or her views in the way that best suits him or her. One can indeed wonder what Kant means by “scholar”: is it someone who has an academic degree, for instance, or a certain profession? What this notion refers to is at risk of limiting the scope of those who can take an active part in enlightenment.

Some efforts have been made to present Kant's conception of enlightenment as inclusive and egalitarian. In such a perspective, Deligiorgi argues that Kant never restricts education to an elite (2005, 76 sq.): on these grounds, it seems that anyone can in principle become a scholar.

Furthermore, we have seen that enlightenment should not be reduced to the acquisition of information or to being an expert in something. The importance of thinking in community with others and exchanging with them has also been emphasized. In this context, it is likely that Kant's notion of a "scholar" entails one's participation in public debates. Being a scholar means, above all, to have healthy intellectual habits pertaining to the communication of our thoughts, as suggested by the following passage of "What is Orientation in Thinking?":

Employing one's own reason means nothing more than always asking oneself, about everything one is supposed to accept, whether one finds it possible to make the ground on which one accepts it, or the rule that follows from accepting it, into a universal principle for one's use of reason. Everyone can apply this test for himself [...] (*WO* 8:146n)

In other words: beliefs and opinions must constantly be tested – and rectified when necessary. The best way to do so is to compare them with other people's judgments and challenge them accordingly. It is certainly not something everybody does, but it is something everyone could manage to do – in principle. It is worth noting that prior to his writings on enlightenment, Kant had already insisted in the *Critique of Pure Reason* on the importance of communicating our judgments. In a short section of the Canon of Pure Reason ("On having an opinion, knowing, and believing"), he makes an interesting distinction between conviction and mere persuasion. Persuasion is "a mere semblance" [*Schein*]: it characterizes judgments that are merely subjective. But conviction characterizes judgments with an objectively sufficient ground, which are thereby valid for other people too. In order to check if they have such validity, conviction requires "the possibility of communicating [our judgment] and finding it to be valid for the reason of every human being to take it to be true" (A820/B848). In other words, if I make a valid judgment, I should also be able to communicate it and to convince people of its soundness. Being a scholar in that specific sense thus certainly requires some education and experience, but not necessarily a university degree.

It thus seems important not to portray Kant's conception of enlightenment as overly restrictive by taking the figure of the scholar to refer to university professors or professional philosophers only¹²⁰. In other words, the notion of a scholar required by the enactment of enlightenment does not seem particularly intellectualist. Yet this is not enough to conclude that everyone (men and women from all social conditions) can speak up as a scholar – and therefore take an active part in enlightenment.

3.2. The officer, the clergyman and the taxpayer

The most compelling way to understand Kant's notion of a scholar, in the absence of a proper definition, is to have a thorough look at the examples he gives. These examples have been mentioned before: an army officer; a citizen who pays taxes; and a clergyman (*WA* 8:37-38)¹²¹. I will believe that these examples have not been chosen at random and reveal something quite important about the figure of the scholar.

First, the case of the officer shows that Kant did not pick any soldier or serviceman: the officer may not be the ultimate superior, but he is still in charge and has some responsibilities – which indicates us that while he might not have a philosophy degree, he probably received some education. We can assume that it is also the case for the clergyman [*Geistlicher*]. This is consistent with what has been pointed out earlier: while the scholar does not necessarily have an academic degree, it is probably implied that he has some education.

¹²⁰ Kant sometimes seem to refer to professional philosophers when he speaks of scholars (e.g. *KrV* Bxxxiv-xxxv), but this depends a lot on the context and does not seem to be true when enlightenment is discussed.

¹²¹ The case of the clergyman is also discussed in connection to enlightenment in Kant's lectures on natural right.

But Kant's most significant example is probably that of the citizen who pays taxes, an important qualification. For Kant frequently distinguishes between citizens, properly speaking, and mere compatriots. In his *Doctrine of Right*, he even creates a new category of citizens to make sense of that distinction: active citizens are the ones who can vote and are expected to pay taxes, while passive citizens, or "protected compatriots", do not have the right to vote – precisely because they do not pay taxes¹²². While all citizens, including compatriots, are regarded as free and equal, only active citizens (or citizens strictly speaking) are legally independent. Passive citizens "lack civil personality and their existence is, as it were, only inherence" (*RL* 6:314; see also *TP* 8:295) because they are dependent, financially and for legal matters, on other people – who are active citizens. The category of passive citizens includes the following people: apprentices; domestic servants; minors; and all women. All of these people are non-citizens in a strict sense (i.e., they do not have active citizenship) and therefore do not pay taxes¹²³. Given the humanity, but also the equality of passive citizens regarding non-legal matters, it seems unlikely that they would all be systematically unable to think for themselves – and to fulfil the theoretical level of enlightenment described earlier. They seem, however, to be systematically excluded from Kant's conception of public enlightenment. I take the reasons of this exclusion to be, first and foremost, economical and legal: passive citizens cannot take part in the enactment of enlightenment, not because they are fundamentally unable to get rid of their prejudices, but rather due to their legal status¹²⁴. This subordinate status prevents them from speaking up in public –

¹²² This distinction, first made by political theorist Emmanuel-Joseph Sieyès, was foreshadowed in *Theory and Practice* (1793), in which Kant distinguishes between citizens strictly speaking and "protected compatriots" [*Schutzgenossen*] – while only citizens have the right to vote, protected compatriots are still regarded as members of the commonwealth. Kant's requirements for citizenship (i.e. what was to become active citizenship) are the following: being an adult male (what he calls "the natural quality"), and being one's own master. (*TP* 8:294) I further discuss the matter in chapter 4.

¹²³ This point has been noted and further discussed by Piché (2015, 204).

¹²⁴ *Passive* citizenship is not meant to refer to the *passive* use of reason that Kant sees as opposed to enlightenment. As the next chapter will show, passive citizens are unable to take part in enlightenment, not because they cannot

and all the more as scholars. Here lies, I believe, Kant's real motivation for the exclusion of women from enlightenment: they are not expected to take an active part in enlightenment because they simply cannot be citizens who pay taxes (or so he thought). This exclusion in particular, as well as its legal grounds and its implications for Kant's general conception of women, will be the subject of the next chapter.

think for themselves on an individual basis, but because they cannot partake in the public use of reason due to their civil status.

Chapter 4.

Kant's Enlightenment and Women's Peculiar Immaturity

It is now possible to investigate Kant's exclusion of women from enlightenment as well as the implications of such exclusion. I have made clear that Kant's conception of enlightenment does not merely consist in the improvement of reason implied by the famous motto "Have the courage to use your own understanding!" Enlightenment is also a social endeavour, taking place within a particular political and legal context. As such, Kant's conception of enlightenment is bound by some pre-existing political and legal considerations.

Those political and legal constraints on the enactment of enlightenment raise a question worth asking: are all members of humanity expected to participate equally in Enlightenment, understood as a form of progress of humanity? This question points to obvious gender- and race-related considerations. While Immanuel Kant's practical philosophy, broadly construed, has generated similar concerns, his conception of enlightenment in particular has received less attention in that respect. And yet Kant himself suggests that humanity as a whole may well progress towards enlightenment even if some of its members do not actively take part in that progression. As part of Kant's argument that the destination of humanity is to be reached by the species rather than by each individual, the second proposition of the *Idea for a Universal History From a Cosmopolitan Perspective* points out that "it requires a perhaps incalculable number of generations, of which each passes its enlightenment on to the next, in order to eventually bring the seeds in our species to the stage of development which fully corresponds to nature's purpose"

(*Idea* 8:19)¹²⁵. Since the progression of humanity as a whole towards enlightenment depends on generations rather than individuals, we can infer that the progression will take place even if not all individuals equally contribute to it. It thus seems possible for a generation to progress towards this goal even if some of its individual members do not contribute to the progression.¹²⁶ The question, then, is whether the contributions of individuals are unequal only by accident or if some are expected to contribute more than others.

In this chapter, I argue that Kant does not expect women to take an active part in enlightenment, and that this exclusion is grounded in legal considerations that prove to be extremely important for an accurate understanding of his conception of enlightenment. To this end, I first discuss the passage in which Kant brings up the exclusion of women in “What is Enlightenment?”, along with a few compelling ways to interpret his claim. I then make sense of the context in which enlightenment takes place by using the Habermas-inspired notion of the public sphere. This notion will provide a useful way of conceptualizing the political exclusions that bind the enactment of enlightenment. Kant’s twofold conception of citizenship will then be further discussed with respect to this political dimension of enlightenment – with special attention to women’s civil status. I end by addressing an objection to this politically grounded conception of enlightenment, namely, that enlightenment as Kant understood it could be taking place in society without regard to political and legal status. According to this objection, the Kantian enlightenment would therefore be open to everybody. I, however, show that this objection does not hold and that although the Kantian conception of enlightenment could probably be adapted to

¹²⁵ See also Kant’s lectures on anthropology (Mrongovius 25:1417)

¹²⁶ On this, see also Kant’s Reflection #1471a on Anthropology (15:650)

different and more inclusive social contexts, it must always rely on some pre-existing legal framework.

1. Kant's exclusion of women from enlightenment

1.1. The passage from "What is Enlightenment?"

The exclusion of women from Kant's conception of enlightenment is not self-evident. In fact, any discussion of this exclusion must make sense of a passage from "What is Enlightenment?" that has generated multiple and somewhat conflicting interpretations. Kant first defines enlightenment as follows:

Enlightenment is the human being's emancipation from its self-incurred immaturity [Unmündigkeit]. Immaturity is the inability to make use of one's intellect without the direction of another. This immaturity is self-incurred when its cause does not lie in a lack of intellect, but rather in a lack of resolve and courage to make use of one's intellect without the direction of another. (WA 8:35)

This preamble is useful to remind us that Kant does recognize the existence of non-self-incurred forms of immaturity, for instance in young children or in people who suffer severe cognitive impairment. But as for those who are candidates to enlightenment, immaturity is taken to be self-incurred – thereby implying that it can be lifted by them alone. Kant then stresses the causes of this self-incurred immaturity:

Idleness and cowardice are the reasons why such a large segment of humankind, even after nature has long since set it free from foreign direction (*naturaliter maiorennnes*), is nonetheless content to remain immature for life; and these are also the reasons why it is so easy for others to set themselves up as their guardians. It is so comfortable to be immature. [...] The guardians who have kindly assumed supervisory responsibility have ensured that the largest part of humanity (including the entirety of the fairer sex) understands progress toward maturity to be not only arduous, but also dangerous. After they have first made their domesticated animals dumb and carefully prevented their tame creatures from daring to take a single step without the walker to which they have been harnessed, they then show the danger that threatens them, should they attempt to walk alone. (WA 8:35; emphasis mine)

This passage emphasizes again that some forms of immaturity, likely those due to age, will be lifted naturally over time. But self-incurred immaturity cannot be attributed to nature: it is the result of one's own "idleness and cowardice" – thereby implying that this person is able to do better. It is worth noting that, for Kant, thinking for oneself implies not only the thought process itself, but also the verbal or written communication of one's thoughts to others¹²⁷. This is undeniably demanding, difficult and dangerous, especially when it involves going against the common opinion or that of political leaders¹²⁸. This passage also leads one to wonder to what extent the failure to reach maturity is really a failure on part of the individual herself, or perhaps should be attributed to those who assume supervisory responsibility. For reasons to be discussed in section 1.2.1, Kant does not see the guardians as responsible for one's failure to escape immaturity. He takes individual enlightenment to be possible with some perseverance and courage. But idleness and cowardice are unfortunately all too widely spread, with the result that most people are unwilling to think for themselves. According to Kant, this includes *all* women. The claim is quite peremptory given that Kant acknowledges the existence of some rare enlightened – or at the very least of "currently enlightening" – people; for reasons that remain to be elucidated, it seems that none of them are women.

1.2. Main interpretations

Perhaps the most obvious way to interpret this passage is to regard the immaturity of women as due to inherent intellectual deficiencies. This form of immaturity would therefore not be self-inflicted – and there would not be much to do about it. If this were the case, women would

¹²⁷ On this, see also "What Does it Mean to Orient Oneself in Thinking?" 8:144

¹²⁸ Frederick the Great was still King of Prussia when Kant published his essay on enlightenment in 1784, and Kant seems to have regarded him as an enlightened leader. But Kant had, like many other thinkers, reasons to fear the advent of Frederick William II, the next ruler in line: it is under his rule that Johann Christoph von Wöllner promulgated the 1788 Edict of Censorship. Kant was thus well aware of the dangers associated with making public use of one's reason.

simply lack the intellectual capacity to take part in enlightenment. But we have seen in chapter 1 that this interpretation is unlikely given that Kant's conception of reason applies to men and women alike. As rational beings, they have the same faculties and capacities, to be developed by education; there is no known deficiency of the intellect associated with the female sex¹²⁹. With this point clarified, I will now provide an overview of the most common ways to interpret Kant's claim about women in "What is Enlightenment?" and of some of the useful insights they provide, before discussing my own interpretation.

1.2.1. Women's immaturity is self-incurred

A second and more plausible way to interpret the exclusion of women in "What is Enlightenment?" is to take the above-quoted passage to suggest that (i) the immaturity of women is self-incurred and that (ii) they are expected to escape it and to take part in enlightenment, even if they are currently not in a position to do so. Kant would thus welcome the possibility of the enlightenment of women. This optimistic view is held by, among others, Deligiorgi (2005), Fleischacker (2013), Kneller (2006) and Varden (2015)¹³⁰. Varden summarizes the argument as follows:

Kant, in his essay "What Is Enlightenment?" encourages everyone, including women, to use their reason and try not to capitulate under the pressure of those who discourage them from developing their reason to the fullest. (Varden 2015, 4)

Indeed, Varden, Deligiorgi and Fleischacker are all aware that women were not in a good position to think for themselves within society as Kant knew it; yet they also hold that women,

¹²⁹ One could of course argue that Kant was simply not aware that some women were already enlightened in his days – if enlightenment is taken to refer to a merely intellectual process. That seems unlikely given that Kant, despite disapproving of their ambitions, knew and acknowledged the contributions of some female scholars of his time: for instance, Anne Dacier and Emilie du Châtelet, mentioned in an awkward passage from the *Observations* (2:229-230).

¹³⁰ Loudon (2002, 87) believes that Kant leaves open the possibility for women to escape self-incurred immaturity, but that he was not personally interested in further developing the idea.

just like other rational beings, are free and thus responsible for their own mental immaturity and able to overcome it. Accordingly, they do not see the situation of women as presenting a challenge to Kant's conception of enlightenment. Kneller, while holding a similar view, notes a tension between Kant's remark on women in "What is Enlightenment?" and his arguments for the legal subordination of women:

The implicit claim in this famous essay ["What is Enlightenment?"] that women too could be lifted out of their situation of guardianship stands in stark contrast to Kant's rationalizations for the political subordination of women. (Kneller 2006, 453)

Kneller is certainly right to point out that if women are really expected to escape their self-incurred immaturity, it does not make much sense to argue for their subordinate status in society. Yet I believe that the remark on women made in "What is Enlightenment?" is also problematic on its own, not only in relation to other parts of Kant's philosophy. In order to claim that women's immaturity is self-incurred and at the same time to make sense of Kant's claim according to which *all* women (but not all human beings) are currently immature, one has to be able to explain why women, unlike men, are systematically idle and cowardly to the extent that they cannot think for themselves. Such an explanation is not provided by Deligiorgi, Fleischacker, Kneller or Varden. To be sure, the claim according to which Kant would welcome the possibility of the enlightenment of women and yet at the same time take *all* women to be idle and cowardly would make sense in the context of a deterministic analysis of the gender-related power dynamics at work: in a society that is oppressive for women, one could argue that women are maintained in a subordinate state through education, marriage and similar institutions. This would make sense of the first part of Kant's claim on women in *WA* 8:35: "The guardians who have kindly assumed supervisory responsibility have ensured that the largest part of humanity (including the entirety of the fairer sex) understands progress toward maturity to be not only

arduous, but also dangerous”. According to the deterministic analysis, the guardians would make sure that women are brought up and educated in order to become as submissive as possible and thus to take enlightenment to be impossible for them to achieve. In this context, the guardians could be parents and husbands or, in a more metaphorical way, social institutions like education and marriage. They would lead women to believe that it is too difficult for them to partake in enlightenment, for instance due to their allegedly inferior intellectual capacities. Or they would emphasize the dangers associated with enlightenment: for instance, that of compromising their morals or of neglecting their family. The guardians would thereby make women idle and cowardly. In that sense, women’s failure to achieve maturity would not be so much of a failure on their part, as a failure on the part of those with supervisory responsibility.

This would be an interesting analysis of the situation of women, as well as a convenient way to make sense of Kant’s odd remark. Kant himself, by acknowledging the difficulties associated with enlightenment and the dissuasive role played by the guardians, seems to acknowledge that subordination could be an obstacle to the enlightenment of certain people. Yet such deterministic explanation does not hold good within a Kantian framework for, as we know, Kant takes rational beings to be endowed with freedom of the will and thereby able to overcome all kinds of material obstacles. As rational beings, women should be able to overcome this sort of obstacle. Yet Kant is well aware that social and political conditions can make it difficult for someone to act in certain ways, and that deterministic accounts of human actions are a compelling way of explaining the behaviour of human beings. Such deterministic explanations must therefore be taken very seriously, and it is worth looking into why and how he rejects them.

In the *Critique of Practical Reason*, Kant introduces an example that could easily lead to a deterministic account of causes and effects, that of the thief:

If I say of a human being who commits a theft that this deed is, in accordance with the natural law of causality, a necessary result of determining grounds in preceding time, then it was impossible that it could have been left undone; how, then, can appraisal in accordance with the moral law make any change in it and suppose that it could have been omitted because the law says that it ought to have been omitted? (*KpV* 5:95)¹³¹

What is at stake in this example is that the thief, insofar as he or she is an appearance [*Erscheinung*], is a being whose existence is determinable in time and whose actions are similarly determinable in time. Moreover, all actions or occurrences taking place within space and time, i.e. in the sensible world, must be explainable through empirical laws of causality pertaining to natural necessity. As the theft occurs within space and time, Kant acknowledges that it is not obvious at first sight why it should be interpreted according to the special laws of causality *as freedom* (meaning that the thief would have spontaneously begun a state (the theft) from itself) rather than according to the laws of causality *as natural necessity* (i.e., understanding the theft as part of a series of empirical causes that was not started by the thief himself). To be sure, Kant does not go as far as to suggest that the thief's gender, race, class or social background in general might have put him or her in a precarious situation that is responsible in part for the theft. The deterministic analysis he proposes for the thief's actions takes place on a strictly individual level:

[...] while [the thief] *explains* his misconduct by certain bad habits, which by gradual neglect of attention he has allowed to grow in him to such a degree that he can regard his misconduct as their natural consequence, yet this cannot protect him from the reproach and censure he casts upon himself. (*KpV* 5:98)

Yet even if Kant's deterministic explanation focuses on the thief's bad habits (the desires and inclinations leading to the bad deed), it remains compatible with a broader analysis of the causes and effects leading one to commit a theft – or, similarly, leading women as an oppressed group to

¹³¹ A shorter version of this example (featuring “the most hardened scoundrel”) is discussed in the *Groundwork of the Metaphysics of Morals* (4:454).

think that it is by far too dangerous and difficult for them to think for themselves. Social and political considerations do shape our desires and inclinations insofar as we are sensible beings, even within a Kantian framework. And if we were merely sensible beings, political and similar kinds of empirical causes (like, for instance, institutions that are oppressive to women) could provide a satisfying explanation for the alleged timorous behaviour of women, as such deterministic analysis relies on the causal laws governing appearances in the sensible world. The compatibility of such a deterministic analysis with a strong conception of freedom like Kant's is obviously not self-evident; it is, in fact, a problem that he himself felt the need to address in the resolution of the third antinomy of the first *Critique* (A530/B558 – A558/B586) – and later on in the *Groundwork of the Metaphysics of Morals* (4:451 sq.) and in the *Critique of Practical Reason* (5:42 sq.). The general idea behind Kant's solution is well known: there is no direct contradiction between causality as freedom and causality as natural necessity in one and the same action, insofar as we consider them from two different standpoints. I will not go in the details of Kant's account of freedom: for the purposes of the present investigation, it is enough to note that he is well aware of the explanatory power of deterministic analyses and nevertheless takes rational beings to be able to overcome external obstacles.

In the end, I believe that the passage from *WA* 8:35 cannot be interpreted in such a way that Kant would be in fact encouraging women to think for themselves, as the optimistic view suggested by Deligiorgi, Fleischacker, Kneller and Varden fails to explain why all women (but not all men) are still unenlightened. If Kant genuinely believed that women were good candidates for enlightenment, it would not make much sense for him to claim that they are all in a state of immaturity – unless some plausible explanation for their systematic immaturity could also be provided. A deterministic account of sexist oppression could provide such an explanation; and

yet such explanation is incompatible with Kant's conception of freedom. Women, just like other rational beings, are free and, as such, should be able to use their freedom to overcome material obstacles, even in the most oppressive situations.

1.2.2. Enlightenment as hostile to women

There is another way to make sense of Kant's claim on women from *WA* 8:35: taking that passage to indicate that women are, in fact, excluded from enlightenment – but on the basis of reasons that do not pertain to their intellectual capacities (unlike the abovementioned interpretation (i)). To be sure, the idea that Kant's conception of enlightenment is somewhat hostile to women is far from being new. In fact, it was expressed as early as 1784 by Johann Georg Hamann in a letter to Christian Jacob Kraus discussing “What is Enlightenment?”:

The self-incurred immaturity is just such a sneer as [Kant] makes at the whole fair sex, and which my three daughters will not put up with.¹³²

Indeed, Hamann's discomfort has been shared by a number of commentators since then, who came up with various ways to make sense of the exclusion of women suggested in Kant's essay.

Kleingeld convincingly argues that it is women's lack of courage that prevents them from taking an active part in enlightenment. Indeed, Kant makes clear in the *Anthropology* that he sees men as more powerful and courageous than women (cf. *Anthropology* 7:303 sq.)¹³³ And the essay

¹³² Letter to C. J. Kraus, 18 December 1784 (reproduced in Schmidt 1996, 148). G. Green, commenting on that letter, suggests that Hamann's remark ‘anticipates feminism’ (1996, 292). Hamann's remark is certainly not devoid of good sense. Yet Hamann does not further discuss his own views on the matter. Furthermore, it is worth keeping in mind a passage of a letter from Hamann to Herder, in which he candidly admits that “[his] coarse imagination has never been able to envision a creative spirit without genitalia” – where genitalia refers, of course, to male genitalia. (reproduced in I. Hull 1996, 249) Hamann's motivations and views on women thus remain unclear.

