

A Kantian Theory of Intersectionality

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Introduction*

Kimberlé Crenshaw (1989) arrived at her famous concept “intersectionality” by carefully thinking through speeches and writings by such early Black feminists as Sojourner Truth and Anna J. Cooper. This paper expands on this groundbreaking historical work in two new ways.¹ First, I bring the ideas of these early Black feminists together with those found in the works of other historical, philosophical minds who also knew oppression first-personally, namely Queen Kristina, Ottobah Cugoano, Chief Techumseh, Chief Seattle, Frederick Douglass, W. E. B. Du Bois, Mary Anne Evans, Hannah Arendt, and Simone de Beauvoir.² Second, I relate their ideas and theories to the central ones found in Kant’s practical philosophy in an effort to develop a Kantian theory of intersectionality. In so doing, I want to explore what (the history of) Kantian philosophy could have looked like if Kant and Kantians had engaged insights given to us by philosophical minds who historically have been or still are excluded from (serious consideration in) academia, including philosophy. A central aim is to draw not only on Kant’s freedom writings but also on his accounts of our embodied, social human nature and of evil. Working with and on both Kant’s freedom writings and his complex account of human nature—good and bad—in dialogue with traditionally excluded philosophical minds is useful as we strive to understand our historical heritage better and it is productive in the context of contemporary discussions of intersectionality. This endeavor enables us to arrive at the outlines of a (reconsidered) Kantian theory of intersectionality, one that neither merely reproduces Kant’s own isms nor fails to provide readers with philosophical tools to correct our own mistakes. It also helps us understand better some new, violently destructive elements found in European modernity. For reasons of space, this latter analysis is limited to sketching a select few, albeit central, features of European colonialization, modern oppression of Indigenous peoples in Europe as well as North America, and the Holocaust.³

The first section delineates some of the ideas and theories left to us by philosophers who went before us and the ideas they considered important in order to both understand the challenges of oppression that we have inherited and to figure out how to survive and live meaningfully subjected to them. I start by drawing attention to argumentative strategies often used by the oppressed when challenging their oppressors before outlining specific theories they left behind for us, including those of “double-consciousness;” “the other/second sex;” “being a problem,” “pariah” vs. “parvenue;” and “double-binds”/“offers you cannot refuse.” The second

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¹ I regard this work as complementary to, yet distinct from, important work in Black feminism, such as the work by the Combahee River Collective. For more on the latter, see <https://www.blackpast.org/african-american-history/combahee-river-collective-statement-1977/>.

² I have chosen these thinkers since they are not only very important in general but also very important to me. There are many others too, of course; my intention here is simply to explore one way to do this—not *the only* way.

³ I explore central features of the oppression of women and LGBTQIA+ people in Varden (2020).

section expands on some of these ideas by connecting them to common prejudices experienced by various oppressed groups, such as women, racialized groups, disabled people, various sections of the LGBTQIA+ community. The third section explores how Kant's theory of human nature—the predisposition to good and the propensity to evil—together with his freedom theories (of virtue and of right) are useful as we strive to capture these ideas as part of *one* philosophical theory of intersectionality. The final section turns to the distinctive features of modern oppression by bringing together and further developing some core Arendtian and Kantian ideas to speak to the distinctively life-numbing, totalitarian aspects of modernity—or oppressive conditions that can be called “living death.”

1. Letting Those who Went before Us Assist and Strengthen Us

As we seek to philosophically understand better the oppressive forces (the isms) we have inherited, a great source of bottom-up information, in my view, is thinkers with distinctly philosophical minds who went before us, who knew life under oppression first-personally, who were (partially or fully) denied entrance into academia (generally) or philosophy (specifically), and who strived to capture their experiences theoretically. In addition, these thinkers often shared any wisdom they might have had about how to learn to live with oppression while theorizing (whether they had been permitted entrance into academia or not). Both efforts—to understand oppressive phenomena better *and* to share proposals for how to learn to live meaningfully when subjected to them—are important. I start by exploring some of the general ideas they left us by relating them to our project of understanding intersectional oppression before turning to their suggestions regarding how to manage these difficult lives.

In the famous speech she delivered at the 1851 Women's Rights Convention in Akron, Ohio, which Crenshaw draws on in her theorizing of intersectionality, Sojourner Truth addressed a roomful of activists—predominantly men and white women—by challenging the coherence and soundness of their arguments. In her speech—famously known by the title “Aren't I a Woman”⁴—Truth draws everyone's attention to the plain inconsistencies in the other speakers' claims and appeals to their duty to be truthful in their descriptions. For example, she argues that the other speakers' descriptions of women and men certainly do not describe her, a Black woman; she is physically stronger than most of the men in the room and she is never accommodated in the ways privileged white women are. In this way, as well as through further positive arguments from assumptions the other speakers share with her, she brilliantly demonstrates, to any minimally rational and perceptive mind, that the claim that (Black) women cannot argue rationally was and is false. By doing what her oppressors say she cannot do—make a rational, logical, and indeed better argument than they do (and she does it while she is being fiercely attacked and undermined by them, which is harder)—she proves them wrong. These strategies of Truth's are shared among many philosophical minds who take on their oppressors through argument.⁵ Their shared strategies often include pointing out the inconsistencies in oppressors' line of reasoning; appealing to thinkers' duty to be truthful in their descriptions; showing what actually follows