¹³³ According to Kant, courage can either be a (masculine) virtue, grounded in reason, or an affect, grounded in sensibility. He likely has the first sense in mind in “What is Enlightenment?”: “Courage [...] rests on principle and is a virtue. Reason then gives the resolute man strength that nature sometimes denies him.” (7:256) I have discussed the normative value attached to masculine and feminine virtues in Kant's mature works in chapter 2.

on enlightenment claims, as we have seen, that those who remain in a state of self-incurred immaturity do so out of “idleness and cowardice” and that they lack the “courage to use [their] own intellect” (*WA* 8:35). Kleingeld thus concludes that enlightenment is not meant to include women:

Thus, again, what is claimed to be a distinctive characteristic of women, fearfulness, runs counter to a precondition for a “human” ideal, namely, that of *Mündigkeit* [maturity]. (Kleingeld 1993, 136)

As mentioned in chapter 1, Kleingeld’s remarks on enlightenment take place within the context of a broader analysis of the concept of humanity [*Menschheit*] throughout Kant’s work. Kleingeld argues that “humanity” refers, more often than not, to men instead of to human beings. Her criticism of the conception of enlightenment must be understood within that context. Consequently, I do not take Kleingeld to be arguing that enlightenment is completely inaccessible to women, but rather that enlightenment converges in some respects with Kant’s conception of the male character – which is, of course, problematic if enlightenment is to include humanity as a whole. Another text can, in my opinion, provide additional support to Kleingeld’s argument with respect to enlightenment. In Kant’s lectures on anthropology, we see that:

We are not offended and also do not take them to be inferior for this reason, if women are somewhat superstitious, since they are then more feminine, and those who are not this way, are more masculine, which is just as much to be reproached in them, as the effeminate in men. (*Anthropologie Friedländer* 25:547-8)

Women’s alleged propensity to superstition seems to support the idea that they are somewhat unfit for enlightenment, given that the liberation from superstition is explicitly associated with enlightenment in the *Critique of Judgment* (*KU* 5:294). Again, this is not to say that women are inherently unable to partake in enlightenment, but rather that enlightenment is partly built on Kant’s conception of the male character. Wood also notes this special connection between enlightenment and the male character:

Kant regards the ethical disposition of women as more a hindrance than a help in achieving public enlightenment, since he thinks women fear more than men the dangers of thinking for oneself. (Wood 1999, 339n4)

In the end, the implications of this masculine orientation of enlightenment remain puzzling: what Kant is expecting of women seems to conflict with what he is expecting of humanity in enlightenment. I do not dispute that this is a serious problem. I will, however, turn to another feature of enlightenment that makes it inherently hostile to women: its underlying conception of the public sphere, of which women are de facto excluded. I therefore agree with Kleingeld and Wood that Kant's conception of enlightenment is hostile to women – and therefore that Kant's claim according to which all women are immature is not meant to welcome the possibility of their enlightenment. I, however, think that there is a more compelling explanation for the systematic exclusion of women than that suggested by Kleingeld and Wood – an explanation that pertains to the enactment of enlightenment within a political context that excludes women from the start. To be sure, both explanations are compatible; but the advantage of focusing on the special legal limitations faced by women is that it provides a simpler and more systematic explanation of why Kant believes that no woman is enlightened. It also acknowledges the order of priority set by Kant himself within practical philosophy: while the legal prescriptions of the *Doctrine of Right* are a part of his metaphysics of morals, the character-related and other gendered considerations put forward in the *Anthropology* are meant to be the empirical application of moral principles to human beings, taking into account the peculiarities of human nature (*MM* 6:216-217). The former is normative and prescriptive, while the latter is supposed to be descriptive¹³⁴. While an explanation of the exclusion of women drawing on some of their

¹³⁴ It should of course be acknowledged that Kant does not always respect his own distinction – some of the claims of the *Anthropology* undoubtedly have a normative connotation, as pointed out by R. Louden (2002, 82).

(alleged) character traits is certainly useful, turning to the a priori part of Kant's practical philosophy can only strengthen this explanation.

2. The Kantian public sphere

2.1. Habermas' "bourgeois public sphere" and the public dimension of enlightenment

While Kant did not himself use the expression 'public sphere', which was created by Jürgen Habermas much later, this notion proves useful to understand the context in which the Kantian enlightenment takes place. Habermas' conceptualization of the 'bourgeois public sphere' [*bürgerliche Öffentlichkeit*] is not meant to be limited to a Kantian context: it is an evolving notion, shaped by various historical and social factors. In very general terms, the bourgeois public sphere is a new way of conceiving of politics that, according to Habermas, emerged within liberal or proto-liberal frameworks:

The bourgeois public sphere may be conceived above all as the sphere of private people come together as a public; they soon claimed the public sphere regulated from above against the public authorities themselves, to engage them in a debate over the general rules' governing relations in the basically privatized but publicly relevant sphere of commodity exchange and social labor. (Habermas 1991, 27)

In order to take an active part in the management of public affairs (politics, business, etc.), individuals have come together and constituted a public: the bourgeois public sphere. With the bourgeois public sphere, public affairs could now be publicly discussed and debated, instead of being managed by the rulers only. Habermas' idea is that the bourgeois public sphere gradually took the place of previous ways of doing politics (such as, for instance, through the conception of divine right) and contributed to a redefinition of the state within and through critical public discussions among citizens. The bourgeois public sphere is thus characterized by the increased participation of citizens in politics and constitutes a new way of conceptualizing the relation

between the state and society. Although the bourgeois public sphere had not completely emerged in Kant's time, it is, according to Habermas, in his works that the general idea of the bourgeois public sphere first appeared (Habermas 1991, 102). Habermas even sees this idea as expressing the method *par excellence* of the Kantian enlightenment, as "thinking for oneself seemed to coincide with thinking aloud and the use of reason with its public use" (*ibid* 104).

Indeed, enlightenment consists in part of a solitary undertaking (thinking for oneself, getting rid of one's prejudices) – but this process must also be enacted in a social context. The (free) public and (restricted) private uses of reason described by Kant are very important to the understanding of this collective dimension of enlightenment. It is worth recalling here the important distinction drawn by Kant between those two uses of reason:

The public use of one's reason must be free at all times, and this alone can bring about enlightenment among humans; the private use of one's reason may often, however, be highly restricted without thereby especially impeding the progress of enlightenment. By the public use of one's reason I mean the kind of use that one makes thereof as a *scholar* before the *reading world*. (*WA* 8:35)

In particular, the free public use of reason that one makes "as a scholar before the reading world" proves to be an essential part of enlightenment, thereby pointing to its social and collective dimension. It is thus necessary to clarify who can take part in this public part of the process. This question is connected to the point that has just been discussed, namely, the ambiguous status of women with respect to enlightenment. Indeed, some features of the Kantian public sphere will help clarifying the place of women in enlightenment, insofar as enlightenment is understood as a social movement.

In her discussion of the important public dimension of enlightenment, K. Deligiorgi rightly notes that whoever is excluded from public debates is also de facto excluded from enlightenment. This leads her to ask the following:

Do [...] women form part of the ‘real public’ or is the real public merely an extended and more open version of the various enlightened societies, with which Kant was familiar and which were made up of learned professional men? (Deligiorgi 2005, 72)

Deligiorgi subsequently refutes the second option by showing that Kant’s conception of the “real public” is not based on pre-existing learned societies – indeed, one can guess that those alleged “enlightened” societies did not quite meet Kant’s requirements for enlightenment. Kant’s conception of public reason is definitely not meant to be restricted to a private society, club or salon. Yet rejecting this option is not sufficient, in my opinion, to conclude that women are included in Kant’s conception of the “real public”.

I will now show that there is, in addition to the explicit requirements already discussed, an implicit requirement for taking part in enlightenment: that of having a certain civil status. As I understand Kant’s conception of enlightenment, partaking in public reason requires being in the legal position to do so – as an active citizen¹³⁵. There seems to be, in that sense, a particular conception of the public sphere grounding Kant’s conception of enlightenment.

¹³⁵ Varden, like Deligiorgi, sees the importance for women to take part in public reason if they are to play a part in enlightenment (“I propose that what Kant was uncertain about was [women’s] ability to partake in public reason”; Varden 2015, 3) Yet she believes, unlike me, that Kant’s legal prescriptions for women are merely the result of his anthropological assumptions and that in the end, he does allow for women to become active citizens and to take part in public debates. She thus claims, *contra* P. Kleingeld, that this is why Kant’s works on moral and political issues are written using gender-neutral language (Varden 2015, 4, 24; see Kleingeld, 1993). I believe myself that Kant’s legal views on women, far from being the result of dubious anthropological assumptions, provide the grounds for some of these assumptions.

2.2. Different kinds of immaturity

The first important thing to note with respect to the Kantian public sphere is that enlightenment involves escaping a state of immaturity [*Unmündigkeit*] – and that this state has a social dimension, as suggested by Kant’s reference to the guardians who assume ‘supervisory responsibility’ of those who do not think for themselves. This particular sense of the word ‘immaturity’ requires some clarification.

In order to do so, it is worth looking first at a very different context in which Kant uses the word ‘immaturity’. The *Anthropology* brings up an interesting example in that respect:

Scholars usually are glad to allow themselves to be kept in immaturity [*Unmündigkeit*] by their wives with regard to domestic arrangements. A scholar, buried in his books, answered the screams of a servant that there was a fire in one of the rooms: “You know, things of that sort are my wife’s affair.” (*Anthropology* 7:210)¹³⁶

The scholar who is unable to cope with his house being on fire and turns to his wife for such domestic affair is thus immature in a certain way – which does not mean that he is immature in all respects. We can probably safely say that this is not the kind of immaturity Kant is expecting people to escape through enlightenment. Indeed, let’s imagine the wife of this scholar. We can assume that she is mature in at least one way: that of managing potentially life-threatening domestic situations – which is certainly not the worst skill to have. Yet again, this does not seem to be the sense of maturity implied by enlightenment, for it does not qualify as a public use of one’s reason. This example shows that there is more than one way in which one can be immature and that Kant likely does not have an absolute sense of immaturity in mind in his essay on enlightenment. His lectures on anthropology also hint to various kinds of immaturity, among which the following can be noted: immaturity of age; immaturity of sex; immaturity of sickness;

¹³⁶ For a similar passage in Kant’s lectures on anthropology, see *Anthropologie Mrongovius* 25:1302

immaturity in the household; immaturity in civil affairs; immaturity in religious matters¹³⁷. While all these kinds of immaturity have in common that one is using his or her understanding under the guidance of another, we can see that they take different forms and have different consequences. The immaturity of age, for instance, naturally resolves itself with age while the immaturity of sickness is permanent¹³⁸.

We may now wonder what is the sense of immaturity relevant to enlightenment. I believe that Kant is, in fact, combining two different senses of immaturity in his discussion of enlightenment: (i) immaturity as the obstacle to the exercise of an intellectual endeavour taking place publicly, in society; and (ii) immaturity as the civil status opposed to civil maturity – the latter being an implicit pre-condition for lifting (i). Both of these senses of immaturity play a part in Kant’s conception of enlightenment. Strictly speaking, immaturity can be described as self-inflicted only insofar as it refers to the first sense, i.e. to an uncritical use of reason. Thinking for oneself is undoubtedly an important part of the process of enlightenment; the inability or reluctance to do so results in the ‘self-incurred immaturity’ criticized by Kant in his essay on enlightenment. But insofar as enlightenment must be performed publicly, civil maturity seems to be a pre-condition for being in a position to escape the (intellectual) self-incurred immaturity. The connection between those two aspects of immaturity is explicitly suggested in a passage from the *Anthropology*, which I will now discuss – and supported by two other elements that will be investigated in the next two sections: Kant’s distinction between active and passive citizens (section 3); and Kant’s insistence on the restriction of the *private* use of reason, which points to the important dimension of subordination associated with civil immaturity (section 4).

¹³⁷ *Anthropology* Mrongovius, 25:1298 and 25:1427. The Mrongovius set of notes is particularly helpful for my purposes as these lectures are dated from the same period as the essay on enlightenment (1784-1785).

¹³⁸ The immaturity of age is also mentioned in “What is Enlightenment?” (8:35).

Kant discusses the immaturity of women not only in “What is Enlightenment?”, but also in the *Anthropology*. In a section devoted to the description of deficiencies in the cognitive faculty, Kant brings up the case of an understanding that is “in itself sound (without mental deficiency)” but that is “accompanied by deficiencies with regard to its exercise” (7:208 sq.). These deficiencies justify, in his opinion, that the person experiencing them should be represented by someone else with respect to civil affairs. Kant provides an interesting definition of immaturity in that context:

The (natural or legal) incapacity of an otherwise sound human being to use his *own* understanding in civil affairs is called immaturity. If this is based on immaturity of age, then it is called *nonage* (being a minor); but if it rests on legal arrangements with regard to civil affairs, it can then be called *legal* or *civil* immaturity. *Children* are naturally immature and their parents are their natural guardians. *Woman* regardless of age is declared to be immature in civil matters; her husband is her natural curator. However, if she lives with him and keeps her own property, then another person is the curator. (*Anthropology* 7:208-209)

This passage clarifies the connection between immaturity and civil affairs. The cases discussed refer to two different forms of incapacity to use one’s own understanding with respect to civil affairs: the incapacity due to age, and the incapacity due to sex¹³⁹. While Kant often refers to age and sex as natural qualities of human beings, he characterizes the immaturity resulting from those qualities as either natural or legal. There is thus a discrepancy between the two cases of immaturity described above: while the first can make sense of some understandable natural deficiencies that children may encounter while using their (evolving) understanding in civil affairs and justifies assigning them legal guardians, the second seems more arbitrary. Kant does not seem to regard the incapacity of women as natural, as he mentions that this form of immaturity “rests on legal arrangements with regard to civil affairs” and can be called “*legal* or

¹³⁹ Kant also associates the “immaturity of the sex” with the inability to take part in public affairs in his lectures on anthropology (*Anthropologie Mrongovius* 25:1300).

civil immaturity”. No further justification is provided for women being placed under the legal tutelage of guardians, besides their legal incapacity to use their understanding – which sounds like begging the question. When he refers to the husband as the natural [*natürlicher*] curator of the wife, “natural” is likely used in reference to what precedes: since women are “declared to be immature in civil matters”, the husband is also declared as her natural curator. The rest of the passage, by acknowledging other curator possibilities (“However, if she lives with him and keeps her own property, then another person is the curator”), also suggests that the wife’s immaturity should be understood as legal. The distinction between natural and legal immaturity might also be, for Kant, a way of emphasizing that even if women have reached the natural age of majority (the “*naturaliter maiorennnes*” mentioned in *WA* 8:35), they shall still be regarded as immature, legally speaking.

Kant does not either try to justify the immaturity of women by suggesting that their reason might be less good than men’s¹⁴⁰. Quite the contrary: the rest of the passage points out that when it comes to talking, women are perfectly capable of representing themselves¹⁴¹. Kant then adds that “just as it does not belong to women to go to war, so women cannot personally defend their rights and pursue civil affairs for themselves, but only by means of a representative” (*Anthropology* 7:209) – thereby confirming that the difference between the sexes relevant for the discussion of immaturity is first and foremost legal. Women cannot go to war and women cannot take care of their own civil affairs nor of “public transactions” [*öffentlicher*

¹⁴⁰ Which is why I cannot agree with I. S. Marwah, who takes women’s immaturity to be grounded in their natural character (Marwah 2013: 560).

¹⁴¹ To be sure, Kant’s remark is pejorative: he mentions that women could be called *übermündig* in that respect – which literally means ‘over-mature’, but is also a reference to the etymology of the word (*Mund*: women talking too much). Yet the use of speech in general, oral or written, is often associated by him with enlightenment: for instance, when it comes to making public use of one’s reason. It is thus interesting to note that women’s disadvantage does not pertain to speech.

Verhandlungen] (*Anthropology* 7:209) because they are women: no further justification is provided.

One could of course argue that the above illustrates a totally different sense of immaturity that has not much to do with enlightenment. Yet the connection between this legal sense of immaturity and the one at stake in enlightenment is suggested by Kant himself in the rest of the passage. Right after discussing women's immaturity with respect to legal matters, the text moves on to the reasons one might have to make oneself immature:

But to *make* oneself immature, degrading as it may be, is nevertheless very comfortable, and naturally it has not escaped leaders who know how to use this docility of the masses [...] and to represent the danger of making use of one's *own* understanding without the guidance of another as very great, even lethal. (*Anthropology* 7:209)

This passage is of course reminiscent of the self-incurred immaturity discussed in the essay on enlightenment, attributed by Kant to idleness and cowardice (*WA* 8:35). Both texts also emphasize the role played, in that respect, by those who assume supervisory responsibility of others. Yet the *Anthropology* brings up the topic in the context of a discussion of legal immaturity. This is not to say that the self-incurred immaturity at stake in enlightenment and the legal immaturity further discussed in the *Anthropology* are one and the same. There seems to be, however, a connection between the two.¹⁴² I will now clarify the way in which women's legal immaturity is an obstacle to their participation in enlightenment.

¹⁴² M. LaVaquer-Manty also distinguishes between those two specific senses of immaturity and notes that 'in some contexts the question of whether you are mature depends on whether you count as mature' (2006: 17). He does not, however, further discuss the implications of that connection.

3. Kant's twofold account of citizenship

3.1. Active and passive citizens

In order to further investigate the implications of the legal dimension of immaturity, it is worth clarifying the legal status of women – for this status is in itself peculiar. This requires first having a look at Kant's account of citizenship, and more precisely at the distinction he draws between active and passive citizens. As we shall see, women belong to the latter category and cannot access active citizenship, which has consequences for their participation in public debates.

Kant clarifies his conception of citizenship in *Theory and Practice* (1793) and in the *Doctrine of Right* (DR), two texts that are generally regarded as consistent with one another. Let's recall first that all members of society, except for slaves, are citizens. All citizens, including women and children, are regarded as free and equal before the law. While these two attributes are common to all citizens, a third one grounds an important distinction between citizens: independence [*sibi sufficientia*; *Selbständigkeit*]. Kant's conception of independence is more civil than material: it means that one is entitled to represent himself when it comes to legal matters¹⁴³. While all citizens are free and equal, not all of them are independent in that legal sense.

Indeed, the attribute of independence is what grounds the distinction between active and passive citizens¹⁴⁴. While active citizens possess all the above-mentioned attributes, passive citizens are not legally independent. This leads to them not having the right to vote. Kant sees

¹⁴³ S. M. Shell helpfully notes that despite having been influenced by Emmanuel-Joseph Sieyès' conception of citizenship, Kant's conception of independence departs from Sieyès'. While Sieyès makes "the right to vote conditional upon possession of a degree of taxable wealth" (Shell 2016, 12), Kant's conception of independence depends more on the civil status than on the amount of material possessions – as the rest of this section will make clear.

¹⁴⁴ This distinction is drawn in the *Doctrine of Right* (6:314 sq.) It coincides with the previous distinction made by Kant between citizens and 'protected compatriots' in *Theory and Practice* (TP 8:295).

civil independence as a mandatory condition for being fit to vote: casting a vote is a civil action that requires that one is already independent, i.e. able to represent oneself. While all members of the commonwealth, active and passive citizens alike, are free and equal and must be treated as such before the law, those who are “under the direction or protection of other individuals” (*RL* 6:315) do not possess civil independence. Women belong to that category, along with apprentices, domestic servants, and in general “anyone whose preservation in existence (his being fed and protected) depends not on his management of his own business but on arrangements made by another (except the state)” (*RL* 6:314). In concrete terms, passive citizens lack civil personality; for that reason, they are not permitted to take an active part in the management of the state or in public affairs¹⁴⁵.

This distinction among citizens captures very accurately what is at stake in Habermas’ criticism of the bourgeois public sphere, especially in his chapter devoted to Kant’s public sphere:

Only property-owning private people were admitted to a public engaged in critical political debate, for their autonomy was rooted in the sphere of commodity exchange and hence was joined to the interest in its preservation as a private sphere. (Habermas 1991, 109-110)

Those who are propertyless, as pointed out by Habermas, do not satisfy the requirements of active citizenship: since they depend on others, they do not qualify as independent. Furthermore, not taking part in trade implies that they do not have a voice in public affairs; they are thus left out of public discussions. And yet those discussions are still regarded as open and public. This

¹⁴⁵ In an insightful article, Lanoix (2007) shows that the category of passive citizenship can provide useful theoretical grounds to ensure the freedom, equality and rights of those who are naturally dependent and who cannot contribute themselves to law-making (e.g. children, people living with developmental disabilities, etc.) Lanoix’s argument is sound and in line with part of Kant’s motivations. Yet I believe it remains all the more necessary to question the scope of passive citizenship – as well as the reasons one might have for excluding some groups of people from active citizenship.

points to a distinctive feature of the public sphere, namely, that there can be only one public sphere. The public use of reason, no matter whom it effectively excludes, takes place with respect to the one and only ideal public. N. Fraser has insightfully criticized that aspect in a way that applies just as much to Kant as it did to Habermas: besides the ideal public sphere, there have always been counterpublics (Fraser 1990, 70). We could think, for instance, of salons or of servants' halls. Not taking the discussions taking place there or in any other circle of non-property-owners to be relevant contributions to the culture of enlightenment seems genuinely puzzling.

3.2. Women's passive citizenship

Yet another limitation of Habermas' conceptualization of the bourgeois public sphere is that while it makes clear that some people are excluded from public debates because of property-related considerations, it does not provide a way of making sense of the exclusion of women in particular.¹⁴⁶ Indeed, women are not like any other passive citizen. It is interesting to note that Kant is, in principle, open to social mobility: for the sake of freedom and equality, anyone should be able to work his way up from the passive condition to an active one (*RL* 6:315). The Kantian public sphere thus seems to have a relatively open access. Kant is also known to have criticized hereditary nobility, which he describes as "a rank that precedes merit and also provides no hope for merit" (*RL* 6:329). Although his conception of the public sphere is still questionable by Habermas' standards, for "the real public" is only part of the people, it seems that Kant's public

¹⁴⁶ This idea is at the heart of Fraser's attempt to rethink the Habermasian public sphere by making explicit some of its problematic assumptions and by taking seriously the exclusion of women in particular. Fraser points that in order to rethink the public sphere in a fruitful manner and to guarantee its open access, the exclusions that ground it cannot simply be bracketed (1990). Other feminist criticisms of Habermas also emphasize that point.

sphere has relatively open boundaries¹⁴⁷. Yet the special status of women shows that Kant's public sphere is less inclusive than it may seem.

Indeed, despite the possibility of social mobility, even property-owning women remain excluded from Kant's account of active citizenship. Such exclusion is, of course, not unique to Kant. Schott notes that throughout the Age of Enlightenment in Europe, women's status generally got worse: before the Age of Enlightenment, wealthy and noble women had some political power – and that opportunity was later on lost (1996, 473). In France, for instance, the distinction between active and passive citizens put forward by Sieyès¹⁴⁸ was enacted in the French Constitution of 1791. This distinction resulted from the efforts of the many proponents of census suffrage who objected to universal suffrage. It had serious implications for propertyless citizens and in particular for women, who were de facto excluded from active citizenship, even if they happened to meet the other requirements for active citizenship. The legal status of women in Germany was also quite undesirable: until the 20th century, despite being allowed to acquire property, they did not have the right to administer it. They also had to be represented by men in public affairs¹⁴⁹.

Despite these historical considerations, Hay (2013) and Varden (2015) both claim, on the basis of the possibility of social mobility, that Kant might have been open to the accession of

¹⁴⁷ H. Arendt notes that Kant's insistence on publicity goes against the common preference, among philosophers, for closed philosophical schools or sects: "Ever since Plato's Academy, they have stood in opposition to "public opinion", to society at large, to the "they"; but that does not mean that they rely on no authority." (Arendt 1982, 38) For Kant, critical thinking must be exposed, done in the open. Indeed, Kant's concern for publicity is certainly commendable and fruitful – the problem is rather that not everyone can effectively take part in his conception of publicity.

¹⁴⁸ It is worth noting that Sieyès was, in his own way, more progressive than Kant with respect to women: "Women, at least in the current state of affairs, [...] must not actively influence public affairs" (Sieyès 1789, 21; my translation). Sieyès is thus opening the door to a change in women's status.

¹⁴⁹ On this topic, see E. Sagarra (2017, 406 sq.)

women to active citizenship¹⁵⁰. Yet a passage in *Theory and Practice* conflicts with this optimistic view:

The only quality required for [citizenship], besides the *natural* one (that it is neither woman nor child) is: that one is *one's own master (sui iuris)*, and thus that one has some *property* (which also includes any skill, trade, fine art, or science) that provides for one. (TP 8:295)

While Kant had not yet come up with the distinction between active and passive citizenship in *Theory and Practice* (he was then distinguishing citizens from “protected compatriots”), the two texts are, as pointed out earlier, consistent with one another with respect to right and politics. The above-quoted passage from *Theory and Practice* thus seems to confirm that women are excluded from active citizenship from the start, as they do not possess the “natural” quality of being men.¹⁵¹ Women are not accidentally excluded from the category of active citizenship: active citizenship requires being a man.

4. Immaturity and subordination

We have seen this far that enlightenment as Kant understands it must take place within a social and public context, as made clear by the emphasis on the *public* use of reason. The Habermasian-inspired notion of a politically grounded public sphere in which public discussions take place has provided a useful conceptual framework for the Kantian public use of reason. Furthermore, given the civil connotation of the notion of immaturity at the heart of Kant's

¹⁵⁰ In addition to this optimistic interpretation, Kant's claims on the passive citizenship of women are sometimes dismissed as mere empirical remarks that would not be meant to have an a priori status (for instance in C. Hay 2013, 52; see also S. Fleischacker 2013, 122). This does not take into account Kant's characterization of the principles of the *Doctrine of Right*, which, as part of the *Metaphysics of Morals*, provides “a system of a priori knowledge from concepts alone” (RL 6:216). The ideas discussed in the *Doctrine of Right* are thus not supposed to be inferred from empirical observations. It is possible that Kant unintentionally does so, but it is important not to misinterpret the status of those remarks from the start.

¹⁵¹ I therefore tend to agree with S. M. Okin's pessimistic interpretation of women's passive citizenship according to Kant (1982). Similar views have been expressed by I. Hull (1996, 302 sq.) As has been made clear in chapter 1, I do not, however, agree with Okin's further conclusion that Kant also defines women out of the category of rational beings and that his moral theory as a whole therefore does not apply to them.

conception of enlightenment, it has proven useful to turn to what he has to say about citizenship. It thus seems, at the very least, plausible to make sense of the exclusion of women from enlightenment in light of their civil status. Yet it would be possible, at least in principle, to conceive of Kant's public sphere as taking place in society without taking on its legal exclusions. Publicity undoubtedly plays a key role within Kant's philosophy of right, but this does not entail that all uses of publicity must take place in a political context. Moreover, Kant had not yet written on the active/passive categories of citizenship in 1784; we must therefore consider the possibility that he may not have had those exact categories in mind by the time his essay on enlightenment was published. What is at stake here is to what extent the public use of reason relevant for enlightenment is bound by political considerations leading to the exclusion of women. In this last section, I will emphasize the dimension of subordination associated with the self-incurred immaturity at the heart of the Kantian enlightenment – which, again, points to the importance of legal maturity for those who are to make a public use of their reason. Such subordination is inherently political and, in the case of women, takes the form of a legal subjection preventing them from making public use of their reason.

In line with these concerns, K. Deligiorgi has convincingly argued that the public use of reason made in enlightenment is in fact not tied to Kant's conception of active citizenship and thus open to women:

[An] asymmetry emerges between the entitlement to participate in the political domain, which is strictly curtailed, and the freedom to speak in public. The latter, it emerges, is truly unrestricted. As Kant states explicitly, any member of the "complete commonwealth" (VIII:37, WE 56, emphasis added) who wishes to make use of his, and here we can add also her, reason may do so. That Kant does not use here the active/passive distinction, and refers instead to the complete commonwealth allows us to interpret the freedom of participation in the broadest way possible, taking into account all those who fall under the description of *naturaliter maiorennnes*. Thus while minors remain

excluded, the domain of public reasoning remains open to otherwise disenfranchised members of the commonwealth, including women. (2005, 73)

If Deligiorgi is right, one does not need to be legally independent in order to make public use of his or her reason, but only to be a member of the commonwealth broadly construed. In emphasizing that requirement, Kant would in fact commit himself to an inclusive version of enlightenment. Deligiorgi's claim refers to a passage from "What is Enlightenment?" that takes place right after the distinction drawn by Kant between the public and private uses of reason. It will prove useful to recall that distinction here. The public use of reason is "the kind of use that one makes thereof as a *scholar* before the *reading world*". This is contrasted with the private use of reason, which is "the use that one may make of it in a *civil* post or office with which one is entrusted", that is, for "affairs that serve the interests of the commonwealth" (*WA* 8:37). What brings about enlightenment is the free public use of reason. The private use of reason, on the other hand, must always be restricted in order to serve the interests of the commonwealth. Kant's justification for this restriction is that people must sometimes be led by the government in the pursuit of public ends, as "part of a machine". This makes clear that he takes certain responsibilities to require subordination on the part of individuals. The private use of reason implies, in that sense, deference to an external authority: that of the person in charge of the "machine" or of a specific part of it. This is not to say that the subordinate cannot think at all, but that he must follow the lead of the external authority supervising him in that context where he is a part of the machine. What characterizes those who are expected to make a public use of their reason is that they are, at some moments, off duty – meaning that they are not under someone's authority in each and every aspect of their life.

Yet unlike Deligiorgi, I believe that this authority must be understood first and foremost in political terms. The clergyman is, in some respect, under the authority of the church he belongs to; the officer is under the authority of his army; and the citizen who pays taxes is under the authority of government policies on taxes. In that context, those who can make a public use of their reason are free and encouraged to do so whenever they are not in a position of civil subordination. Indeed, the passage to which Deligiorgi is referring goes as follows:

For many affairs that serve the interests of the commonwealth a certain mechanism is required, by means of which some members of the commonwealth must play only a passive role, so that they can be led by the government in the pursuit of public ends [...] But in so far as this or that individual who acts as part of the machine also considers himself as a member of a complete commonwealth or even of cosmopolitan society, and thence as a man of learning who may through his writings address a public in the truest sense of the word, he may indeed argue without harming the affairs in which he is employed for some of the time in a passive capacity. (*WA* 8:37; emphasis mine)

This passage makes clear that while individuals are sometimes required to make a passive use of their reason (i.e. the private, restricted use) in the context of their professional occupation, they are at other times free to make public use of their reason. Interestingly enough, the examples Kant provides of those who make a public use of their reason “as scholars, before the reading world” all happen to be active citizens: the army officer, the clergyman, and the citizen who pays taxes (*WA* 8:37-38). That could, of course, be a coincidence. But Kant’s distinction between the public and private uses of reason seems to be intended, first and foremost, for those he would later refer to as active citizens¹⁵². Those citizens, despite being subordinated at work – where they are part of a certain mechanism –, can (and should) make a public use of their reason when they are not working. It is in this context that they are regarded as “members of a complete commonwealth” – as opposed to being “a part of the machine” when they are on duty. This contrast between being a part of the machine and a member of the complete commonwealth for

¹⁵² This is also suggested by the context of publication of “What is Enlightenment?” and the underlying debate on civil marriage started by Biester and Zöllner in the *Berlinische Monatsschrift*.

one and the same individual rather suggests that Kant has in mind those who have a professional occupation. The “complete commonwealth” appears less intended to refer to an inclusive commonwealth than to a context where active citizens are freed from the authority of their superiors and allowed to take an active part in public affairs. Indeed, the public and private uses of reason are described with respect to the same individual, which confirms that Kant’s targeted audience is people who hold a certain type of professional occupation. This does not apply to the situation of most women at the time. Yet Kant’s restriction on the use of private reason still reveals something important with respect to the situation of women in society. Women, along with all those who Kant would later call passive citizens, lack civil personality and, as such, they are not permitted to take an active part in the management of the state, nor to take care of civil affairs of interest to them. Their rights and civil affairs are taken care of by means of a legal representative: father, husband, brother, or other curator. Passive citizens are, in that sense, permanently under the authority of someone else, in a way that is reminiscent of the clergyman and officer’s subordination to their superiors: while they certainly can think for themselves in a broad sense, the use they make of their reason is bound to be private – that is, subjected to the external authority of their tutor instead of to the authority of reason alone. Women, as the only passive citizens who are not allowed to access active citizenship, are in a permanent position of political subordination as they must always obey some external authority. They are therefore not capable of making the public use of their reason required for active participation in enlightenment.

I hope to have shown that Kant’s conception of enlightenment cannot be understood in isolation from political considerations due to the public sphere in which it takes place. This, in turn, sheds light on the puzzling exclusion of women from enlightenment. In order to show how,

it was necessary first to take a thorough look at Kant's ambiguous way of excluding women from enlightenment and to consider and reject the possibility that he might have been open to their inclusion. The Habermassian conception of the public sphere then proved to be useful for understanding the context in which enlightenment must take place and the forms of exclusion it implies. Despite the self-incurred nature of the immaturity that one must escape in order to take part in enlightenment, I have shown that in order to enter the Kantian public sphere and to make a public use of his reason, one must first be legally and civilly mature. Legal maturity thus works as a precondition for shedding one's self-incurred immaturity. Kant's twofold conception of citizenship then confirmed that he did not take all citizens to have access to the same opportunities: passive citizens, including all women, lack civil independence and are not permitted to take part in public affairs. Finally, investigating the restriction of the private use of reason put forward in "What is Enlightenment?" shed light on the political nature of the subordination of certain people in society, in particular women. It thus appears that Kant grounded his conception of enlightenment in a specific legal and political context and that this context affected who could take an active part in enlightenment. Since women, who are legally immature, do not fulfil the legal prerequisite for making public use of their reason, it is likely that Kant's conception of enlightenment is meant to exclude them from the start.

Chapter 5.

Marriage and Legal Equality in Kant's Mature Works

As we have seen in chapter 2, sexual difference was allowed to play a relatively important role in Kant's pre-critical writings. I have argued that before the publication of the *Groundwork* and in the absence of a worked-out theory of morality, Kant's various insights on men and women's distinctive natures influenced the way in which he expected them to participate in moral life. Without going as far as to deny moral agency to women, his early conception of ethics opened the door to a differentiated morality in which men were demanded to strive towards certain virtues and women, towards other virtues. So until 1784, Kant's hesitations with respect to the grounds of morality, together with his inclusion of anthropological insights at the heart of his early conception of ethics, resulted in the creation of a, so to speak, second-class morality. Women were then expected to strive towards beautiful virtue (*Observations* 2:231), broadly understood as any kind of virtue that is not good in and of itself, and contrasted with men's noble or sublime virtue. As might be expected, the kind of virtue associated with women in particular was inferior to the one associated with men. Despite Kant's efforts to emphasize that the sexes are complementary rather than one being absolutely inferior or superior to the other, the hierarchy of virtues he put forward in his early ethics was disadvantaging women. Fortunately, the context of Kant's early ethics made it possible for different types of virtue to qualify as morally good. Women were thus inferior moral agents – but at least, they were still moral agents.

But the advent of critical philosophy changes the status of sexual difference in light of the new architectonic of philosophy put forward in Kant's works in the '80s. The evolution of Kant's conception of morality in that period, together with the decreasing importance of anthropological insights within ethics and with a more thorough grounding of morality, forces him to reconsider the importance of the hierarchy between men and women. While he does not entirely get rid of his anthropological assumptions on sexual difference, they have a much less prominent role within his conception of ethics. The *Metaphysics of Morals*, grounded in the principles put forward in the *Groundwork of the Metaphysics of Morals* and in the *Critique of Practical Reason*, presents Kant's late conception of ethics. These three works, which are normative and prescriptive, do not contain anthropological assumptions about sexual difference. Some of these assumptions still made their way into Kant's late *Anthropology*. But according to Kant himself, the *Anthropology* is meant to provide the empirical application of moral principles to human beings, taking into account the peculiarities of human nature (*RL* 6:216-217). The *Anthropology* is thus meant to be descriptive – although we can of course wonder how accurate the descriptions provided are. As such, it does not have the normative force of the *Metaphysics of Morals* and other abovementioned works.

But as we have seen in chapter 4, Kant nonetheless argues for the legal subordination of women in a work that definitely has a normative status: the *Doctrine of Right*, the first part of the *Metaphysics of Morals*. In this work, Kant presents his views on marriage and on sexuality, which carry important implications for the relationships between men and women. Indeed, heterosexual sexuality as Kant understands it raises a number of problems that his account of marriage intends to solve. He therefore conceptualizes marriage as an institution that ought to be

egalitarian in at least one way: that is, with respect to the type of commitment made by each spouse towards each other.

A number of scholars have recently shown an interest in exploring the implications of marriage and sex within Kant's practical philosophy¹⁵³. Since Kant's conception of marriage requires a (relative) equality between men and women in order to fulfil its intended purpose, some commentators have suggested that his parallel commitment to the complementarity of men and women might make his conception of marriage unsustainable from the start. Okin and Pateman, for instance, have both argued that Kant's conception of sexual difference stands in tension with his allegedly egalitarian conception of marriage¹⁵⁴.

Unlike Okin and Pateman, I do not take Kant's views on sexual difference to directly conflict with his account of marriage. Instead of regarding this account of marriage as flawed, it proves more interesting to turn the problem upside down and to see what work it can do for us. I argue here that we are justified, on the basis of Kant's account of marriage, in asking him for a more robust commitment to legal equality. In the *Doctrine of Right*, i.e. the first part of the *Metaphysics of Morals*, Kant argues for the legal subordination of women: as passive citizens, they are deprived of civil independence. I come to the conclusion that Kant's account of marriage provides grounds to argue for the legal equality of men and women and that his argument would be strengthened by granting equal civil status to men and women – and thus revisiting his own views on the legal subordination of women. In doing so, I hope to show that the inclusion of

¹⁵³ A. Beever (2013); L. Denis (2001); B. Herman (1993); I. Hull (1996); U.P. Jauch (1988); A. La Vopa (2005); S. Moller Okin (1982); L. Papadaki (2007, 2010) ; C. Pateman (1988); D. Wilson (2004); ...

¹⁵⁴ Such as Pateman (1988); Okin (1982). See also Kofman (1997).

women within enlightenment, made possible through their legal equality, would be consistent with some of the core ideas of Kant's practical philosophy.

In order to do so, I will first investigate Kant's conception of sexuality and the complex moral issue it raises. I will then show how Kant intends marriage to be a moral safeguard for sexuality. My interpretation of Kant's conception of marriage draws on an analogy suggested by Kant himself between the concept of marriage and the concept of community he had put forward in the *Critique of Pure Reason*. Finally, I will suggest that Kant's account of marriage would benefit from more egalitarian laws than those he put forward with respect to the civil status of women. If marriage is to secure a morally acceptable context for sexuality, it has to be through the reciprocity and equality of the partners. This requirement is not, however, incompatible with Kant's conception of sexual difference on the anthropological level: the spouses can be different in a number of ways and still stand in an egalitarian and reciprocal relationship. Yet as I show, allowing for men and women to have significantly different civil status will compromise, at least in part, their equality as spouses – and is at risk of failing to provide an appropriate moral framework for sex. My argument draws on Kant's criticism of a peculiar kind of union: the morganatic marriage. This kind of marriage was taking place between spouses of unequal social ranks and allowed for the privileges, rights and properties of the upper-class spouse not to be extended to the other spouse. I will show that Kant's criticism of morganatic marriages should be extended to all kinds of marriages where the spouses have different civil status. This allows me to conclude that the civil subordination of women put forward in Kant's *Doctrine of Right* should be questioned and revisited. On those grounds, women's participation in enlightenment should become possible.

1. The problem: sexuality and objectification

1.1. The uniqueness of sexual desire

When investigating Kant's account of sexuality, one must acknowledge that Kant is working with certain assumptions that we may well not share. One of these is that sexual intercourse should only take place between men and women:

Sexual union [...] is the reciprocal use that one human being makes of the sexual organs and capacities of another [...]. This is either a *natural* use (by which procreation of a being of the same kind is possible) or an *unnatural* use, and unnatural use takes place either with a person of the same sex or with an animal of a nonhuman species. (*RL* 6:277)

Although Kant is willing to grant that sexual union does not need to result in procreation (since he emphasizes that the natural types of union only make “possible” the procreation of a being of the same kind), he is eager to set aside the forms of sexuality he regards as unnatural: those that involve persons of the same sex and those that involve nonhuman animals¹⁵⁵. Unnatural sexuality is ruled out from Kant's investigation from the start: it is presented as a vice that “[does] wrong to humanity in our own person” (*RL* 6:277), with no exception possible. Still according to Kant, unnatural sexuality should lead to nothing less than expulsion from civil society, “since the criminal has made himself unworthy of human society” (*TL* 6:363). He is thus deeply unwilling to include non-heterosexual sexuality within his investigation. Since I am interested in the conclusions that we can draw from Kant's conception of heterosexual marriage with respect to the equality of men and women, I will leave Kant's prejudices about same-sex relationships out of my own investigation¹⁵⁶.

¹⁵⁵ In his lectures on ethics, Kant also includes masturbation among the unnatural forms of sexuality (*Collins* 27:391).

¹⁵⁶ This question has been fruitfully explored in other contributions. Among others: Denis has argued that Kant's condemnation of unnatural sexuality is inconsistent with his conception of natural teleology (1999); and Altman has suggested that Kant's views on marriage could very well be extended to same-sex marriage (2011).

Another assumption grounding Kant's conception of sexuality is that sexuality raises a challenge for morality that other enjoyable activities do not. This assumption is more informed than the previous one, and I will attempt to present it as charitably as I can. In order to do so, I will first show that sexual desire points to a truly unique type of pleasure.

Although Kant seems to use indifferently the terms "desire", "inclination", and "pleasure", they have a precise meaning in context. The practical pleasures that Kant is interested in in the *Metaphysics of Morals* are the pleasures that are necessarily connected with desires: either as the cause of a desire, or as the effect of a desire. Kant uses desire in a narrow sense to refer to desires that are caused by pleasures: "that determination of the capacity for desire [*Begehrungsvermögen*] which is caused and therefore necessarily *preceded* by such pleasure is called *desire* in the narrow sense [*Begierde*]" (6:212). Those desires thus result from experiencing a certain pleasure¹⁵⁷. All bodily pleasures are causes of desires. Sexual desire is one of those desires; it is caused by a specific form of bodily pleasure. Unfortunately, Kant often uses "pleasure" and "desire" interchangeably; one should therefore keep in mind that strictly speaking, sexual desire is caused or triggered by a certain type of bodily pleasure. Kant's characterization thus suggests that the notion of sexual desire is empirically constructed, insofar as it results from experiencing a certain type of pleasure. Besides "sexual desire", Kant sometimes speaks of "sexual inclination". An inclination is a desire that is habitual (*RL* 6:212); and inclination is also, at times, equated with "sensible impulse" (*RL* 6:213). Kant does not further explain what makes certain desires habitual. As we will see, he refers to sexual desire as a habitual desire, which is why "sexual desire" and "sexual inclination" (or "sexual impulse") can be used interchangeably.

¹⁵⁷ Pleasures that are not the causes of desires, and that are instead caused by desires, are purely intellectual pleasures (*RL* 6:212-213).

What further complicates the matter, however, is that he regards sexual inclination as an innate form of inclination, as opposed to acquired forms of inclinations, which result from culture (*Anthropology* 7:267-268). I take the innate component to be the connection between sexual pleasure and sexual desire (or sexual inclination): sexual desire/inclination is not innate in the sense that it does not arise from a pleasure. What is innate about it is that we feel it whenever experiencing a certain type of pleasure. Kant's conception of sexual desire thus allows us to emphasize that it is caused and shaped by the experience of a certain type of pleasure.

The pleasure associated with sexual inclination, along with other bodily pleasures, differs from the pleasures that Kant associates with judgments of taste (i.e., those discussed in the *Critique of Judgment*):

Sexual inclination [*Geschlechtsneigung*] is also called "love" [...] and is, in fact, the strongest possible sensible pleasure [*Sinnenlust*] in an object. It is not merely sensitive pleasure [*sinnliche Lust*], as in objects that are pleasing in mere reflection on them (the receptivity for which is called taste). It is rather pleasure from the enjoyment of another person, which therefore belongs to the capacity for desire and, indeed, to its highest stage, passion. (TL 6:426)

Judgments of taste are based on a feeling of pleasure that, unlike bodily pleasures, is not grounded in a subjective preference. Judgments of taste have a universal scope, which is not the case for sexual preferences or any kind of desire based on bodily pleasures. The pleasure I am getting from listening to Beethoven's Symphony No 9 is therefore qualitatively different from the pleasure I am getting from eating Brussels sprouts. While I am not expecting everybody to enjoy the taste of Brussels sprouts, I can have a reasonable expectation that everybody will appreciate Beethoven's Ninth Symphony; or I must be willing to argue that those who don't have poor taste. Pleasures that are not based on subjective preferences may have a universal pretension, while pleasures based on subjective preferences (like sexuality and eating Brussels sprouts) cannot. The

pleasure associated with sexual desire, just like other bodily pleasures, is characterized as subjective.

But sexual desire is not exactly like any other bodily pleasure-based desire either. This means that the specific threat associated with sexuality is not merely due to the sensitive pleasure that we get out of it – for that characteristic is shared with a number of other sensory-based activities (like eating Brussels sprouts or going for a run). What makes sexual pleasure essentially different from other bodily pleasures is its inherently relational nature, alluded to in the above passage (“it is rather pleasure from the enjoyment of another person”). Sexual desire is, consequently, also relational. This key element is also taken up in Kant’s definition of sexual activity:

Sexual union (*commercium sexuelle*) is the reciprocal use that one human being makes of the sexual organs and capacities of another. (*RL* 6:277)

As shown in the two passages quoted above, Kant conceptualizes sexuality as interpersonal. The problem specifically associated with sexuality will have something to do with the fact that sex requires the enjoyment of another human being. We can see that this is far from innocuous. That sexuality involves the enjoyment of a person rather than of a thing not only makes it more intense than all other sensible pleasures, but also way more dangerous for all parties involved.

1.2. What objectification? Dialogue with B. Herman and A. Dworkin

This relational nature of sexual desire already gives us a hint of what Kant might find worrying in sexuality. The problem, as we will now see, lies within the objectification associated with sexual desire. It is worth noting that Kant himself does not use the word “objectification”: when referring to the problem he associates with sexuality, he generally says that human beings

are making themselves or others into things. The term “objectification” has, since then, been coined to refer to this phenomenon – within Kantian scholarship (by Herman (1993), Langton (2009), Papadaki (2007, 2010), and others), but also, more broadly, in ethics and in feminist theory. I will therefore use it here.

We may now wonder how this objectification takes place. Kant’s general conception of objectification should be understood as covering the two forms of objectification involved in sexuality: i.e. one’s own objectification, but also the objectification of one’s sexual partner. While Kant himself tends to focus more on the damages one inflicts on oneself by engaging in sexual activity than on the damages one inflicts on their sexual partner, both aspects can be criticized on similar grounds. A closer look at Kant’s definition of the sexual act will allow us to better understand the problem at stake:

In [giving himself to the other], a human being makes himself into a thing, which conflicts with the Right of humanity in his own person. (*RL* 6:278)

The Right of humanity is defined as the possession of “[f]reedom (independence from being constrained by another’s choice), insofar as it can coexist with the freedom of every other in accordance with a universal law” (*RL* 6:237). It is a right that belongs to us in virtue of our humanity. Making oneself into a thing directly conflicts with that right, because as a thing, one is deprived of freedom. Kant’s definition of the sexual act also echoes the well-known “formula of humanity” of the categorical imperative:

So act that you use humanity, in your own person as well as in the person of any other, always at the same time as an end, never merely as a means. (*GMS* 4:429)

But Kant’s account of what is problematic in the sexual act (i.e. making oneself into a thing) does not simply recall the formula of humanity. The formula of humanity, by reminding us to treat our

own person *as well as the person of any other* always at the same time as an end and never merely as a means, also suggests that what raises an issue for oneself in sexuality will also raise an issue for others. Turning others into things, or using them as mere means, is just as problematic as turning oneself into a thing, or using oneself as a mere means. The formula of humanity commands different duties (to oneself and to others), but those duties are grounded in one and the same issue: not treating humanity (in oneself or in others) as a thing. This justifies extending Kant's conception of objectification to the objectification of others, even if he does not always do so explicitly.

But we still have to figure out how this objectification takes place. It is tempting to assume that any kind of use of another person's body (or of our own), broadly speaking, is equivalent to using that person as a mere means – and that this is why sexuality is so dangerous. This is partly Kant's fault, as he sometimes seems to imply that what is problematic in sexuality is really just that it involves one's own body – or similarly, someone else's body. But that would not be entirely accurate. We can think of plenty of ways in which we make use of other people's bodies: for instance, when Leonardo da Vinci painted Lisa Gherardini's portrait, or when a couple of ballet dancers use each other's bodies to perform complex figures¹⁵⁸. Yet it is not clear whether Leonardo da Vinci really used Lisa Gherardini as a mere means when he painted her portrait, or whether ballet dancers really use each other as mere means when they dance. Using someone's body may be using that person as a means, but it does not imply that we are using the person *merely* as a means – i.e. that we are thereby disregarding his or her humanity. Using someone's body (or one's own) does not necessarily consist in objectifying that person. Using the body of a dance partner or the body of a model for a painting, for instance, does not entail that we

¹⁵⁸ I thank Barbara Herman for suggesting dance as an example of use of other people's bodies.

disregard humanity in his or her person. Despite Kant's general disdain of bodily pleasures, objectification cannot be reduced to any kind of use of one's own body or of other people's bodies. So while making use of people's bodies is definitely part of the problem at hand, it does not entirely explain what's wrong with sex¹⁵⁹.

Kant's answer turns out to be simple and somewhat disappointing: sexual desire is objectifying from the start, in a way that the urge to dance or to paint a portrait of a friend is not. Sexual desire as he sees it turns out to be an inclination not for another human being as a whole, but rather for the body of that person only:

(a) In loving from sexual inclination, [we] make the person into an object of their appetite. As soon as the person is possessed, and the appetite sated, they are thrown away, as one throws away a lemon after sucking the juice from it. (*Lectures on Ethics* 27:384)

(b) [...] the sexual impulse is not an inclination that one human has for another, *qua* human, but an inclination for their sex [...] (*Lectures on Ethics* 27:385)

(c) [...] for as soon as anyone becomes an object of another's appetite, all motives of moral relationship fall away; as object of the other's appetite, that person is in fact a thing, whereby the other's appetite is sated, and can be misused as such a thing by anybody. (*Lectures on Ethics* 27:384-385)

The main ethical problem associated with sex is that it involves the fragmentation of the self: in engaging in sexual activity and through sexual desire, we offer ourselves as a mere body, or even, as emphasized in passage (b), as mere sex organs, to the other's sexual appetite, thereby turning ourselves into a thing and ignoring our humanity. And we're similarly disregarding our partner's humanity. This problem points to Kant's distinction between a person and a thing. A person is "a subject whose actions can be imputed to him", while a thing lacks freedom: it is "an object of free

¹⁵⁹ Kant makes this important distinction explicit in his lectures on ethics: "Man can certainly enjoy the other as an instrument for his service; he can utilize the others' hands or feet to serve him, though by the latter's free choice. But we never find that a human being can be the object of another's enjoyment, save through the sexual impulse." (27:384)

choice which itself lacks freedom (*res corporalis*)”, to which nothing can be imputed (RL 6:223). As persons, we are both sensible and intelligible beings (TL 6:434-435). A person is “an absolute unity” (RL 6:278). No part of the person (body or mind) can be dismissed. Because of this indivisibility, one does not have the right to dispose of their own body, and not even of some body part – as all our body parts are an intrinsic part of our person. Kant even goes as far as condemning organ donation on those grounds:

To deprive oneself of an integral part or organ (...) – for example, to give away or sell a tooth to be transplanted into another’s mouth, or to have oneself castrated in order to get an easier livelihood as a singer, and so forth — are ways of partially murdering oneself. But to have a dead or diseased organ amputated when it endangers one’s life, or to have something cut off that is a part but not an organ of the body, for example, one’s hair, cannot be counted as a crime against one’s own person – although cutting one’s hair in order to sell it is not altogether free from blame. (TL 6:423)

The absolute unity or indivisibility of the person implies that our body is not exactly like some kind of property that we own and that we can divide as much as we want. It also implies that whenever we consider ourselves as a mere body (or even as a mere body part) or as a mere mind, we are thereby disregarding part of our personhood.

Sexuality thus involves a problematic twofold objectification – that of the seducer, and that of the seduced. In engaging in sexual activity, we offer ourselves as a mere body to the other, thereby disregarding the rest of our personhood. But that’s not the only problem associated with sexuality – as we also have duties of respect to others. Those duties to others are easier to enforce through external, juridical laws – which is precisely the focus of Kant’s *Doctrine of Right*, and the reason why marriage comes into play. But even in a strictly ethical perspective, enjoying the body of another person while disregarding the rest of their personhood is no different than using

them as a mere means, as a thing, to satisfy our own pleasure¹⁶⁰. We are therefore doubly compromising humanity: in our person, and in the person of our sexual partner.

Again, that people turn themselves and each other into things whenever they have sex is of course a very strong assumption to work with. Kant does not further explain why sexual desire necessarily causes objectification. My interpretation has provided so far a way to understand what is unique about sexual desire. But Kant's claim about objectification can still come across as odd. It is worth noting, following Herman, that the twofold objectification process at work in Kant's conception of sexuality can be connected to some fundamental insights of radical feminism. Dworkin's criticism of heterosexual sexuality proves to be particularly interesting in that respect, as Dworkin associates sexual intercourse with an objectification process – and with the objectification of women in particular.¹⁶¹ For Dworkin, just like for Kant, the process is twofold: women are objectified by men through intercourse, but also take part in their own objectification by embracing their object status:

In becoming an object so that he can objectify her so that he can fuck her, she begins a political collaboration with his dominance; and then when he enters her, he confirms for himself and for her what she is: that she is something, not someone; [...] (Dworkin 2007, 178)

¹⁶⁰ Korsgaard points out that Kant's main issue with sexual desire is that it "takes a *person* for its object" and that "what bothers him is *not* the idea that one is using another person as a means to one's own pleasure" (1996, 194). Korsgaard's concern is thus that we are treating a person like an object when we desire her. Herman's interpretation of Kant's issue with sexual desire focuses more on the problematic implications of treating one's significant other as a mere means. Papadaki (2007, 334) infers from this that Korsgaard and Herman (1993, 57 sq.) hold conflicting views on what makes sexuality problematic. I do not believe that Papadaki's reading is accurate: Korsgaard suggests that using another person as a means would not be a problem *on its own* if it was not for the objectification process first mentioned. This is compatible with Herman's interpretation, which emphasizes that objectification happens through sexual appetite. I do, however, have reservations with part of Korsgaard's suggestion. She suggests, without further justifying the idea, that the objectification process at stake in sexuality takes an *aesthetic* form: "Regarding someone as a sexual object is not like regarding him as an instrument or a tool, but more like regarding him as an aesthetic object." (1996, 194) Yet this is at odds with Kant's classification of pleasures in *TL* 6:426, in which he explicitly distinguishes sexual pleasure from the sensible pleasures associated with judgments of taste – and therefore from the realm of aesthetics. Understanding sexual objectification as aesthetic thus seems unhelpful.

¹⁶¹ Herman notes some limits to the parallel, starting with the fact that Kant's conception of sexuality shows no particular concern for the objectification of women (all partners being equally objectified) (1993, 56).

For Dworkin, a woman who engages in sexual intercourse is thereby turning herself into an object, and is equally objectified by her partner. This certainly does not mean that Kant had a direct influence on her ideas. But it indicates that Kant's assumption might be more widespread than thought – and is certainly worth reflecting on.

If we take seriously the threat of objectification raised by sexuality, we can see that it calls for a robust solution. Because sexual desire is inherently objectifying, giving consent to having sex cannot possibly cancel out the objectification process. Dworkin's analysis of heterosexual sexuality points to a similar problem: women's consent does not put an end to the objectification at work – by giving consent, women are in fact collaborating in their own objectification. Similarly, in a Kantian perspective, one could argue that giving consent to having sex, as if sexuality were a contract, makes sense only insofar as we are persons, i.e. moral agents. But since sex turns us into things, it simultaneously makes our consent invalid – as the consent is not provided by a person anymore. Beever suggests a useful parallel with slavery to better illustrate this point: one cannot give consent to making oneself property because it would make one both person and non-person (i.e. a thing) at the same time (2013, 350-351). This is not to say that sexual consent is irrelevant by Kant's standards, but that it fails to address the objectification process at stake in sexuality.

2. The solution: marriage as the moral safeguard for sex

2.1. Marriage as a “right to a person akin to a right to a thing”

Despite the dangers he associates with sexuality, Kant believes it can be desirable in some contexts. First and foremost, because of the obvious role of sexuality in procreation. But sexuality

need not be restricted to that role, even by his standards (*RL* 6:277). The question is, then, how to provide a context within which the partners can enjoy the benefits of sexuality without at the same time compromising humanity in their person and in that of their partner. Since individual consent cannot solve the problem, another solution is required. As we will now see, the external constraint provided by the institution of marriage seems to be the best way to address the issue at stake.

Kant's account of marriage and sex is notoriously obscure in two respects: first, when it comes to identifying what, exactly, is morally problematic about sexuality (i.e., the problem that marriage intends to solve) – which I hope I have made clearer by now. And second, when it comes to explaining how marriage can fix that problem (i.e., the solution to the problem raised by sexuality). That last part is slightly more complicated.

In the *Doctrine of Right*, Kant points to the necessity of certain juridical institutions in order to help us enforce our duties towards others whenever we are at risk of harming them. Marriage is one of those institutions: it is intended to play the role of moral safeguard for sexuality, in light of the concerns expressed above. It is now worth taking a closer look at Kant's conception of marriage in order to see if it fulfills that goal, or to what extent it does. In the next section, I will put forward an interpretation of Kant's account of marriage based on the analogy he himself suggests between marriage and the category of community – i.e. one of the three categories of relation put forward in the *Critique of Pure Reason*. My interpretation allows for a better understanding of the role of marriage by making clearer the nature of the relationship between the spouses.

Kant comes up with a robust account of marriage that requires the creation of a whole new legal category: the “rights to persons akin to rights to things” (*RL* 6:276 sq.) The unique kind of right it puts forward is meant to provide an alternative to property right and contract right¹⁶². I will now explain what that particular right consists in, and how it is meant to provide a safe context for sexuality to take place.

This legal category was quite innovative in Kant’s day and has been called then a “new phenomenon in the juristic sky”¹⁶³. It does not exist in any of his main sources on natural law¹⁶⁴. Alternatively, some other authors that Kant was familiar with tended to focus more on the sentimental dimension of marriage than on its legal meaning. For instance, Jean-Jacques Rousseau’s account of marriage focuses, in *Émile*, on the happiness and on the agreement of the spouses with each other. Kant’s new legal category applies not only to marital relationships, but also of other forms of relationships within the household; i.e. to parental right and to the right of the head of the household on servants. This will prove to be important later on.

The concept of possession is essential to understanding Kant’s account of private right. The concept of private right in general involve the claim that something external to me is mine. And what makes it possible for me to use something that is rightfully mine is that I have it in my possession. Kant uses the concept of possession in an intelligible sense: the possession at stake

¹⁶² “Acquisition of this status, and within it, therefore takes place neither by a deed on one’s own initiative (*facto*) nor by a contract (*pacto*) alone but by principle (*lege*); for, since this kind of right is neither a right to a thing nor merely a right against a person but also possession of a person, it must be a right lying beyond any rights to things [...]” (*RL* 6:276)

¹⁶³ See the 1798 review of the *Doctrine of Right* by F. Bouterwek to which Kant refers in his later Appendix to the *RL* (6:356 sq.) It is, however, not clear whether Kant’s new legal conception of marriage had influence on subsequent accounts. J.G. Fichte, for instance, returns to a contractual conception of marriage.

¹⁶⁴ E.g. G. Achenwall’s *Jus Naturae*; S. Pufendorf’s *De Jure Naturae et Gentium*.

does not have to be an object that one is physically holding. There are three possible kinds of objects of possession (cf. *RL* 6:247):

- (i) A corporeal thing external to me (the object of property right)
- (ii) Another's choice to perform a specific deed (the object of contract right)
- (iii) Another's status in relation to me (the object of the "right to a person akin to a right to a thing")

Kant's new legal category applies to the third kind of object. "Property" can only refer to things, never to persons (*TL* 6:359); and property right thus cannot be directly applied to persons. While our right on our spouse is in some ways "akin to a right to a thing"¹⁶⁵, this right must take into account that we are dealing with another free, rational being – with whom we stand in a moral relation and towards whom we have duties. The possession of a spouse is therefore not the result of a unilateral acquisition like property, that is, a legal deed made by a person involving an object that has (obviously) no say in the decision.

2.2. The importance of the concept of community

Kant's account of marriage, despite being often mistakenly referred to as "contractual", also differs from legal contracts. Marriage certainly shows some similarity with contract right: it has more to do with the united choice of two persons grounding a contract than with the unilateral choice grounding property acquisition. But a contract, strictly speaking, involves a person's performance, not the person himself or herself. As we will see, marriage is based on a unique form of relationship that is not quite the same as a contractual one.

¹⁶⁵ In that each partner has certain rights over the other: one person cannot simply leave the marriage as he or she wants (*RL* 6:278).

Kant further clarifies the difference between contract right and marriage by associating the former to the category of causality and the latter to the category of community. A contract involves a linear, causal relationship, taking place over a certain period of time. For instance, if I have a contract as a research assistant and I do X hours of research work, I will get a certain amount of money for my work. My salary is thus conditional to my work.

But marriage, like other relationships within the household, does not rely on causality as much as on community: all parties involved reciprocally influence each other (*RL* 6:276). Kant distinguishes between those two categories in the *Critique of Pure Reason* by pointing out that in causality, the consequence “does not reciprocally determine the ground and therefore does not constitute a whole with the latter” (*KrV* B112). Causality implies that one of the things involved (the effect) is subordinated under the other (the cause) and conditioned by it. Community, on the other hand, requires that each thing involved be coordinated with the other simultaneously and reciprocally – each one being the cause of the determination of the other:

[in community] a similar connection is thought of in an entirety of things, since one is not subordinated, as effect, under another, as the cause of its existence, but is rather coordinated with the other simultaneously and reciprocally as cause with regard to its determination (e.g., in a body, the parts of which reciprocally attract yet also repel each other), [...] (*KrV* B112)

The concept of community makes sense of the relationship between parts of a whole that are not subordinated to one another in a causal manner. They stand in a reciprocal relationship and are all contributing to the whole in an equal manner – just like body parts. The concept of community proves useful in making sense of Kant’s conception of marriage as a legal relationship that is taking place in a reciprocal and simultaneous manner. The possession at stake is therefore not

conditional to something else in a contractual manner. Let's have a closer look at the definitions of marriage provided in the *Doctrine of Right*:

(i) Sexual union in accordance with principle [rather than with mere animal nature] is *marriage (matrimonium)*, that is, the union of two persons of different sexes for lifelong possession of each other's sexual attributes. (RL 6:277)

(ii) [M]arriage is a reciprocal giving of one's very person into the possession of the other (RL 6:359)

(iii) "In [giving himself to the other], a human being makes himself into a thing, which conflicts with the Right of humanity in his own person. There is only one condition under which this is possible: that while one person is acquired by the other *as if it were a thing*, the one who is acquired acquires the other in turn; for this way each reclaims itself and restores its personality." (RL 6:278)

In these three passages, Kant consistently describes marriage as implying the reciprocal possession of the spouses. He is, however, inconsistent in describing what that possession entails: passage (i) emphasizes the "sexual attributes", while passage (ii) emphasizes the "very person". Kant is similarly inconsistent in describing the problem at stake in sexual desire: he sometimes implies that the problem is to desire the other person as a mere body, and sometimes implies that the problem is to desire the other person only for their sex. In light of the absolute unity and indivisibility of the person emphasized earlier, both formulations point to the same problem: what is at stake is the idea of disregarding the full personhood of sexual partners (by focusing either on their sexual attributes or on their body, at the expense of the rest of their person). So while passage (i) above probably insists on the sexual attributes because of the nature of the discussion, it seems preferable to describe marriage as in passages (ii) and (iii), i.e. as the possession of the person as a whole.

A marriage is thus a unique form of legal bond with another person. Such relationship entails a complete equality of possession under the law, including the possession of the partners

themselves as well as that of their material goods and properties. Each partner thus acquires the other as a whole – including material goods, but also body and mind. The reciprocity aspect is very important: by mutually acquiring each other, the partners not only acquire each other, but also acquire themselves back through the other who acquired them. Since all of this is happening simultaneously, marriage can be understood in light of certain aspects of the concept of community put forward in the first *Critique*. The husband and the wife are each, so to speak, the ground of the determination of the other: without the wife, there is no husband, and without the husband, there is no wife. They mutually contribute to a common end: to the community that they together constitute.

2.3. Is marriage an effective moral safeguard?

And yet we can wonder whether Kant's conception of marriage really succeeds in solving the moral problem associated with sexuality. The core idea is promising: within marriage, both partners acquire each other's full person (and not merely their body), which makes them equally and reciprocally committed to the other as a whole person. That's certainly an effective moral safeguard in that it prevents the harmful consequences associated with sex. But Kant's solution remains incomplete in two ways. First, his account of marriage does not further explain how the mutual acquisition of the spouses overcomes the objectification process associated with sexuality. Second, it does not clarify to what extent the relationship between the spouses must be a reciprocal one, nor what are the implications of this reciprocity for sexual difference. The rest of this chapter focuses on the second problem, but it is worth saying a few words about the first before moving on.

First problem: overcoming the objectification

Very few concrete suggestions have been made in order to explain out how Kant's account of marriage can overcome the objectification caused by sexuality. Herman has made two suggestions, the first of which she rejects. This first suggestion goes as follows: one could think that the husband and wife together constitute something like a new moral entity, characterized by a "unity of will". This is certainly supported by Kant's references to marriage as a community, and also by his many references to the common end that husband and wife set for themselves, which allows them not to be using each other merely as means anymore (e.g. *RL* 6:359). This suggestion is helpful in many ways, but in the end, it also raises new problems, as Kant's moral philosophy is not well-equipped to deal with non-individual moral agents such as this new two-bodies entity. It is indeed difficult to see how the objectification problem is resolved.

The other explanation put forward by Herman consists in arguing that the legal institutions described in the *Doctrine of Right*, and marriage in particular, can contribute to shape our moral regard and thus change the way we think of sexuality (1993, 57 sq.) Marriage would thus remove the objectification process from sexual desire. This solution sounds more plausible, but would require further developing how legal institutions (or society and culture in general) can shape our inclinations and desires according to Kant's typology of desires. If, as suggested earlier, sexual desire is shaped by the experience of a certain type of pleasure, there is certainly room to argue that sexual desire can evolve depending on the context in which the pleasure takes place. And in his lectures on anthropology, Kant does suggest that certain desires can evolve through culture, as sexual desire, for instance, can be turned into genuine love (*Lectures on Anthropology* 25:585; 25:1361). I have to leave this point aside in the present investigation. But whether we agree with Kant that marriage is an effective moral safeguard for sex or not, it seems

that his solution requires a more robust commitment to the legal equality of men and women – as I will show next.

Second problem: reciprocity and sexual difference

The following section will investigate the second problem: that is, figuring out how to reconcile the reciprocity between spouses with Kant's conception of sexual difference. I will now argue that the subordinated civil status of women is the main obstacle to the reciprocity grounding Kant's account of marriage, and that getting rid of this legal subordination would make his account of marriage stronger and more consistent. If Kant's conception of marriage requires the legal equality of the spouses and thus makes it possible to reconsider their legal subordination, this further suggests that women could be relatively easily included in a Kantian conception of enlightenment.

3. Marriage, equality and complementarity

In this last section, I will assume that Kant's conception of marriage is an effective moral safeguard for sex and argue that if we follow Kant in thinking that marriage can be an effective moral safeguard for sex, his solution would benefit from the revision of one of his political commitments – that of the subordinated civil status of women.

3.1. Active vs. passive citizenship

We have seen in chapter 4 that Kant, still in the *Doctrine of Right*, puts forward his own conception of citizenship and, following E. J. Sieyès, distinguishes between active and passive citizens. It is worth recalling the passage in which that distinction is introduced:

This quality of being independent [...] requires a distinction between active and passive citizens, though the concept of passive citizen seems to contradict the concept of a citizen as such. The following examples can serve to remove this difficulty: an apprentice in the service of a merchant or artisan; a domestic servant [...]; a minor [...]; all women and, in general, anyone whose preservation in existence (his being fed and protected) depends not on his management of his own business but on arrangements made by another. (*RL* 6:314)

Kant's conception of active citizenship is thus based on civil independence, meaning that only the active citizen is entitled to represent himself when it comes to legal matters. Passive citizens are "under the direction or protection of other individuals" (*RL* 6:315) and do not have civil independence. They do not get to take an active part in public affairs either, nor, as we have seen, in the public use of reason necessary for enlightenment. We should also keep in mind that, still according to Kant's categories of citizenship, women differ from other passive citizens. While he is, in principle, open to social mobility and argues that passive citizens should be able to work their way up to active citizenship, he nevertheless claims that in order to be an active citizen and to take part in public affairs, one must be a man (*Theory and Practice* 8:295). Women thus seem to be confined to passive citizenship. I have shown that this peculiar civil status leads to their exclusion from enlightenment.

3.2. Kant's criticism of morganatic marriages

The problem posed by the peculiar civil status of women for Kant's conception of marriage has already been noted. Pateman's argument, for instance, goes as follows: if marriage involves a legal acquisition and if women, due to their lack of civil personality, cannot take part in public affairs, it seems like only men are really performing the acquisition at stake, for they are the only ones who can enter into contracts (1988). Okin has raised similar concerns (1982). Wilson has responded to Pateman by pointing out that women are not the only passive citizens;

and that surely Kant allows for domestic servants and other passive citizens to perform some basic legal acts like getting married (2004). Wilson's point is fair. But I nevertheless believe that the peculiar status of women or, at the very least, Kant's insistence in confining them to passive citizenship, stands in tension with his account of marriage.

It is interesting to note that Kant himself wondered whether sexual difference could threaten the legal equality of the spouses required for marriage:

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

Here, Kant explicitly acknowledges that the natural equality of a couple grounding marriage could be threatened by some inequalities – yet not by those he regards as natural inequalities – when he says that “This cannot be regarded as conflicting with the natural equality of a couple *if this dominance is based only on the natural superiority of the husband's relation...*” Indeed, Kant's conception of marriage in general is not egalitarian in every way: it is meant to accommodate his anthropological assumptions about the complementarity of the sexes¹⁶⁶. Yet on the legal level, marriage should be egalitarian. And Kant seems to acknowledge that some forms of inequality could threaten the egalitarian grounds of marriage. In fact, he even gives an example where marriage cannot be the moral safeguard it is supposed to be: the case of morganatic marriages.

¹⁶⁶ Denis shows that these assumptions are not necessary for Kant's account (2001, 19). Yet they do not conflict with it either: Kant's account of marriage requires a certain form of equality, but not the sameness of the partners.

Morganatic marriages [*Ehe an der linken Hand*: literally, “left-hand marriage”¹⁶⁷] refer to unions between people of unequal social ranks where one of the spouses is denied the privileges, rights or properties of the other. They were relatively common in 18th century Germany. Kant objects to morganatic marriages on rather interesting grounds:

[A morganatic marriage] takes advantage of the inequality of Estate of the two parties to give one of them domination over the other; for in fact morganatic marriage is not different, in terms of natural Right only, from concubinage and is no true marriage. (*RL* 6:279)¹⁶⁸

One of Kant’s reasons for objecting to morganatic marriages is not mentioned in this passage, but pertains to his general disapproval of hereditary nobility, which he regards as “a rank that precedes merit and also provides no basis to hope for merit” (*RL* 6:329). Morganatic marriages further emphasize the arbitrariness of hereditary nobility, as the rank of one of the spouses (typically, the husband) is not passed on to his wife nor to his children. But Kant objects to morganatic marriages not only because the rank of one of the spouses is not extended to the other, but also because other possessions (in a legal sense) also remain separate. This aspect is emphasized in Kant’s lectures on ethics:

[A] morganatic marriage does not fully accord with the right of humanity. For the wife is not in possession of all the husband’s rights, and so does not have total possession of him, though he has absolute disposition over her. (*Vigilantius* 27:641)

Here, Kant extends his reasoning to the rights that are not shared among the spouses, thereby confirming that marriage should entail a complete sharing of possessions. The example of morganatic marriages shows that Kant is aware that significant differences in political power between the spouses can compromise the role that marriage is intended to play. Through marriage, each spouse acquires the other person as a whole. This is the only context in which sex

¹⁶⁷ The reference to the left hand is due to a peculiarity in the ceremony of morganatic marriages: the groom would hold the bride’s hand with his left hand instead of his right hand.

¹⁶⁸ See also, in Kant’s lectures on ethics, *Vigilantius* 27:641.

becomes morally acceptable. But in morganatic marriages, one of the partners has legal domination over the other, which compromises the reciprocity grounding marriage. I believe that this reasoning can and should be extended to men and women's civil status. While it is of course possible for an active citizen to share all of his belongings with his wife (who is de facto a passive citizen), there will always remain a significant difference between the two with respect to their ability to take part in public affairs that may be relevant for the household. Men's civil status, and the rights and privileges that come with it, cannot be extended to their wives. One of the partners is thus effectively subordinated to the other on the legal level. This discrepancy, in light of Kant's own reservations towards morganatic marriages, provides reasonable grounds for asking Kant's practical philosophy to do a little more work towards sexual equality. Within the *Doctrine of Right*, the only marriage that would meet the legal equality criterion would be that of passive citizens, such as servants – which provides grounds to revisit the civil status of women on his behalf.

I thus believe that Kant's account of marriage provides resources to argue for the legal equality of men and women, even by his standards. This should, however, come with a disclaimer: I do not believe that the equality suggested by Kant's account of marriage and by his criticism of morganatic marriage provides sufficient grounds to challenge his assumption that men and women are essentially different and complement each other¹⁶⁹. The kind of equality I am arguing for here is purely legal. The fact that Kant's new category of right applies not only to married couples, but also to families and to the whole household, shows that the analogy between marriage (or family, or household) and community does not entail that every member of the

¹⁶⁹ Which is not to say that I endorse this assumption. I have shown in chapter 2 that it can be challenged relatively easily on other grounds, i.e. by questioning the reliability of Kant's various remarks and observations on women.

community is qualitatively identical or equal to the other in every respect. Kant's own way of illustrating the analogy of community in the first *Critique* is by referring to body parts that mutually influence each other – this mutual influence and reciprocity does not entail that the body parts are qualitatively identical to each other. But given the special issue raised by sexuality and the context in which marriage takes place, it seems like legal equality is required for Kant's conception of marriage to fulfill its role.

While it is very tempting to look down on Kant when it comes to women's rights, I believe that his account of marriage can still teach us something about the role of legal institutions in promoting the equality of the sexes in the 18th century. First, in acknowledging that heterosexual sex is not innocuous and that Kant's efforts to find a moral safeguard might be worth reflecting on. Second, in reflecting on the role of legal institutions like marriage in securing the equality of the sexes. And third, in investigating to what extent Kant's legal philosophy as a whole can support that goal, and in revisiting some of his assumptions in that respect. Given the importance of civil status for one's participation in enlightenment, it is only on those grounds that one can hope to reconsider Kant's exclusion of women from enlightenment. While Kant did not do so himself, other philosophers acknowledged the importance of one's civil status for one's participation in the ideals of the Enlightenment, and did so in a feminist perspective. The contributions of Theodor von Hippel and of Mary Wollstonecraft will be investigated in the next chapter in order to further illustrate this point.

Chapter 6.

Wollstonecraft and Hippiel on the Status of Women in the State

While Kant was not particularly interested in the condition of women in his day, let alone in improving it, a number of other 18th century thinkers were reflecting on the matter and using core ideas of the Enlightenment to argue for the emancipation of women. In this chapter, I explore the contributions of Theodor von Hippiel and Mary Wollstonecraft on the matter. While the choice of these two authors in particular is based first and foremost on Kant's probable influence on some of their ideas¹⁷⁰, two other historical influences common to all three philosophers will be emphasized in what follows: (i) Rousseau's ideas on humanity and education; and, even more significantly, (ii) the French Revolution. Hippiel and Wollstonecraft explicitly engage with Rousseau more than Kant does, in part because they are more interested than he is in exploring the role of education in the progress of humanity. But his considerations on human nature in general have influenced Kant just as much as Hippiel and Wollstonecraft.¹⁷¹ In parallel to this, the French Revolution also proved to be decisive for the political thought of all three philosophers. The Revolution, together with the French constitution of 1791, had a considerable influence on Kant's political thought (in particular, on his ideal Republican constitution; on his reflections on revolution; and finally, on his twofold conception of citizenship¹⁷²). Similarly, the treatises of Wollstonecraft and Hippiel that will be investigated here both react to the new inequalities generated by the French Revolution – as new rights were

¹⁷⁰ See my general introduction.

¹⁷¹ On Rousseau's influence on Kant's conception of moral agency in particular, see my discussion in chapter 2. In general, *Émile* was seen as the most important work on pedagogy in 18th century Germany (Hull 1996, 252).

¹⁷² This last point has been discussed in chapter 3. On Sieyès and Kant's influence on one another, see also Maliks 2014, Meld Shell 2016.

officially granted to men, but not to women. The Revolution thus brought up new political and legal considerations that all three philosophers were eager to reflect on.

It is also worth noting that Hippias and Wollstonecraft share the assumption that reason and its functions are the only thing that should matter in establishing political rights. This assumption is significant in that it conflicts with other grounds used by some of their contemporaries to justify political rights – such as, for instance, material independence, moral qualities, and, of course, sex. The main accounts of citizenship in the 18th century that Wollstonecraft and Hippias would have been familiar with tended to base citizenship on nationality and on sex. This is the case in Diderot and D'Alembert's *Encyclopedia*:

Citizen is someone who is a member of a free society with many families, who shares in the rights of this society, and who benefits from these freedoms. [...] Someone who has been divested of these rights and freedoms has stopped being a citizen. One accords the title to women, young children, and servants, only as family members of a citizen, in a strict sense, but they are not truly citizens. (Diderot and D'Alembert, 2005, 488-489)¹⁷³

In the aftermath of the French Revolution, material independence was also required for the exercise of active citizenship. E. J. Sieyès, who contributed to the French Constitution of 1791, wrote in his preliminary remarks that “women – at least in the current state of affairs –, children, foreigners, and all those who do not contribute to the sustenance of public institutions, must not actively influence public affairs.” (Sieyès 1789, 37) The Constitution itself included the following among other criteria for active citizenship: to be born (or to become) a Frenchman; and to pay taxes. The arbitrariness of the sex criterion has been criticized by a number of 18th century feminist writers. Some of them, like Condorcet, emphasized that other considerations should affect the entitlement to political participation:

¹⁷³ Rousseau also refers to (and endorses) that definition in the *Social Contract*.

But the rights of men result simply from the fact that they are sentient beings, susceptible of acquiring ideas of morality, and of reasoning concerning those ideas. Women having, then, the same qualities, have necessarily the same rights. Either no individual of the human species has any true rights, or all have the same; and he or she who votes against the rights of another, no matter his or her religion, colour, or sex, has by that fact abjured his or her own. (Condorcet 1790, 5-6; emphasis mine)

So although Condorcet was, like Wollstonecraft and Hippiel, a feminist writer, he did not focus on reason as much as they did – as he also insisted on the importance of the sentient nature of human beings in the attribution and exercise of political rights. As we will see, Hippiel and Wollstonecraft both take reason not to be affected by bodily differences, including sexual differences – an assumption that has been considerably challenged in feminist literature since then. Both of them show very little consideration for the role of the body in knowledge and virtue. But it is worth noting that they were engaging with philosophers who were claiming that women's sex and bodily features disposed them less favourably to knowledge, virtue, or civil rights – the most influential being probably Rousseau. He indeed argues in *Émile* that the education of women should take into account the increased importance that embodiment has in their life:

The consequences of sex are wholly unlike for man and woman. The male is only a male now and again, the female is always a female, or at least all her youth; everything reminds her of her sex; the performance of her functions requires a special constitution. She needs care during pregnancy and freedom from work when her child is born; she must have a quiet, easy life while she nurses her children; their education calls for patience and gentleness, for a zeal and love which nothing can dismay; she forms a bond between father and child, she alone can win the father's love for his children and convince him that they are indeed his own. (Rousseau 1921, 287-288)

Unsurprisingly, Rousseau also denies citizenship and most political rights to women on the grounds of their femininity. In response to such claims, downplaying the influence of sexual difference on the mind was a common and convenient strategy among feminist writers of the

early modern period¹⁷⁴. It certainly wasn't the only one available: Condorcet, for instance, puts forward a feminist argument that does not exclusively rely on reason. But Wollstonecraft, Hippiel, and many more feminist writers of the time might have had a strategic interest in arguing for the establishment of political rights on the basis of reason alone.

In what follows, I show how Wollstonecraft and Hippiel's proposals provide further support to the idea that the legal subordination of women is a problem for the enactment of the Enlightenment broadly construed, and even more so in a Kantian perspective. In order to do so, I will compare and contrast Hippiel and Wollstonecraft's projects, first by investigating their motivations and the way they fit within a broader conception of the progress of humanity. I will then analyze the arguments they provide for the natural equality of men and women and the way this claim affects their conceptions of enlightenment. Finally, I will show that their proposals require significant structural changes in society. Wollstonecraft and Hippiel's projects thus not only show that the contribution of women is necessary to the Enlightenment, but also that this contribution requires important legal and political reforms.

1. Hippiel and Wollstonecraft's motivations

It is worth first emphasizing that although they were also Enlightenment thinkers, Hippiel and Wollstonecraft, along with other early feminist writers, were pursuing fairly different goals than Kant. While they all share an interest in the progress of humanity, Wollstonecraft and Hippiel were mainly interested in improving the condition of women, and only mildly in Kant's other philosophical motivations. Similarly, while Kant's conception of women and its implications prove to be philosophically interesting, the topic was not among his main concerns. They

¹⁷⁴ For instance: Mary Astell, Marguerite Buffet, Gabrielle Suchon, François Poulain de la Barre, ...

consequently used different methods to reach their respective goals. Kant regarded Hippel's works as belonging to the realm of popular philosophy, which he was not interested in – and chances are that he would have thought the same of Wollstonecraft's. His works in general were intended first and foremost for other scholars. A good example of this is provided in the first preface to the *Critique of Pure Reason*, where Kant's reluctance to use concrete examples is connected to his expectations in terms of readership:

[...] I found it inadvisable to swell [this work] further with examples and illustrations, which are necessary only for a popular aim, especially since this work could never be made suitable for popular use, and real experts in this science do not have so much need for things to be made easy for them [...] (*KrV* Axviii-xix)

Kant also emphasizes in the second preface that his critique of reason will benefit the public, but “without its knowledge”, and that it “can never become popular” (Bxxxiv). Even his *Prolegomena*, often regarded as the popular presentation of the *Critique of Pure Reason*, are in fact best described as a relative, “attempted popularization”¹⁷⁵ of Kant's theses: the *Prolegomena* are intended for future teachers (*Prolegomena* 4:254) and are meant to address the obscurity of the *Critique of Pure Reason*, but not to make that work suitable for the public (4:261). Similarly, while parts of Kant's *Groundwork for the Metaphysics of Morals* and *Critique of Practical Reason* are often taught in introductory courses to moral philosophy, he did not mean for them to be popular either¹⁷⁶. The preface of the *Doctrine of Right* further confirms that Kant's practical philosophy as a whole was not meant to be accessible to the public (*RL* 6:206). His essay on enlightenment is probably one of the most accessible pieces he published; but even there, the typical readers of the *Berlinische Monatsschrift* were still scholars, if not philosophers.

¹⁷⁵ Cf. Guyer 1998, 66

¹⁷⁶ This does not entail that we should follow Kant's recommendations, nor that he believed that college students could not understand complex philosophical works. But Kant was known, even among his German contemporaries, for being a difficult writer. Charges of obscurity were raised against Kant's works by Garve, Mendelssohn, Hamann, Schulze, and many more.

Early feminist treatises, on the other hand, were generally intended for a larger public. The works of Hippel and Wollstonecraft that will be discussed here are no exception. While they both wrote extensive treatises, those treatises were meant to convince a large public of the ideas they were putting forward – if not the entire population, at least not only scholars¹⁷⁷. Hippel criticizes Kant on those grounds, pointing out that despite being a “master of philosophical knowledge”, Kant would not have written his major works if it had not been for his teaching, which allowed him to test many of his ideas. In contrast with Kant’s taste for complex philosophical writing, Hippel praises Lessing, Spalding, Teller, and Mendelssohn, who all “lowered (or perhaps raised?) their philosophical systems by couching them in practical, understandable terms” (2009, 314). Furthermore, while it has been suggested that Hippel addresses mostly men and Wollstonecraft, mostly women¹⁷⁸, there is evidence that both of them were trying to reach out to the other sex as well: Hippel states that *On Improving the Status of Women* is intended to encourage women to earn their deliverance (2009, 146) and Wollstonecraft dedicates *A Vindication of the Rights of Woman* to Talleyrand-Périgord (1993, 65). Both authors were thus reaching out to a much larger public than Kant, and one that was not exclusively comprised of members of their own sex.

The investigations conducted by Hippel and Wollstonecraft are driven by a core idea of the Enlightenment that they share with Kant and other Enlightenment or even pre-Enlightenment thinkers: the importance of getting rid of one’s prejudices. As emphasized in a key passage of the

¹⁷⁷ It is also worth noting that Wollstonecraft explored different genres in order to support her arguments towards the improvement of the status of women: treatises like *A Vindication of the Rights of Man* and *A Vindication of the Rights of Woman*, but also novels criticizing the institution of marriage and promoting the independence of women (*Mary: A Fiction* and *Maria: or, The Wrongs of Woman*). Hippel, alongside his treatises, also wrote short essays on the improvement of the status of women (see for instance “On the Duties of a Freemason towards the Fair Sex”).

¹⁷⁸ See for instance Sellner (2009, 129-130).

Critique of Judgment and further discussed in chapter 3, this ideal is a core feature of Kant's conception of enlightenment:

[To think for oneself] is the maxim of a reason that is never *passive*. A propensity to a passive reason, and hence to a heteronomy of reason, is called *prejudice*; and the greatest prejudice of all is *superstition*, which consists in thinking of nature as not subject to rules which the understanding through its own essential law lays down as the basis of nature. Liberation from superstition is called *enlightenment*. (KU 5:294)

For Kant, prejudices are indicative of a passive and heteronomous use of one's reason insofar as they show that we simply take up the thoughts of others without critically reflecting on them. As such, thinking for oneself requires overcoming one's prejudices. This feature is not unique to Kant's conception of enlightenment, and it was not uncommon to use it as a way to argue for the equality of men and women in the early modern era. A number of early feminist writers have identified the idea of the inferiority of women with a prejudice getting in the way of reason and truth¹⁷⁹. Getting rid of that prejudice is an explicit motivation shared by both Hippel and Wollstonecraft. As early as 1768, Hippel was urging his fellow Freemasons to overcome that "irresponsible prejudice" (cf. "On the Duties of a Freemason towards the Fair Sex")¹⁸⁰. And this

¹⁷⁹ Despite the general importance of the idea of overcoming prejudices for early modern feminist writers and for Enlightenment thinkers in general, it is worth noting that they do not necessarily ascribe the exact same meaning or implications to the concept of prejudice. François Poulain de la Barre and Mary Astell, for instance, both use the notion of prejudice in a Cartesian-inspired way and adapt it to feminist purposes. While Kant, Wollstonecraft and Hippel all see prejudices, broadly construed, as obstacles to the correct use of reason, they use the term in slightly different ways. As has been discussed in chapter 2, Kant provides a technical characterization of prejudices in his lectures on logic – thereby distinguishing them from (e.g.) particular judgments and provisional judgments. While Wollstonecraft and Hippel do not provide similar inquiries on the nature of prejudices, Wollstonecraft can be taken to be closer to Kant in her use of the concept, as she consistently associates prejudices with the reluctance to think for oneself (see for instance 1993, 76). Hippel uses the term in a slightly looser way, equating prejudices with any kind of mistaken popular belief – and, to the best of my knowledge, without conceptualizing it any further.

It is also interesting to note that Rousseau refers to the same dichotomy between prejudices and reason, but for the opposite purpose: "The mutual duties of the two sexes are not, and cannot be, equally binding on both. Women do wrong to complain of the inequality of man-made laws; this inequality is not of man's making, or at any rate it is not the result of mere prejudice, but of reason." (Rousseau 1921, 288)

¹⁸⁰ Hippel, like a number of intellectuals of his day (but unlike Kant), was a proud Freemason. He was installed as a member of the "Lodge of the Three Crowns" in Königsberg in 1762, and became permanent lodge speaker shortly after (Sellner 2009, 31). While he was not willing to reconsider the fraternalism of the Freemasonic lodges – in which women were not allowed –, he still managed to question some aspects of its gender ideology through his speech on the matter.

core idea is taken up again in *On Improving the Status of Women*, once again with respect to the prejudice of the inferiority of women:

Reason proceeds calmly and with conviction, and only in the case where people shamefully desire to do battle with her using unequal weapons, where prejudice throws down the gauntlet and brute force blocks her way, is she accustomed of giving up her initial well-conceived plan and substituting another for it. (Hippel 2009, 145; emphasis mine)¹⁸¹

Similarly, the necessity for men, but also women, to get rid of the prejudice of the inferiority of women is a recurring theme in Wollstonecraft's 1792 treatise, *A Vindication of the Rights of Woman*. Just like in Kant's essay on enlightenment, prejudices are associated with the passive use of reason and intellectual cowardice:

Men, in general, seem to employ their reason to justify prejudices, which they have imbibed, they can scarcely trace how, rather than to root them out. The mind must be strong that resolutely forms its own principles; for a kind of intellectual cowardice prevails which makes many men shrink from the task, or only do it by halves. (Wollstonecraft 1993, 76-77)¹⁸²

For Wollstonecraft and for Hippel, the inferiority of women is a prejudice among others, but one that significantly affects society as a whole and compromises the progress of humanity. Both of them emphasize that this prejudice affects men and women alike – but with significantly different consequences. On the one hand, men, being in a position of power in society, rely on that prejudice to justify and reinforce their authority on women and the political subjection of the latter. On the other hand, women internalize prejudices about themselves and limit their own possibilities and ambitions by assuming that gender-specific roles and behaviours are both necessary and desirable. While such a view can be seen as anticipating contemporary feminist reflections on internalized misogyny, it is important to situate this argument within the context of

¹⁸¹ Hippel's use of a battlefield-related vocabulary to illustrate the clash between reason and prejudices is reminiscent of a lot of Kant's metaphor of the battlefield of metaphysics (Aviii; Bxv; A754/B782; ...). Kant also implies that prejudices play a role in that conflict when he suggests that if a critique of reason had come about earlier, "the disputants would have learned insight into the illusion and prejudices that have disunited them" (A747/B775).

¹⁸² *WA* 8:36

a somewhat individualistic Enlightenment perspective. While Wollstonecraft and Hippel both emphasize the dreadful consequences of sexist prejudices over women's perception of themselves, they remain mostly interested in the individual emancipation of women. In doing so, they are guilty of neglecting entire groups of women. They do, however, insist on (i) the socially constructed nature of many, if not all, gender-specific roles, and on (ii) the importance of collective solutions to the problem through education, rights, and institutions, in order for the emancipation of individual women to become possible. As I will show next, while the prejudice about the inferiority of women proves to be detrimental first and foremost to women themselves, both philosophers emphasize its negative consequences for society and humanity as a whole.

2. Enlightenment and the progress of humanity

One of the most prominent (and perhaps most contentious) features of the conception of the Enlightenment shared by Kant, Hippel and Wollstonecraft is a strong belief in the progress of humanity. This progress can take many forms. In this section, I will focus on the moral progress of humanity, for it is the most significant point of contact of the three philosophers on the matter.

For Kant, moral progress on a social level can be understood as the *ad infinitum* progression of humanity towards the highest good. This implies that humanity would be progressing towards the ideal of an ethical community (*Rel* 6:94). This ethical community consists in the perfect union of humanity: human beings under moral laws (*KU* 5:448-449). In such a community, everyone's will would thus be always regulated by the moral law: people would constantly be acting from duty, and not merely in accordance with duty. Alternatively, moral progress can also be understood to refer, on the legal level, to the progress towards a

republican constitution (on the national level) and towards perpetual peace (on the international level)¹⁸³.

While Wollstonecraft does not share the specifics of Kant's conception of the moral good, she believes like him in the importance of the progress of reason. In fact, Wollstonecraft, unlike Kant, goes as far as grounding virtue in reason and knowledge. In order to be virtuous members of society, women must *know* "why [they] ought to be virtuous". They must get an intellectual grasp of what their duty is, of what is good for them, and also of what is good for the children that they are supposed to educate (Wollstonecraft 1993, 66 sq.) The progress of reason in all is thus all the more important, as the progress of reason implies an intellectual progress that is, for her, necessary to the progress of virtue in individuals and in society. Wollstonecraft also insists, like Kant, on the intrinsic value of human beings, grounded in their reason. And since women "partake [with men] the gift of reason" (67), there is no reason to disregard the inner worth of women as human beings.

Hippel's views are even closer to those of Kant on the matter. It has frequently been noted that Hippel applies Kant's categorical imperative to the situation of women in the following passage of *On Improving the Status of Women*¹⁸⁴:

Should not [the moral law] be extended to all men? Can a rational being be considered merely as a means to higher goals? That general material principle the philosophers speak of is, and remains, a visible sign of the appearance of all morality, if understood in the light of our universally valid set of principles and its highest principle of all, namely, that

¹⁸³ It is contentious among Kant scholars whether the ultimate vocation of humanity is its legal progress or its moral (in a narrower, ethical sense) progress. These interpretations typically argue either (i) that progress is towards the perfect political constitution and cosmopolitanism or (ii) that progress is towards the moral improvement of the human species. Kant hints at both moral and legal progress in different contexts.

¹⁸⁴ Among others, by Jacobi 1989 ; Sellner 2009 ; S. G. Bell & K. M. Offen (1983) ; ...

“The precepts upon which you act must be so formulated that they can always be made into universal laws.” (2009, 271)

This passage has often been taken to refer to Kant’s well-known categorical imperative, to the extent where it’s often the only reason Hippel gets mentioned in secondary literature at all¹⁸⁵. Indeed, in the above passage, Hippel is making two significant references to Kant’s moral philosophy. The most obvious one is his quote, which is a faithful paraphrase of Kant’s general formula of the categorical imperative. Even if Hippel does not mention his source, we can assume that he took it to be well known to his readers, as the parallel with Kant’s formulation in the *Groundwork* is pretty obvious: “Act only according to that maxim through which you can at the same time will that it comes a universal law.” (*GMS* 4:421). But Hippel’s most interesting reference to the categorical imperative pertains to its formulation known as the “formula of humanity”, expressed as follows in the *Groundwork*: “So act that you use humanity, in your own person as well as in the person of any other, always at the same time as an end, never merely as a means.” (*GMS* 4:429). This formula, presented by Kant as equivalent to the general formulation of the categorical imperative, is meant to emphasize its material dimension by applying it to human beings – a point that Hippel hints at by referring to “the general material principle the philosophers speak of”. This is what Hippel is really interested in; this idea becomes clearer when read in light of other parts of *On Improving the Status of Women*. One of Hippel’s recurring arguments is that women, just like men, should have an absolute worth in and for themselves – and not merely as means to whatever ends the state or society might have for them. This point is

¹⁸⁵ A few biographies of Hippel have been published in Germany, and there is some secondary literature available (mostly in German, and some in English) engaging with his literary work. But to the best of my knowledge, no commentator has significantly engaged with Hippel’s philosophical ideas on their own to this day. To give an example, if one searches “Theodor von Hippel” on JSTOR and limits the search results to philosophy journals and excludes book reviews, only 27 results come up. None of the 27 results are about Hippel himself. 11 of these articles are about other philosophers connected to Hippel in some way (among which, Kant; Hamann; Hegel; Radbruch); and the rest mention Hippel’s name (or one or two of his ideas) in relation to general philosophical topics. So while the parallel with Kant has had the advantage of making his name slightly better known, it did not help in showing how original his own ideas were.

perhaps better illustrated in another passage: “Are women never to attain an absolute value *in* and *for* the state, but always to possess mere relative worth?” (215). It should also be noted that what Hippel is interested in is, first and foremost, the *legal* implications of this categorical imperative. The passage from 271 quoted above suggests that the formula of humanity is also a “visible sign of the appearance of all morality”, which can come across as anti-Kantian at first sight: Kant emphasizes that we never have access to inner moral motivations, not even to our own¹⁸⁶. On that account, we can never be sure if actions, as good as they may seem, have been performed for the sake of duty or merely in conformity with duty. Morality, strictly speaking, cannot be visible. That said, I believe that Hippel’s point, rather than being a blunt misunderstanding of Kant’s views, is intended to draw attention to what Kant himself acknowledges as the *visible* manifestation of morality: legality. While we cannot have access to inner moral motivations on Kant’s account, he still acknowledges legality (or lawfulness) as the external manifestation of morality, that is, as “the mere conformity or nonconformity of an action with law, irrespective of the incentive to it” (*RL* 6:219). Legality is therefore what matters when it comes to laws and political constitutions. And legality, in that sense, is precisely what Hippel is interested in.

The three philosophers thus share a common assumption to start with: that of the intrinsic worth of human beings – applied more consistently by Wollstonecraft and Hippel. Yet unlike Kant, for whom the progress of humanity as a whole relies on generations more than individuals, and does not require all individuals to equally contribute to it¹⁸⁷, both Wollstonecraft and Hippel

¹⁸⁶ For instance, when he points out in the *Conflict of the Faculties* that we only have access to “empirical data (experiences) [...] namely, the physical cause of our actions as these actually occur as phenomena; and not the moral cause – the only one which can be established purely a priori – which contains the concept of duty with respect to what ought to happen.” (*SF* 7:91)

¹⁸⁷ See my discussion of this point in my general introduction.

believe that the exclusion of entire groups of people, and of women in particular¹⁸⁸, compromises the progress of humanity as a whole:

Contending for the rights of woman, my main argument is built on this simple principle, that if she be not prepared by education to become the companion of man, she will stop the progress of knowledge and virtue; for truth must be common to all, or it will be inefficacious with respect to its influence on general practice. (Wollstonecraft 1993, 66; see also 124)

Wollstonecraft's argument emphasizes that as long as not all members of a society are given a chance to improve, the improvement of society as a whole will be compromised given that the unimproved individuals will still take part in social interactions. From this perspective, it is not only to the advantage of women, but also to that of men to improve the condition of women.¹⁸⁹ Hoppel provides a similar argument, but a posteriori: he emphasizes that the progress of humanity has been negligible so far (assuming that any has been made) because only men have been in a position to actively contribute to it (2009, 147; 168). For Hoppel, this has unfortunate consequences not only for women, men and society, but also for all intellectual pursuits and scholarly activities, which have the moral improvement of humanity as their goal and therefore fail so far (2009, 310).

As I will show in section 3, despite sharing a concern for the enlightenment of individual women, both Hoppel and Wollstonecraft see the problem as structural and therefore as calling for

¹⁸⁸ [This point is further discussed in my introduction.] It is interesting to note that Hoppel, although he does not discuss the matter at length, criticizes not only the exclusion of women, but also that of Jews (2009, 147) and of "American Indians" (160-161), and also questions the alleged human supremacy over other animals. But Hoppel still displays racism in other ways, claiming for instance that "Asia and Africa have been rather more backward than advanced culturally since the time of the Greeks and Romans" (191) and praising German women in particular, who he sees as more receptive and fit for improvement (312). Wollstonecraft shows little consideration for other minority groups.

¹⁸⁹ Despite their somewhat more inclusive conception of progress, both Hoppel and Wollstonecraft show little to no consideration for women who do not belong to the middle or upper classes of Western countries. This should be a source of concern given that by Wollstonecraft's argument, preventing these women (or anyone else) from taking part in the progress of humanity will compromise that progress just as much. If other individuals taking part in "general practice" do not have access to education and rights, they will similarly hinder the progress of the whole.

solutions that go beyond, e.g., encouraging women to individually improve themselves through seeking better education (a proposal some other early modern feminist writers were focusing on¹⁹⁰). This is why they both insist on the importance of questioning existing arbitrary power dynamics in society and of seeking measures (on the state level) in order for women to access proper education, have full citizenship, legally represent themselves, have paid jobs, etc.¹⁹¹

But prior to discussing those solutions, it is important to note that Hippel and Wollstonecraft's concern for the progress of humanity as a whole depends on another claim: that women are part of humanity just as much as men. In the words of Hippel, women were still all too often seen as an "extraneous segment [of humanity] which ought to feel privileged to follow along behind" (Hippel 2009, 142). This state of affairs became worse, or at the very least more obvious, in the wake of the French Revolution and of the French Constitution of 1791. The gap between men and women's civil status got wider as the former were granted a set of explicit rights, and the latter, a few privileges (at best). This observation proved to be decisive for both Hippel and Wollstonecraft's 1792 treatises – Wollstonecraft spelling out her concerns about the lack of privileges for women in the new French constitution in her dedication to Talleyrand (1993, 65-68), and Hippel also discussing the matter at length in *On Improving the Status of Women* (2009, 141 sq.; 219). This growing concern for the status of women as second-class members of society in their day motivates both philosophers to argue for the natural equality of men and women. This idea will be investigated at length in the next section.

¹⁹⁰ This is not to say that this line of argument was trivial: insisting on the importance for women to access proper education was a major feminist issue in the early modern era and was anything but self-evident. This demand was argued for by a number of writers in Germany, such as Dorothea Leporin (*Gründliche Untersuchung der Ursachen, die das weibliche Geschlecht vom Studiren abhalten*, 1742) and Amalia Holst (*Über die Bestimmung des Weibes zur höhern Geistesbildung*, 1800).

¹⁹¹ Although Wollstonecraft in particular has often been portrayed as individualistic (cf. e.g. Taylor 2003), it is important to keep in mind that the solutions she puts forward involve major reforms of social institutions and structures.

3. The natural equality of men and women

3.1. The state of nature

While Wollstonecraft and Hippel both believe in the natural equality of men and women, their argumentative strategies differ in some respects. An important part of Hippel's argument is grounded in an appeal to the state of nature, in a manner influenced by Rousseau's investigation in the *Second Discourse*¹⁹². But in order to better explain his own version of the state of nature, Hippel traces his investigation back to Adam and Eve, thereby following a long-standing tradition in pro-women treatises. Hippel's narrative of the Creation emphasizes that while Adam had the honour of being firstborn, Eve had the honour of being born from a rib of Adam instead of from dirt like him (2009, 149).¹⁹³ To those who object that Eve is the result of a "second-hand creation", Hippel responds that the order of creation does not matter because it still comes from the hand of God. The order does not make one of the creatures superior to the other, nor justify any kind of authority of men over women. Hippel further justifies this lack of natural authority of men over women by suggesting that the sentence "And thy desire shall be to thy husband, and he shall rule over thee." (Genesis 3:16) was added only later on (2009, 151). He then provides an unusual narrative of the Fall. In order to shift the usual blame from Eve, he suggests that Eve is responsible for the Fall, but that this is actually a good thing, as the Fall is what caused the development of reason and the rise of civilization. Hippel describes this as the "revolution of

¹⁹² A number of early modern feminist writers have engaged with Rousseau's ideas: Hippel and Wollstonecraft, but also Condorcet, de Gouges, etc. While they all criticized Rousseau's views on women, they still took up a number of his ideas on the perfectibility of human nature, on education, and on the state of nature. Hippel is a good example of a thinker who was influenced by some of Rousseau's ideas (especially when it comes to emphasizing the complementarity of men and women) and was able to argue for something that Rousseau himself does not allow (that is, the social equality of men and women). The opposition between pro-women writers and Rousseau is therefore not as clear as has been suggested by some commentators (see for instance Schiebinger 1986, 67), and his influence on the development of early modern feminist arguments should not be overlooked.

¹⁹³ This argument was rather popular among early feminist writers. It was used in France by (among others) Claude de Taillemont (1553) and Marguerite Buffet (1668), probably because of the influence of Henricus Cornelius Agrippa's *Declamatio de nobilitate & precellentia Fæminei sexus* (1529), who also put forward that argument; and, among the Italians, by Bartolomeo Goggio (manuscript, 1487), Agostino Strozzi (manuscript, 1501) and Lodovico Domenichi (published, 1549). I thank Marguerite Deslauriers for these references.

reason”, which took the place of instinct. According to his narrative, Eve was always the most responsible of the two:

It was Eve who acted as the Children’s Bureau for the minor Adam; after he ostensibly had been under the guardianship of this good woman for a time, it was she, having already emancipated herself in certain respects beforehand, who then issued the declaration of majority for him; it was she who shattered the bonds of instinct which had prevented human reason from rising up, and it was she who triumphed thereby. In memory of her the words “Eve” and “Reason” ought to be regarded as synonymous. (2009, 150)

According to this narrative, Eve was first in control, had a positive influence on Adam, and awakened human reason. For Hippel, Adam and Eve were, prior to that awakening, living more or less like animals, guided by instinct. What he calls the breakthrough of reason, made possible by Eve, came along with a great deal of anxiety and affliction at first – which is what is usually emphasized in narratives of the Fall. But any revolution, as emphasized by Hippel, is to be born in “disorder and passion” due to the very nature of human beings (2009, 150); and reason, by bringing about consciousness and civilization, eventually put an end to that state of disorder and confusion.

So for Hippel, Adam and Eve were equal in the first place – and if there was any superiority, it was on Eve’s side. Some passages even suggest that while Hippel argues for the equality of men and women, he might have held women to be superior altogether. For instance, on the biological level, he sides with proponents of ovist preformationism, who argue that the embryo is already preformed within the egg. This allows him to claim that women play a bigger role within reproduction¹⁹⁴. One can thus wonder how things changed in the state of nature and how Adam (and men after him) managed to dominate women. Hippel provides an original account of the state of nature, very similar to Rousseau’s, but oriented towards finding the origins

¹⁹⁴ “In fulfilling that great purpose of Nature in which human beings display the divine image of God, the female sex plays a disproportionately more significant role than the male with respect to both matter and form.” (2009, 151)

of the inequality between men and women. Like Rousseau, his account of the state of nature is an anthropological inquiry, based on “conjectures of human reason” (2009, 170). The empirical facts we have on human beings can only be traced so far in history, and what is of foremost interest to Hippel comes way before any historical evidence available to him. Throughout his narrative describing the transition from the state of nature to civil society, Hippel makes sure to emphasize the superiority of women – attributing to them a number of initiatives leading to improvements in the human condition, such as the storing of provisions, and claiming that “whenever it was a question of using the powers of reason, the woman seems always to have led the way” (2009, 175). What significantly changed the picture is the only invention Hippel attributes to men: hunting. For the purpose of hunting, men took possession of weapons and learned to use them, while women were handling other tasks. Men then used those weapons to establish their superiority over women, who had never learned to manipulate the weapons and consequently became afraid of them: “The sword gave the male sex the advantage of power over the female sex” (190; see also 180-181). Hippel thus attributes the superiority of men over women to arbitrary power dynamics from the start, and not (or not directly) to pregnancy and childbirth or to a superiority in physical strength, as was often suggested in similar accounts of the state of nature¹⁹⁵. The advent of bourgeois society then further confirmed the subordination of women by turning those arbitrary power dynamics into permanent social structures and institutions.

Wollstonecraft, unlike Hippel, does not provide her own account of the state of nature or of Genesis. Unlike him, she does not envision the state of nature as particularly egalitarian and believes that it is more profitable to look forward:

¹⁹⁵ Poulain de la Barre is a good example of pro-woman writer who presented his own account of the state of nature and, unlike Hippel, explained the subordination of women by men by appealing (at least in part) to women’s lack of physical strength and to the circumstances surrounding pregnancy and childbirth. (Poulain de la Barre 2002, 56)

[Had] Rousseau mounted one step higher in his investigation, [...] his active mind would have darted forward to contemplate the perfection of man in the establishment of true civilization, instead of taking his ferocious flight back to the night of sensual ignorance. (1993, 83)

While Wollstonecraft believes, as discussed below, that men and women share the same rational capacities, it remains unclear to what extent she would be willing to hold that men and women are naturally equal. Her criticism of Rousseau's account of the state of nature suggests that she finds the matter too speculative to be reliable, which may be why she is not willing, like Hippias, to appeal to an ideal state of nature to ground her argument for the equality of men and women.

Despite that difference, Hippias and Wollstonecraft's reflections make clear that no matter how egalitarian the state of nature was or could have been, human rights remain undetermined in the state of nature and need to be made concrete within civil society. As mentioned in the above, both authors point out that the French Revolution and the resulting French Constitution helped make many important rights explicit – such as the right to vote, the inviolability of property, the freedom of speech, and the access to public education – but failed to guarantee the same rights to women.

3.2. Sexual difference and civil rights

I will now show that Hippias and Wollstonecraft do not regard natural differences between the sexes as relevant when it comes to granting civil rights. Indeed, despite some differences in their accounts when it comes to the existence and nature of gendered virtues, both of them hold that men and women share a basic human nature and equal rational capacities.

Despite Wollstonecraft's reluctance to rely on a hypothetical state of nature, Hippel and she make relatively similar claims about the unity of human nature, suggesting that society as they know it has caused the sexes to deviate from a better and more natural order of things in which men and women were more alike than they are today:

Hippel: "Let both sexes return once more to their original integrity and to their true nature and we shall find that the longer such a happy state prevails, the more we shall find that man and woman are one flesh in this instance as well." (2009, 158)

Wollstonecraft: "Let there be then no coercion established in society, and the common law of gravity prevailing, the sexes will fall into their proper places." (1993, 68)

For Hippel and Wollstonecraft, men and women are naturally and fundamentally equal, and not giving them an equal education and opportunities deviates from this natural and better order of things. Yet both authors also hold the optimistic belief that if the coercion leading to that state of affairs (in the case of Wollstonecraft), or the subordination of women in general (in the case of Hippel), were put to an end, both sexes would be able to return to a more natural and better version of themselves – which would emphasize the sameness of human nature.¹⁹⁶

To justify his belief in one and the same human nature, Hippel relies on the abovementioned anthropological investigation by stressing that the Creation does not mention any difference between Adam and Eve other than sexual. On the biological level, he also suggests that the differences between men and women are not very significant ("[...] the material from which a Venus was produced can be formed just as well into a Mercury" (2009, 143); "In the formation of the two sexes, Nature does not appear to have intended to establish a noteworthy

¹⁹⁶ Insisting on the equal natural capacities of the sexes and on the fundamental sameness of human nature was a relatively common line of argument among early modern feminist writers. Gabrielle Suchon is a foremost example of philosopher who grounded the main arguments of her feminist essay "Treatise on Ethics and Politics, Divided Into Three Parts: Freedom, Knowledge, and Authority" in the claim that women "have a natural capacity that enables them to benefit from freedom, science, and authority" – but that this capacity is "now denied to them" (Suchon 2010, 72; emphasis mine).

difference; [...] Differences other than those of a sexual nature have until now eluded the anatomist's knife."¹⁹⁷ (2009, 151); etc.). He also emphasizes that no definition of the human being excludes women. Although Wollstonecraft does not expand much on the matter, she shares a similar belief: reason is a distinctive feature of humanity, and it is shared by men and women. This very basic claim about human nature was also shared by Kant and by most, if not all, 18th century philosophers. However, Wollstonecraft and Hippiel, unlike him, want to make clear that civil rights should take that observation into account. They therefore make a point of emphasizing that the basic similarity between men and women is enough to justify granting them equal rights and access to a similar education. For Wollstonecraft, reason is what makes human beings perfectible: Enlightenment is characterized by the improvement in the use of one's reason, which results in more knowledge and virtue. This improvement in the use of reason is possible for men and women alike, on the individual level (which is why she encourages women to think for themselves and men to get rid of their prejudices about the inferiority of women), but also on the collective level, through the "laws binding society" (1993, 76). Getting rid of sexist prejudices will thus improve society and humanity as a whole by making possible further progress in the use of reason.

Wollstonecraft and Hippiel do not deny the existence of non-sexual differences between the sexes, but they don't see them as relevant in granting civil rights. Wollstonecraft, because she believes them to be caused by socialization and culture rather than by nature; and Hippiel, because he takes the few natural differences that he acknowledges between the sexes to be used badly in

¹⁹⁷ The differences "of a sexual nature" that Hippiel refers to are the basic differences between the sexual and reproductive organs of men and women known to him at the time. The most significant one acknowledged by Hippiel is certainly the preeminent role of the egg in reproduction, which allows him to say that "the female sex plays a disproportionately more significant role than the male with respect to both matter and form." (2009, 151) It is, however, unlikely that he would have regarded these biological differences as significant when it comes to granting civil rights.

society – that is, at the expense of women. Indeed, Hippel cites certain qualities that he believes women possess more than men, like for instance the art of listening, better morals, etc. (2009, 242, 243), and goes as far as suggesting that their “good heart” might be the cause – thereby attributing those qualities at least in part to a natural cause. He is thus closer to Kant in that respect – who, as discussed in chapter 2, is also willing to attribute certain qualities to women and men in particular. The specifics of women’s nature are thus very minimal in the end, and insignificant when it comes to the exercise of their rights. Furthermore, Hippel is eager to acknowledge the influence of socialization on those feminine qualities:

When Nature began to shape the human race, she left the greater portion of this work to us, so as to share with us the honor of the Creation. (2009, 143-144)

For him, a gendered education focusing on some of these qualities and aiming to develop them is not a problem as such, insofar as the qualities are beneficial to women themselves and to society. Far from preventing women from taking on an active role in society, they will only make them better citizens. The real problem arises when these qualities are used as a reason to compromise women’s condition. The alleged modesty of women is used as an example of this problem by both Hippel and Wollstonecraft: while he stresses that modesty is used as an excuse to compromise on women’s rights, as giving them rights would (allegedly) compromise their modesty (2009, 203), she points out that false claims about the alleged modesty of women affect the education we give them (1993, 88).

Unlike Hippel, Wollstonecraft is not willing to concede that so-called feminine or masculine virtues might have natural grounds. Virtue as she understands it proceeds from the exercise of reason, and as such, it has no sex. The instantiations or particular types of virtue (such as courage, modesty, patience, etc.) should not be associated with one sex more than the other –

which is why modesty, for instance, should not be associated with women more than with men and used as a reason to compromise women's education. Insofar as modesty is a particular virtue, it is a virtue for both sexes and should be equally taken into account in their education. Yet in society as she knew it, some virtues, associated with men in particular¹⁹⁸, were taken to be inaccessible to women:

[...] many ingenious arguments have been brought forward to prove, that the two sexes, in the acquirement of virtue, ought to aim at attaining a very different character: or, to speak explicitly, women are not allowed to have sufficient strength of mind to acquire what really deserves the name of virtue. (1993, 84)

Wollstonecraft does not deny the existence of particular virtues (such as courage, modesty, etc.); but claiming that these virtues are fundamentally masculine or feminine is a prejudice that she intends to fight. Particular virtues being more frequent in one sex or the other is not a natural fact, but really the result of socialization and education. This is why Wollstonecraft is known to have encouraged women to become "more masculine", for instance in the following passage:

I am aware of an obvious inference: – from every quarter have I heard exclamations against masculine women; but where are they to be found? If by this appellation men mean to inveigh against their ardour in hunting, shooting, and gaming, I shall most cordially join in the cry; but if it be against the imitation of manly virtues, or, more properly speaking, the attainment of those talents and virtues, the exercise of which ennoble the human character, and which raise females in the scale of animal being, when they are comprehensively termed mankind; – all those who view them with a philosophic eye must, I should think, wish with me, that they may every day grow more and more masculine. (1993, 72; see also 75)

In the above, Wollstonecraft claims that if the noblest virtues are (mistakenly) taken to be masculine, women should strive towards such masculinity. Wollstonecraft thus has an even narrower conception of the implications of sexual difference (naturally construed) for morality:

¹⁹⁸ That is, typically the most valued forms of virtue, like courage or resolution, as opposed to (allegedly) feminine virtues like gentleness, docility, or modesty (see 1993, 100; 149).

virtues have no sex – any association that we make between particular virtues and one sex or the other is arbitrary.

On the basis of this common minimalistic conception of sexual difference, it is not surprising that both Hippel and Wollstonecraft argue for an egalitarian conception of marriage that does not rely on the (alleged) complementarity of the spouses. But unlike Kant, their main motivation to do so is not that marriage should be the moral safeguard of sexuality (although they would not necessarily disagree). They both believe that marriage should not only reflect the similarities between the sexes and their equal worth, but also contribute, as an institution, to enforce this equality. Even if Hippel emphasizes the natural differences between the sexes when it comes to some particular qualities or virtues, he does not see this complementarity as essential to a successful union and argues that marriage should instead be built on the similarities between the spouses:

Have we forgotten already that marriage is an institution of equals, that authority in marriage is distributed equally, and that the man can only claim his wife as his own by means of an express agreement? (2009, 205)¹⁹⁹

For Wollstonecraft, marriage should all the more reflect the equal aptitudes of the spouses to be virtuous – in fact, fulfilling marriages will only be obtained if women are to be “more rationally educated” (1993, 195). Those marriages will take the form of a friendship among equals, instead of being grounded in ideals of complementarity based on flawed conceptions of gendered virtues.²⁰⁰

¹⁹⁹ Hippel had published an early treatise on marriage in 1774 (*Über die Ehe*), in which his views were not quite as egalitarian as they are in *On Improving the Status of Women* (published in 1792) – he was still willing, in his 1774 treatise, to grant some natural authority to men over women within marriage.

²⁰⁰ Interestingly enough, Wollstonecraft also objects to the left-hand marriages that were to be criticized by Kant in the *Doctrine of Right*. As discussed in chapter 5, those marriages were unions between people of unequal social ranks where one of the spouses was denied the privileges, rights or properties of the other. Wollstonecraft, just like Kant, saw this idea as going against the true purpose of marriage, which is to put everything in common. But she

3.3. Mind, body, and weakness

Wollstonecraft and Hippel thus come up with minimalistic conceptions of natural sexual difference. An important aspect on which their argumentative strategies converge should be emphasized here, as they both choose to emphasize the sameness of reason in men and women in a way that avoids relying on bodily features. Both philosophers claim that bodily differences do not entail significant differences in reason.

On this point, Wollstonecraft's strategy is more expeditious than Hippel's: she is willing to grant that men are physically stronger than women and that this may give the former some sort of superiority over the latter:

I will allow that bodily strength seems to give man a natural superiority over woman; and this is the only solid basis on which the superiority of the sex can be built. (1993, 106)

But this concession really seems like a rhetorical way to make her conclusion more persuasive: physical weakness cannot compromise the use of reason, as she takes knowledge and virtue to be unaffected by brute physical strength (105). In other words, even if women were weaker than men, their reason would not be compromised and they would not be any less good candidates for the Enlightenment. Wollstonecraft also makes sure to make the claim about women's weakness in a sufficiently hypothetical way to cast doubt on it: "[women's] *apparent* inferiority with respect to bodily strength" (75); "bodily strength *seems* to give man a natural superiority..." (106); "...*should it be proved* that woman is naturally weaker than man..." (108); etc. She also raises concerns as to what kind of strength should matter the most in the end:

nevertheless argues that morganatic marriages could have a different purpose: that of offering some legal protection to women who have been seduced by men who have no interest in offering them a real marriage ("yet when a man seduces a woman, it should, I think be termed a left-handed marriage, and the man should be legally obliged to maintain the woman and her children, unless adultery, a natural divorce, abrogated the law" (1993, 142)). This way, the woman and her illegitimate child would get a legal and financial protection.

I find that strength of mind has, in most cases, been accompanied by superior strength of body,—natural soundness of constitution,—not that robust tone of nerves and vigour of muscles, which arise from bodily labour, when the mind is quiescent, or only directs the hands. (105)

By emphasizing the importance of a sound constitution, but also by discussing the role of the passions on one's character, Wollstonecraft acknowledges that the body affects knowledge and virtue – for better and for worse. She in fact hopes that women will become physically stronger by turning away from mistaken notions of beauty that are in fact harmful to their bodies:

To preserve personal beauty, woman's glory! the limbs and faculties are cramped with worse than Chinese bands, and the sedentary life which they are condemned to live, whilst boys frolic in the open air, weakens the muscles and relaxes the nerves. (1993, 109; see also 71, 74, 111)

But Wollstonecraft is also unwilling to claim that women are naturally disadvantaged, physically speaking. So while she is willing to take on the assumption that women might be physically weaker than men in some respects, she still wants to make clear that (i) there is more than one way to be physically fit and that (ii) we should remain skeptical (at the very least) as to what influence the vigour of muscles in particular can have on the mind.

Hippel is more reluctant to claim that women are naturally weaker in any way or to use such a claim for argumentative purposes. Like Wollstonecraft, part of his strategy involves rejecting a unilateral definition of strength, understood as (e.g.) the vigour of muscles. Instead, he emphasizes that the duties associated with women, from the state of nature as he imagines it to the cultivated state he knew, had always been very demanding physically speaking:

Indeed, upon examining *all* the occupations which employ the hands and the energy of mankind – does not the portion of work allotted to women invariably entail a greater expenditure of energy? (155)

Hippel's point here is that the tasks that women have traditionally performed in the household require no less strength and endurance than, for instance, hunting. Furthermore, while pregnancy

and childbirth were often used as ways to suggest that women were weaker, Hippel emphasizes that those tasks in fact require an extraordinary amount of energy and strength, and that women do not get praised enough in the process.²⁰¹ He also suggests that men would have a much harder time coping with that kind of labour (“I should not like to see this business handed over to the men” (203)). Even when it comes to strength as the mere vigour of muscles, Hippel holds that it would be misleading to associate it more naturally with men:

The radiantly healthy country girl [...] is a living refutation of the above unfavorable comparison, and she would be a match for anyone who would care to tempt the strength of her muscles. (155)

The example of the country girl is particularly interesting in that it echoes a point later made by Sojourner Truth, a former slave who delivered a famous speech at the 1851 Women's Rights Convention in which she points out that while women are taken to be naturally delicate, she has had to perform very difficult tasks that few men would have the strength to do.²⁰² For Hippel, upper-class women, who come across as more fragile, are worse off than women of other classes, as their bodies have been relatively neglected.

Although Hippel, unlike Wollstonecraft, does not suggest that women might be naturally weaker than men in some ways, they end up holding very similar views when it comes to emphasizing the equal rational capacities of both sexes and denying that sexual difference might affect those capacities in any way. Wollstonecraft in particular has been criticized for her lack of

²⁰¹ Unlike the husband who, in Hippel's words, “while stretched out on his bed, lets himself be ministered to and receives visits as well as congratulations from his neighbors because he (just imagine the effort) has borne a child by his wife!” (2009, 156). As pointed out by Sellner, despite Hippel's ironic tone, the fatigue caused to themselves by childbirth was apparently a genuine fear of some men back in the day, known among doctors as “couvade” or “men's childbed” (2009, 466).

²⁰² In Frances Gage's version of the speech: “That man over there says that women need to be helped into carriages, and lifted over ditches, and to have the best place everywhere. Nobody ever helps me into carriages, or over mud-puddles, or gives me any best place! And ain't I a woman? Look at me! Look at my arm! I have ploughed and planted, and gathered into barns, and no man could head me! And ain't I a woman? I could work as much and eat as much as a man - when I could get it - and bear the lash as well! And ain't I a woman?”

consideration for the role of the body in knowledge and virtue and her overemphasis on an allegedly genderless reason.²⁰³ And although Hippel is more willing to acknowledge the influence of the body on the mind (see for instance a long passage in 176, where he acknowledges that the advantages arbitrarily taken by men through hunting made their bodies “hard, firm, agile”, which in turn began to exert an influence over their soul by making them more courageous and intrepid), he also minimizes the influence of bodily differences on intellectual capacities in a rather pragmatic manner:

Can we draw inferences concerning mental capacity from physical strength alone? And if so, does not the most powerfully built day-laborer have the best qualifications to be a Lutheran bishop? (2009, 283; see also 151).

4. Towards structural changes

On the basis of the natural equality of men and women and of the lack of influence of sexual difference on reason, Wollstonecraft and Hippel are eager to make women full-fledged members of society by granting them rights and prerogatives equal to those of men. This is because they believe, just like Kant, that the ability to take part in public life is necessary for the improvement of one’s reason and for enlightenment in general. But unlike him, they see the contribution of women as necessary to the improvement of humanity as a whole and are eager to improve their status so that they can be in a position to make that contribution.

Wollstonecraft and Hippel both believe in the necessity of seeking social measures for women to partake in the Enlightenment. They believe in the importance of education on an individual basis: that is, in encouraging women to seek a better education than the one that was

²⁰³ The most famous criticism of Wollstonecraft on that point is probably Moira Gatens’ (1991). Responses have been put forward since then, emphasizing the role of the passions in Wollstonecraft’s conception of virtue (Mackenzie 1993; Reuter 2016).

available to them at the time in England and Germany. They also have proposals regarding the content of such an education, which I will not discuss here, in order to focus on the structural changes required for women to take an active part in the Enlightenment. I will now investigate separately some of the key points of their proposals for change.

4.1. Wollstonecraft's proposal

While Wollstonecraft is better known for her proposals for the improvement of the education of women than for advocating for their civil rights, her ideas suggest a much more important reform of society and institutions than is sometimes suggested²⁰⁴. Her key propositions in that respect pertain to the participation of women in public life through her defence of national education and her support of women's access to the job market, and to her challenging of subordination in relationships in society in general.

By insisting on the importance for women to have access to a better education, Wollstonecraft wants to emphasize that they will then be in a much better position to make a positive contribution to society. In order to increase the benefits of education for as many middle- and upper-class women as possible, Wollstonecraft argues that it must become a state matter, and not merely a private matter. Her plans for national education involve the co-education of boys and girls in public schools – as their education should pursue a common goal, namely, preparing them to become worthy citizens. Public education will best develop children's ability to think for

²⁰⁴ Bergès stresses that Wollstonecraft's *Vindication* "is in fact more concerned with the reform of education than it is with establishing political and civil rights" and that "Wollstonecraft does not concern herself directly and overtly with rights" (2013; 30, 32), which might have made her readership more comfortable with her proposals and concealed the revolutionary dimension of her work. I would go one step further and claim, in light of Wollstonecraft's criticisms discussed here, that Wollstonecraft's proposals are not only revolutionary: they are also very much concerned with establishing political and civil rights – like the right to property and access to education.

themselves through contact with other children (“equals in age”), instead of getting children used to relying on the authority of a parent or private tutor:

A child very soon contracts a benumbing indolence of mind, which he has seldom sufficient vigour afterwards to shake off, when he only asks a question instead of seeking for information, and then relies implicitly on the answer he receives. With his equals in age this could never be the case, and the subjects of inquiry, though they might be influenced, would not be entirely under the direction of men, who frequently damp, if not destroy, abilities, by bringing them forward too hastily: and too hastily they will infallibly be brought forward, if the child be confined to the society of a man, however sagacious that man may be. (1993, 241)

The autonomy of reason put forward in Wollstonecraft’s conception of education is very similar to Kant’s incitement to escape self-incurred immaturity and not to let other people (the “guardians”) think for us. Moreover, Kant also insists on the importance of applying this enlightenment principle early on to young people’s education:

It is quite easy to ground enlightenment in *individual subjects* through their education; one must begin early to accustom young minds to this reflection (*WO* 8:146n)

Yet Kant does not, like Wollstonecraft, argue that public education would be better in that respect. This is in line with his general reluctance to make important structural changes within society in order to facilitate the enactment of the Enlightenment. For Kant, “enlightenment [...] must make its way up to the thrones and even influence their principles of governance” (*Idea* 8:28): but major changes to society should not be made prior to enlightenment. The enlightenment of the individual rulers thus seems necessary for social changes to happen. Furthermore, the resulting social changes will be limited, as he holds that while the public use of reason should be free, the private use of reason should always be restricted. The private use of reason is “the use that one may make of it in a *civil* post or office with which one is entrusted”, that is, for affairs that serve the interests of the commonwealth (*WA* 8:37; see my discussion of this passage in chapter 3). I have argued in chapter 4 that the private use of reason involves being under the (legitimate) civil authority of someone else in order to serve the interests of the state,

which can be extended to the permanent situation of women in society as Kant knew it. This explains why he was not willing to grant them legal independence.

Wollstonecraft, on the other hand, sees education as a way for women to get out of the private sphere and to take part into public life. While a better education for women will benefit society through traditional feminine gender roles – making women better spouses and better mothers to their children through the “enlightened maternal affection” that they will provide (1993, 233) –, it will also allow women to take on non-traditional roles. She therefore takes issue with two important implications of Kant’s private use of reason: (i) that women should not be legally independent, and (ii) that it can be any good to restrict the private use of reason in general.

The first point follows from Wollstonecraft’s entire project, and is also, as we will see next, one of Hippel’s main motivations: in order to contribute to society to their full capacity as rational agents and to make possible the progress of humanity, women ought to be given the opportunity to contribute to public life. This implies giving them a chance to contribute to public debates in society²⁰⁵, by taking part in politics, and by having better opportunities to earn a living for themselves. The direct result of these reforms is that marriage will become more egalitarian. But beyond this positive outcome for the spouses themselves, Wollstonecraft emphasizes that society as a whole, which she takes to be shaped by marriage (1993, 142), will also benefit from these changes:

²⁰⁵ It could be argued that women (and people in general) can also contribute to public debates while assuming household-related tasks, and that the private sphere does not need to be conceptualized as separate from the public life. But this argument is more effective in a context in which women’s voices are heard much more than they were and where they can join the workforce. In society as Hippel and Wollstonecraft knew it, women did not have many opportunities to speak up or ways to take part in public life. Securing them some access to the workforce was a way to allow them to do so.

If marriage be the cement of society, mankind should all be educated after the same model, or the intercourse of the sexes will never deserve the name of fellowship, nor will women ever fulfil the peculiar duties of their sex, till they become enlightened citizens, till they become free by being enabled to earn their own subsistence, independent of men; in the same manner, I mean, to prevent misconstruction, as one man is independent of another. (1993, 250; emphasis mine)

Taking part in public life thus not only benefits marriage, and, beyond marriage, society: it is also necessary for women to improve their reason. Women naturally partake in reason, but reason must be developed. On that account, having a job is an exemplification of the participation in public life: the training for and exercise of a profession will contribute to the development of one's reason. But Wollstonecraft also has another reason to push for women to earn a living: guaranteeing their material independence. This is the only way she sees for women to become truly free, as it means that they would not have to depend on men anymore. They would thus not get married out of obligation, and could avoid the submission dynamics inherent in forced marriages.

The second point on which Wollstonecraft can be taken to disagree with Kant is on the importance of limiting civic freedom when it comes to the private use of reason. He indeed insists on the importance of obedience to authority in certain circumstances, as for instance when one is on duty:

For many affairs that serve the interests of the commonwealth a certain mechanism is required, by means of which some members of the commonwealth must play only a passive role, so that they can be led by the government in the pursuit of public ends by means of an artificial unanimity, or at least be kept from undermining these ends. (*WA* 8:37)

We have seen in chapter 3 that Kant illustrates this point with three examples of people who have to follow the lead of an authority in certain circumstances: the army officer, who must obey the orders of his superiors; the citizen, who must pay his taxes; and the clergyman, who must act in

accordance with the authority of the church he is serving. Yet two of these examples are taken up by Wollstonecraft to illustrate, in contrast, the damage caused by subordination in society:

A standing army, for instance, is incompatible with freedom; because subordination and rigour are the very sinews of military discipline; and despotism is necessary to give vigour to enterprizes that one will direct. (1993, 81)

For Wollstonecraft, restrictions of civic freedom such as the one suggested by Kant, besides being harmful to women in particular, also compromise society as a whole insofar as they are forms of despotism. Women and soldiers do not get the chance to strengthen their mind and to form their own principles; they are thus similarly affected by relationships of subordination, which compromise their knowledge and ability to practice virtue.²⁰⁶ The case of clergymen is the other example she uses to show that hierarchical relationships have serious intellectual and moral consequences, even within the church: the “blind submission” taught to clergymen “cramps their faculties” (1993, 82). The despotism affecting, e.g., soldiers and clergymen thus does not end as soon as their workday is over: it affects their ability to reflect and think for themselves in general. And given the connection that she establishes between the use of reason and virtue, those who are affected by those hierarchical relationships will also be morally corrupted. So while Kant sees the subordination inherent to a profession as something that benefits the state and ought to be preserved²⁰⁷, Wollstonecraft sees it as a threat to enlightenment:

Society, therefore, as it becomes more enlightened, should be very careful not to establish bodies of men who must necessarily be made foolish or vicious by the very constitution of their profession. (1993, 82)

²⁰⁶ When drawing this parallel, Wollstonecraft emphasizes that women are still worse off than soldiers because they are more deprived of liberty. (1993, 89)

²⁰⁷ As noted in chapter 3, Kant’s essay was written in a political context in which one had good reasons to fear that all uses of reason (public and private) would soon be limited. His support to the limitation of the private use of reason could thus be understood as part of a plea for guaranteeing the freedom to make public use of one’s reason: that is, as some sort of compromise. This perspective still reveals an important difference between his conception of reason and Wollstonecraft’s: unlike her, Kant does not think that limiting a person’s use of reason in a particular context (e.g., at work) can significantly affect the use of reason that this person will make in other contexts (e.g., in an open letter).

Her assumption here is that individuals are shaped by their role in society, and can't easily speak up and think for themselves (even when they are off duty) if they have not been encouraged and trained for it. Women, being in a perpetual relationship of submission, will thus have an even harder time to do so.

4.2. Hippel's proposal

Hippel shares a common preoccupation with Wollstonecraft for the improvement of the education of women and, even more importantly, for making it a state matter. Like her, he argues that education should prepare children and teenagers to their role and duties as citizens – boys and girls alike: “let us raise citizens for the state without regard to sex” (2009, 227). While Hippel does not exclude that part of the education of women could be oriented towards specific gender roles that he wants to preserve, he makes clear that education should be the same for all children up to a certain age, and adequately prepare everyone for citizenship, which he sees as the common destiny of both sexes and the ultimate goal of all education. Sexual difference as Hippel understands it does not affect one's ability to be a citizen. Yet the incomplete or futile education that women have received so far has turned them into “mere objects without name and rights” instead of persons and citizens of the state (2009, 234). He also emphasizes that giving the same education to both sexes is an experiment that had never been undertaken before that time, and yet it is the only way to verify whether one sex is superior to the other. Besides the improvement of education, Hippel suggests two main changes so that women can become proper citizens: (i) granting women civil rights and (ii) allowing them to join the workforce.

Hippel's first suggestion pertains to the legal system used in 18th century Germany²⁰⁸. He argues that women, as the natural equals of men, are entitled to equal rights; but that civil society has deprived them of those natural rights:

As long as women have only *privileges* and not *rights*; as long as the state treats them as mere parasitic plants, which are indebted for their existence and worth as citizens only to that man with whom they have been united by fate, will not the woman fulfill only very incompletely [...] that great calling of her nature: to be the wife of her husband, the mother of her children, and, by virtue of these noble designations, a member, a citizen – and not merely a denizen – of the state? [...] But let us give them their rights back, and we will soon discover just what this sex truly is, and what it can become!" (2009, 166)

Legally speaking, as was also made clear in Kant's writings, women are condemned to an eternal guardianship that affects their person and their possessions (for instance, by not allowing them to enter into contracts). The reasoning behind such laws seems to be that they are not sufficiently competent to know what their best interest is. Yet Hippel notes a contradiction in the matter, as no law will explicitly claim that women have a deficiency in their powers of deliberation (2009, 202). Doing so would imply that laws must be less severe towards women when it comes to crime and punishment, where "both sexes are measured by one and the same standard" (2009, 166). Such a contradiction can be found within Kant's moral philosophy, where women are acknowledged as moral agents, but simultaneously regarded as passive citizens.

For Hippel, just like for Wollstonecraft, granting women the same civil rights as men also implies allowing them to take part in public life. On this point, his argument focuses less on the benefits for society as a whole than on those for women in particular. Like Wollstonecraft, he sees the public use of reason in society as necessary to the development of reason:

Then, while understanding and the powers of judgment in the man began to increase through his enlarged sphere of influence; while his dealings with bourgeois society took

²⁰⁸ Interestingly, Hippel suggests that unfair laws are mostly due to the influence of the Roman law on German law (2009, 201).

on a higher form through the generalization of his concepts, the soul of the woman shrank more and more into the limits of her household. (2009, 180)

Since women are confined to the household and have only very limited opportunities to take part in public life, they have much less opportunities than men to develop their reason. These opportunities, or “dealings with bourgeois society”, can take many forms – earning a living being one of them. While he is also eager to make it possible for women to do so, Hippiel shows slightly less concern than Wollstonecraft for women’s material independence. He nevertheless emphasizes that women would still benefit from getting jobs in an indirect way – as they would trust female doctors, female judges and female instructors more than their male counterparts²⁰⁹.

Wollstonecraft and Hippiel thus see the state and its laws as the cause of sexual inequality. In defending the natural equality of men and women, they show that inequalities have been created through poor education and unfair laws, and that women are being damaged in the process. In doing so, they acknowledge, just like Kant, the importance of the public use of reason for enlightenment – which is a way for individuals to contribute to society, but also a way for society to shape the reason of the individuals. While both Hippiel and Wollstonecraft can be criticized for ignoring the positive contribution of the household and of the private sphere in general on the individuals, this points to an important limitation of the Enlightenment: if taking part in public affairs or debates in society is beneficial for the development of one’s reason, and that in turn one can also contribute positively to society by doing so – Enlightenment is at risk of being compromised as long as not everyone will be in a position to take that first step. So while

²⁰⁹ Hippiel’s argument is particularly interesting when it comes to medical doctors, as he emphasizes the better knowledge of the female body that women have: “Women doctors would necessarily gain the confidence of patients of their own sex much sooner than our own physicians do. The patients would reveal their frailties sooner and with less constraint; and women doctors, experienced in the way of Nature and the disposition of the female body with its periodic emptyings, would be able to trace the source of the malady, as well as to give advice and assistance, with more assurance.” (2009, 276-277)

Kant has reasons of his own to argue that a lesser degree of civic freedom is sometimes better than a greater one when it comes to the private use of reason, Hippiel and Wollstonecraft's contributions show that depriving entire groups of all civic freedom will have dramatic consequences for the individuals at stake as well as for society as a whole.

Kant, Hippiel and Wollstonecraft thus all emphasize the importance of the public sphere in general and of legal institutions for the enactment of the Enlightenment. They all see the public use of reason in general, but also public affairs, laws, and constitutions, as vital to the progress of humanity. Where they disagree is whether those legal-based institutions should be reformed in order to promote enlightenment, and if so, to what extent. On the one hand, Kant insists on the importance for rulers to guarantee the free public use of reason to citizens. But all further changes depend very much on the willingness of the ruler, and must be made gradually. And while Kant does believe that constitutions, for instance, should be gradually improved in order to reflect the principles of enlightenment and perhaps even to facilitate it, the legal status of women and their role in society is definitely not something that he took to be necessary to the progress of humanity. On the other hand, Hippiel and Wollstonecraft emphasize that the active contribution of women is necessary to the progress of humanity, and that this contribution requires that important reforms be made to legal institutions. From their perspective, the reform of legal institutions is thus necessary in a twofold way: for improving the condition of women, and beyond that, for making enlightenment possible.

Conclusion

The ideals of the Enlightenment are attractive in many ways. They are clustered around the theme of a positive transformation of humanity. They point to new conceptions of the state; improved methods of education; technological innovations; and also new ways of thinking. But despite claims of universal enlightenment, it is clear that many of these ideals were inaccessible to a number of people.

Legal requirements play a major role in the enactment of those ideals of the Enlightenment. My central aim in this dissertation has been to show that legal requirements are also one of the main reasons why women were excluded from some ideals of the Enlightenment.

My main claim was that Kant's exclusion of women from enlightenment is due to the implicit legal and political conditions that he sets for the enactment of enlightenment. In order to support that claim, I have first investigated Kant's conception of women. Since Kant regards them as rational beings and as an intrinsic part of humanity, it seems like they should be included in his conception of enlightenment – at least in theory. I have also argued that his various remarks on sexual difference and on women's nature are not sufficient to compromise their moral agency. While those remarks play a certain role in Kant's conception of ethics, if taken in context, one sees that they should not affect the core principles of his mature practical philosophy. The alleged complementarity of men and women should thus not dictate separate rights or different legal status for them.

In order to clarify the nature and the legal grounds of enlightenment, I have then shown that thinking for oneself, a core idea of Kant's conception of enlightenment, is not merely a theoretical project. It also has a very important practical dimension: thinking for oneself must be performed publicly, in society – and thus in a manner consistent with the legal framework that Kant sets for the state. This suggests that the enactment of enlightenment may be excluding certain people who would otherwise be able to think for themselves, intellectually speaking. As suggested in Kant's essay on enlightenment, emancipation from self-incurred immaturity requires making public use of one's reason as a scholar before the reading world (*WA* 8:37). But as I have shown, making public use of one's reason requires, in turn, not being subjected to the external authority of someone else. I have argued, on the basis of Kant's distinction between passive and active citizenship, that passive citizens cannot take part in enlightenment for that reason. This points to the systematic exclusion of entire groups of people from enlightenment. Women prove to be a unique kind of passive citizen, as they are the only ones who cannot access active citizenship. As such, they do not have civil independence; and they cannot make public use of their reason. They are thus effectively left out of Kant's conception of enlightenment.

In the final two chapters of my dissertation, I have investigated the implications of Kant's exclusion of women from enlightenment on legal grounds. I have argued that Kant's account of marriage, which draws on core principles of his philosophy of right, demands the legal equality of the spouses if marriage is to fulfil the role that Kant thinks it should have. My idea was not to reject Kant's philosophy of right altogether, but rather to make it more consistent. In doing so, I hope to have shown that despite Kant's prescriptions for the legal subordination of women, some fundamental aspects of his practical philosophy require the equality of the sexes. This suggests that his exclusion of women from enlightenment is somewhat arbitrary and that his own

philosophical framework could have allowed otherwise. Finally, the contributions of Theodor von Hippel and Mary Wollstonecraft have allowed me to show that the legal subordination of women is a problem for the enactment of the Enlightenment, and was already seen as such in the 18th century. Hippel and Wollstonecraft both emphasize that the progress of humanity will be compromised as long as women will not actively contribute to it. They also stress that the inclusion of women within Enlightenment will require serious legal and political reforms.

Kant, Hippel and Wollstonecraft thus all emphasize the role of legal requirements in the ideals of the Enlightenment and the implications of those requirements for women. Kant, by excluding women from enlightenment on the grounds of their civil status; and Hippel and Wollstonecraft, by pointing to the necessity of putting an end to the legal subordination of women in order to make Enlightenment possible. Those contributions also emphasize the importance of legal demands for 18th century feminist philosophers.

Bibliography

Achenwall, Gottfried, and Johann Heinrich Christian von Selchow. *Ius Naturae in Usum Auditorum*. Editio sexta emendatio ed., Sumtibus Victorini Bossigellii, 1768.

Agrippa von Nettesheim, Heinrich Cornelius, et al. *De Nobilitate Et Praecellentia Foeminei Sexus : Édition Critique D'après Le Texte D'Anvers 1529*. Librairie Droz, 1990.

Altman, Matthew C. "Kant on Sex and Marriage: The Implications for the Same-Sex Marriage Debate." *Kant-Studien*, vol. 101, no. 3, 2010, pp. 309–330.

Arendt, Hannah. *Lectures on Kant's Political Philosophy*. University of Chicago Press, 1982.

Arneil, Barbara. "Disability, Self Image, and Modern Political Theory." *Political Theory*, vol. 37, no. 2, 2009, pp. 218–242.

Banham, Gary. *Kant's Practical Philosophy : From Critique to Doctrine*. Palgrave Macmillan, 2003.

Baron, Marcia. *Kantian Ethics Almost Without Apology*. Cornell University Press, 1995.

Beever, Allan. "Kant on the Law of Marriage." *Kantian Review*, vol. 18, no. 3, 2013, pp. 339–362.

Bell, Susan Groag, and Karen M Offen. *Women, the Family, and Freedom : The Debate in Documents*. First ed., Stanford University Press, 1983.

Bennett, Heidmarie. *Galanterie und Verachtung: Eine philosophiegeschichtliche Untersuchung zur Stellung der Frau in Gesellschaft und Kultur*. Campus Verlag, 1985.

Bergès, Sandrine. *The Routledge Guidebook to Wollstonecraft's a Vindication of the Rights of Woman*. Routledge, 2013.

Bernasconi, Robert. "Who Invented the Concept of Race? Kant's Role in the Enlightenment Construction of Race". In R. Bernasconi (ed.), *Race*, Blackwell, 2001.

_____. "Kant's Third Thoughts on Race". In: Stuart Elden & Eduardo Mendieta (eds.), *Reading Kant's Geography*, State University of New York Press, 2011.

Boileau Despréaux Nicolas, and Longinus. *Oeuvres Diverses Du Sieur D***: Avec Le Traité Du Sublime Ou Du Merveilleux Dans Le Discours*. D. Thierry, 1675.

Bordo, Susan. "The Cartesian Masculinization of Thought." *Signs*, vol. 11, no. 3, 1986, pp. 439–456.

_____. *The Flight to Objectivity : Essays on Cartesianism and Culture*. State University of New York Press, 1987.

Buffet, Marguerite. *Nouvelles Observations Sur La Langue Françoise ... Avec Les Éloges Des Illustres Sçavantes Tant Anciennes Que Modernes, Par Damoiselle Marguerite Buffet*. Impr. De J. Cusson, 1668

Burke, Edmund. *A Philosophical Enquiry into the Origin of Our Ideas of the Sublime and Beautiful*. Dover Publications, 2008.

Butler, Judith. "Critique, Dissent, Disciplinarity." *Critical Inquiry*, vol. 35, no. 4, 2009, pp. 773–795.

Cassirer, Ernst. *The Philosophy of the Enlightenment*. Princeton University Press, 1979.

Condorcet, Jean Antoine Nicolas de Caritat de. *Art Social : Sur L'admission Des Femmes Au Droit De Cité*. [Article de tête du no 5 du Journal de la Société de 1789], 3 Juillet 1790.

David-Ménard, Monique. "Aussi souvent qu'on voudra" In *Trans* 6, 1995, pp. 27-41.

Davis, Kevin R. "Kant's Different 'Publics' and the Justice of Publicity." *Kant-Studien*, vol. 83, no. 2, 1992, pp. 170–184.

Delbos, Victor. *La Philosophie Pratique De Kant*. Presses Universitaires De France, 1969.

Deligiorgi, Katerina. *Kant and the Culture of Enlightenment*. State University of New York Press, 2005.

Denis, Lara. "Kant on the Wrongness of 'Unnatural' Sex." *History of Philosophy Quarterly*, vol. 16, no. 2, 1999, pp. 225–248.

_____. "From Friendship to Marriage: Revising Kant." *Philosophy and Phenomenological Research*, vol. 63, no. 1, 2001, pp. 1–28.

Descartes, René, et al. *The Philosophical Writings of Descartes*. Cambridge University Press, 1984. Vol. 3.

Deslauriers, Marguerite. "Two Conceptions of Inequality and Natural Difference." *Canadian Journal of Political Science / Revue Canadienne De Science Politique*, vol. 37, no. 4, 2004, pp. 787–809.

Diderot, Denis, et al. "Citizen." The Encyclopedia of Diderot & d'Alembert Collaborative Translation Project. Translated by Sujaya Dhanvantari. Ann Arbor: Michigan Publishing, University of Michigan Library, 2005.

Dworkin, Andrea. *Intercourse : The Twentieth Anniversary Edition*. BasicBooks, 2007.

Du Châtelet Gabrielle-Émilie Le Tonnelier de Breteuil. *Institutions De Physique / [Par La Mise Du Châtelet]*. Prault Fils (Paris), 1740.

Elshtain, Jean Bethke. "Kant and rational politics: Woman as a suspect category". In *Meditations of modern political thought: Masculine/feminine themes from Luther to Arendt*. Praeger Publishers, 1986.

Eze, Emmanuel Chukwudi. "The Color of Reason: The Idea of "Race" in Kant's Anthropology". In *Postcolonial African Philosophy : A Critical Reader*. Blackwell, 1997.

_____. *Race and the Enlightenment : A Reader*. Blackwell, 1997.

Fleischacker, Samuel. *What Is Enlightenment?* Routledge, 2012.

Fontenelle, and Aphra Behn. *A Discovery of New Worlds*. Printed for William Canning, 1688.

Fontenelle. *Entretiens Sur La Pluralité Des Mondes: Augmentés Des Dialogues Des Morts*. Garnier Frères, 1839.

Fraser, Nancy. "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy." *Social Text*, 25/26, no. 25/26, 1990, pp. 56–56.

Friedman, Michael. *Kant's Construction of Nature : A Reading of the Metaphysical Foundations of Natural Science*. Cambridge University Press, 2013.

Garrard, Graeme. *Counter-Enlightenments : From the Eighteenth Century to the Present*. Routledge, 2006.

Gatens, Moira. *Feminism and Philosophy : Perspectives on Difference and Equality*. Polity, 1991.

_____. *Imaginary Bodies : Ethics, Power, and Corporeality*. Routledge, 1996.

Green, Garrett. "Modern Culture Comes of Age: Hamann versus Kant on the Root Metaphor of Enlightenment". In James Schmidt (ed.), *What is Enlightenment?: Eighteenth-Century Answers and Twentieth-Century Questions*. University of California Press, 1996, pp. 291-305.

Gullan-Whur, Margaret. "Spinoza and the Equality of Women." *Theoria*, vol. 68, no. 2, 2008, pp. 91–111.

Guyer, Paul. "Naturalistic and Transcendental Moments in Kant's Moral Philosophy." *Inquiry - Oslo*, vol. 50, no. 5, 2007, pp. 444–464.

Habermas, Jürgen. *The Structural Transformation of the Public Sphere: an Inquiry into a Category of Bourgeois Society*. MIT Press, 1991.

Harfouch, John. *Another Mind-Body Problem : A History of Racial Non-Being*. State University of New York Press, 2019.

Hay, Carol. *Kantianism, Liberalism, and Feminism: Resisting Oppression*. Palgrave Macmillan, 2013.

Heath, Joseph. *Enlightenment 2.0 : Restoring Sanity to Our Politics, Our Economy, and Our Lives*. First ed., Harper Collins Publishers, 2014.

Henrich, Dieter. "Über Kants Früheste Ethik." *Kant-Studien*, vol. 54, no. 1-4, 1963.

Herman, Barbara. "Could it be Worth Thinking about Kant on Sex and Marriage?" In L. Antony and C. Witt (eds), *A Mind of One's Own: Feminist Essays on Reason and Objectivity*. Westview Press, 1993, pp. 53–72.

Hill Jr., T. E., and B. Boxill. "Kant and Race". In B. Boxill (ed.), *Race and Racism*, Oxford University Press, 2001.

Hippel, Theodor Gottlieb von. *Th: G. V. Hippel's Sämmtliche Werke*. G. Reimer, 1827.

_____. *The Status of Women : Collected Writings*. Edited by Timothy F. Sellner, Xlibris, 2009.

Höffe, Otfried. *Immanuel Kant*. State University of New York Press, 1994.

Holst, Amalia. *Über Die Bestimmung Des Weibes Zur Höhern Geistesbildung*. 2., erw. Aufl ed., Ala, 1984.

Hull, Isabel. *Sexuality, State, and Civil Society in Germany, 1700-1815*. Cornell University Press, 1996.

Israel, Jonathan I. *Radical Enlightenment : Philosophy and the Making of Modernity, 1650-1750*. Oxford University Press, 2001.

Israel, Jonathan I. *Enlightenment Contested : Philosophy, Modernity, and the Emancipation of Man, 1670-1752*. Oxford University Press, 2006.

Israel, Jonathan I. *Democratic Enlightenment : Philosophy, Revolution, and Human Rights 1750-1790*. Oxford University Press, 2011.

Jauch, Ursula P. *Immanuel Kant zur Geschlechterdifferenz : aufklärerische Vorurteilkritik und bürgerliche Geschlechtsvormundschaft*, Passagen, 1988.

Kain, Patrick. "Kant's Defense of Human Moral Status." *Journal of the History of Philosophy*, vol. 47, no. 1, 2009, pp. 59–101.

Kant, Immanuel. *Kants gesammelten Schriften, Ausgabe der königlich preußischen Akademie der Wissenschaften*. Walter de Gruyter, 1902–.

_____. *The Conflict of the Faculties: Der Streit Der Fakultäten* (trans. M. J. Gregor). Abaris Books, 1979.

_____. *Lectures on Logic* (trans. J. M. Young). Cambridge University Press, 1992.

_____. *The Metaphysics of Morals* (trans. M. Gregor). Cambridge University Press, 1996.

_____. "What Does It Mean to Orient Oneself in Thinking?" (trans. A. W. Wood) In: Allen W. Wood and George Di Giovanni (eds). *Religion and Rational Theology*, 1996, pp. 1–18.

_____. *Critique of Practical Reason* (trans. M. Gregor). Cambridge University Press, 1997.

_____. *Lectures on Ethics* (trans. P. Heath and J. B. Schneewind). Cambridge University Press, 1997.

_____. *Prolegomena to Any Future Metaphysics That Will Be Able to Come Forward As Science : With Selections from the Critique of Pure Reason* (trans. G. Hatfield). Cambridge University Press, 1997.

_____. *Critique of the Power of Judgment* (trans. P. Guyer). Cambridge University Press, 2000.

_____. *Anthropology from a Pragmatic Point of View* (trans. R. Louden). Cambridge University Press, 2006.

_____. "Idea for a Universal History From a Cosmopolitan Perspective". In: Kleingeld, P. et al (ed.) *Toward Perpetual Peace and Other Writings on Politics, Peace, and History*, Yale University Press, 2006, pp. 3-16.

_____. "An Answer to the Question: What Is Enlightenment". In: Kleingeld, P. et al (ed.) *Toward Perpetual Peace and Other Writings on Politics, Peace, and History*, Yale University Press, 2006, pp. 17-23.

_____. "On the Common Saying: This May Be True in Theory, but It Does Not Hold in Practice". In: Kleingeld, P. et al (ed.) *Toward Perpetual Peace and Other Writings on Politics, Peace, and History*, Yale University Press, 2006, pp. 44-66.

_____. "Toward Perpetual Peace: A Philosophical Sketch". In: Kleingeld, P. et al (ed.) *Toward Perpetual Peace and Other Writings on Politics, Peace, and History*, Yale University Press, 2006, pp. 67-109

_____. *Anthropology, History, and Education* (trans. R. Louden). Cambridge University Press, 2007.

_____. *Observations on the Feeling of the Beautiful and Sublime and Other Writings* (trans. P. Frierson and P. Guyer). Cambridge University Press, 2011.

_____. *Groundwork of the Metaphysics of Morals* (trans. M. J. Gregor and J. Timmermann). Cambridge University Press, 2012.

Kleingeld, Pauline. "The Problematic Status of Gender-Neutral Language in the History of Philosophy : The Case of Kant." *Philosophical Forum*, 25(1993):2, S. 134-150, 1993.

_____. "Kant's Second Thoughts on Race." *The Philosophical Quarterly*, vol. 57, no. 229, 2007, pp. 573–592.

Kneller, Jane. "Kant on Sex and Marriage". In: Paul Guyer (ed.), *The Cambridge Companion to Kant and Early Modern Philosophy*. Cambridge University Press, 2006, pp. 447-476.

Korsgaard, Christine M. *Creating the Kingdom of Ends*. Cambridge University Press, 1996.

Kreimendahl, Lothar. "Kants vorkritisches Programm der Aufklärung" In: Klemme, Heiner (ed.) *Kant Und Die Zukunft Der Europäischen Aufklärung*. Walter De Gruyter, 2009, pp. 124-142.

Kuehn, Manfred. *Kant : A Biography*. Cambridge University Press, 2001.

Langton, Rae. *Sexual Solipsism : Philosophical Essays on Pornography and Objectification*. Oxford University Press, 2009.

Lanoix, Monique. "The Citizen in Question." *Hypatia*, vol. 22, no. 4, 2007, pp. 113–129.

La Rocca, Claudio. "Vorläufige Urteile Und Urteilkraft Zur Heuristischen Logik Des Erkenntnisprozesses". Akten Des IX. Internationalen Kant-Kongresses, 2001.

Laursen, J. C. (1996) "The Subversive Kant: The Vocabulary of "Public" and "Publicity"" In J. Schmidt (ed.), *What Is Enlightenment? : Eighteenth-Century Answers and Twentieth-Century Questions*. University of California Press, 1996, pp. 253-269.

LaVaque-Manty, Mika. "Kant's Children." *Social Theory and Practice*, vol. 32, no. 3, 2006, pp. 365–388.

La Vopa, Anthony J. "Thinking About Marriage: Kant's Liberalism and the Peculiar Morality of Conjugal Union." *The Journal of Modern History*, vol. 77, no. 1, 2005, pp. 1–34.

Le Doeuff, Michèle. *L'Étude et le Rouet*. Seuil, 1989.

_____. *Le Sexe Du Savoir*. Aubier, 1998.

Leporin, Dorothea Christina, and Gerda Rechenberg. *Gründliche Untersuchung Der Ursachen, Die Das Weibliche Geschlecht Vom Studiren Abhalten*. Nachdr. / ed., Olms, 1977

Lloyd, Genevieve. *The Man of Reason : 'Male' and 'Female' in Western Philosophy*. [2nd ed]., [2nd ed] ed., Taylor & Francis e-Library, 2003.

Longuenesse, Béatrice. "Kant's "I think" versus Descartes' "I am a thing that think"". In Daniel Garber & Béatrice Longuenesse (eds.), *Kant and the Early Moderns*. Princeton University Press, 2008, pp. 9-31.

Louden, Robert B. *Kant's Impure Ethics : From Rational Beings to Human Beings*. Oxford University Press, 2002.

_____. *The World We Want : How and Why the Ideals of the Enlightenment Still Elude Us*. Oxford University Press, 2007.

Lu-Adler, Huaping. *Kant and the Science of Logic : A Historical and Philosophical Reconstruction*. Oxford University Press, 2018.

Mackenzie, Catriona. "Reason and Sensibility: The Ideal of Women's Self-Governance in The Writings of Mary Wollstonecraft." *Hypatia*, vol. 8, no. 4, 1993, pp. 35–55.

Makkreel, Rudolf A. "Gadamer and the Problem of How to Relate Kant and Hegel to Hermeneutics." *Laval Théologique Et Philosophique*, vol. 53, no. 1, 1997, pp. 151–166.

Maliks, Reidar. *Kant's Politics in Context*. First edition., First ed., Oxford University Press, 2014.

Marwah, Inder S. "What Nature Makes of Her: Kant's Gendered Metaphysics." *Hypatia*, vol. 28, no. 3, 2013, pp. 551–567.

Meier, Georg Friedrich. *Auszug Aus Der Vernunftlehre*. J.J. Gebauer, 1752.

Mendus, Susan. "Kant: 'An Honest But Narrow-Minded Bourgeois'?" In Kennedy, Ellen, and Susan Mendus (eds). *Women in Western Political Philosophy : Kant to Nietzsche*. Wheatsheaf, 1987.

Micheli, Giuseppe. "The early reception of Kant's thought in England 1785–1805". In: MacDonald Ross, G. and McWalter, T. (eds.), *Kant and His Influence*, Continuum, 2005.

Mikkola, Mari. "Kant on Moral Agency and Women's Nature." *Kantian Review*, vol. 16, no. 1, 2011, pp. 89–111.

Mills, Charles. "Kant's Untermenschen". In: Andrew Valls (ed.), *Race and Racism in Modern Philosophy*. Cornell University Press, 2005.

Okin, Susan Moller. "Women and the Making of the Sentimental Family." *Philosophy & Public Affairs*, vol. 11, no. 1, 1982, pp. 65–88.

O'Neill, Onora. *Constructions of Reason: Explorations of Kant's Practical Philosophy*. Cambridge University Press, 1989.

Palmquist, Stephen R. "Egalitarian Sexism: A Kantian Framework for Assessing the Cultural Evolution of Marriage (i)." *Ethics & Bioethics*, vol. 7, no. 1-2, 2017, pp. 35–55.

Papadaki, Evangelia (Lina). "Sexual Objectification: From Kant to Contemporary Feminism." *Contemporary Political Theory*, vol. 6, no. 3, 2007, pp. 330–348.

_____. "Kantian Marriage and Beyond: Why It Is Worth Thinking About Kant on Marriage." *Hypatia*, vol. 25, no. 2, 2010, pp. 276–294.

Pateman, Carole. *The Sexual Contract*. Stanford University Press, 1988.

Piché, Claude. "Kantian Enlightenment As a Critique of Culture." *Con-Textos Kantianos*, vol. 2, no. 2, 2015, pp. 197–216.

Poulain de La Barre François, et al. *Three Cartesian Feminist Treatises*. University of Chicago Press, 2002.

Pufendorf, Samuel. *Samuelis Pufendorfii De Jure Naturæ Et Gentium Libri Octo*. Sumtibus Adami Junghans Iprimebat Vitus Haberegger, Acad. Typogr, 1672.

Reuter, Martina. "Psychologizing Cartesian Doubt Feminist Reading Strategies and the "Unthought" of Philosophy". In: Alanen L., Witt C. (eds) *Feminist Reflections on the History of Philosophy. The New Synthese Historical Library (Texts and Studies in the History of Philosophy)*, vol 55. Springer, 2004.

Rousseau, Jean-Jacques. *Emile, or Education* (trans. B. Foxley). J.M. Dent and Sons, 1921.

_____. *The Social Contract: And, the First and Second Discourses*. Yale University Press, 2002.

Rumsey, Jean P. "The Development of Character in Kantian Moral Theory." *Journal of the History of Philosophy*, vol. 27, no. 2, 1989, pp. 247–265.

_____. "Re-visions of Agency in Kant's Moral Theory" In R. M. Schott (ed.), *Feminist Interpretations of Immanuel Kant*. Pennsylvania State University Press, 1997, pp. 125–144.

Sabourin, Charlotte. "Les Lumières et la Part d'Ombre de la Raison Pure." *Philosophiques*, vol. 43, no. 2, 2016, pp. 185–206.

Sagarra, E. *A Social History of Germany, 1648-1914*. Routledge, Taylor & Francis Group, 2017.

Schiebinger, Londa L. *The Mind Has No Sex? : Women in the Origins of Modern Science*. Harvard University Press, 1989.

Schmidt, James. "Inventing the Enlightenment: Anti-Jacobins, British Hegelians, and the 'Oxford English Dictionary.'" *Journal of the History of Ideas*, vol. 64, no. 3, 2003, pp. 421–443.

Schmucker, Josef. *Die Ursprünge Der Ethik Kants in Seinen Vorkritischen Schriften Und Reflektionen*. 1961.

Schneewind, J. B. *The Invention of Autonomy : A History of Modern Moral Philosophy*. Cambridge University Press, 1998.

Schönfeld Martin, "The Vis Viva Debate Kant's Starting Point." In *The Philosophy of the Young Kant : The Precritical Project*. Oxford University Press, 2000, pp. 17–35.

Schott, Robin May. *Cognition and Eros : A Critique of the Kantian Paradigm*. Beacon Press, 1988.

_____. "The Gender of Enlightenment". In R. M. Schott (ed.), *Feminist Interpretations of Immanuel Kant*, Pennsylvania State University Press, 1997, pp. 319–337.

Sedgwick, Sally. "Can Kant's Ethics Survive the Feminist Critique?" *Pacific Philosophical Quarterly*, vol. 71, no. 1, 1990, pp. 60–79.

Sharp, Hasana. "Eve's Perfection: Spinoza on Sexual (in) Equality." *Journal of the History of Philosophy*, vol. 50, no. 4, 2012, pp. 559–580.

Shell, Susan Meld. "Kant's "true economy of human nature."" In Patrick Kain and Brian Jacobs (eds). *Essays on Kant's Anthropology*. Cambridge University Press, 2003.

Sieyès, Emmanuel-Joseph. *Préliminaire de la Constitution française : reconnaissance et exposition raisonnée des droits de l'homme & du citoyen*. Baudouin, 1789.

Stuckenberg, John Henry Wilburn. *The Life of Immanuel Kant, by J.h.w. Stuckenberg*. Macmillan, 1882.

Suchon, Gabrielle, et al. *A Woman Who Defends All the Persons of Her Sex : Selected Philosophical and Moral Writings*. University of Chicago Press, 2010.

Taillemont, Claude de, and Jean-Claude Arnould. *Discours Des Champs Faëz À L'honneur Et Exaltation De L'amour Et Des Dames : (1553)*. Librairie Droz, 1991.

Touzery, Mireille. "Émilie Du Châtelet, Un Passeur Scientifique Au Xviii^e Siècle: D'Euclide à Leibniz." *La Revue Pour L'Histoire Du Cnrs*, vol. 21, no. 21, 2008.

Van der Zande, Johan. "Prussia and the Enlightenment". In Dwyer, Philip G. (ed.) *The Rise of Prussia, 1700-1830*. Longman, 2000.

Varden, Helga. "Kant and Women." *Pacific Philosophical Quarterly*, vol. 98, no. 4, 2017, pp. 653–694.

Wardle, Ralph M. "Mary Wollstonecraft, Analytical Reviewer." *PMLA*, vol. 62, no. 4, 1947, pp. 1000–1000.

Wilson, Donald. "Kant and the Marriage Right*." *Pacific Philosophical Quarterly*, vol. 85, no. 1, 2004, pp. 103–123.

Wilson, Holly L. *Kant's Pragmatic Anthropology: Its Origin, Meaning, and Critical Significance*. State University of New York Press, 2006.

Wollstonecraft, Mary, and Janet Todd. *Political Writings*. University of Toronto Press, 1993.

Wood, Allen W. *Kant's Ethical Thought*. Cambridge University Press, 1999.

Zammito, John H. *Kant, Herder, and the Birth of Anthropology*. University of Chicago Press, 2002.

Appendix:

List of works that investigate other forms of exclusion in Kant's work

On Kant and human races:

Bernasconi, Robert. "Who Invented the Concept of Race? Kant's Role in the Enlightenment Construction of Race". In R. Bernasconi (ed.), *Race*, Blackwell, 2001.

_____. "Kant's Third Thoughts on Race". In: Stuart Elden & Eduardo Mendieta (eds.), *Reading Kant's Geography*, State University of New York Press, 2011.

Eze, Emmanuel Chukwudi. "The Color of Reason: The Idea of "Race" in Kant's Anthropology". In *Postcolonial African Philosophy : A Critical Reader*. Blackwell, 1997.

_____. *Race and the Enlightenment : A Reader*. Blackwell, 1997.

Harfouch, John. *Another Mind-Body Problem : A History of Racial Non-Being*. State University of New York Press, 2019.

Hill Jr., T. E., and B. Boxill. "Kant and Race". In B. Boxill (ed.), *Race and Racism*, Oxford University Press, 2001.

Kleingeld, Pauline. "Kant's Second Thoughts on Race." *The Philosophical Quarterly*, vol. 57, no. 229, 2007, pp. 573–592.

Mills, Charles. "Kant's Untermenschen". In: Andrew Valls (ed.), *Race and Racism in Modern Philosophy*. Cornell University Press, 2005.

On Kant and disability:

Arneil, Barbara. "Disability, Self Image, and Modern Political Theory." *Political Theory*, vol. 37, no. 2, 2009, pp. 218–242.

Kain, Patrick. "Kant's Defense of Human Moral Status." *Journal of the History of Philosophy*, vol. 47, no. 1, 2009, pp. 59–101.

On Kant and sexual minorities:

Altman, Matthew C. "Kant on Sex and Marriage: The Implications for the Same-Sex Marriage Debate." *Kant-Studien*, vol. 101, no. 3, 2010, pp. 309–330.

Denis, Lara. "Kant on the Wrongness of 'Unnatural' Sex." *History of Philosophy Quarterly*, vol. 16, no. 2, 1999, pp. 225–248.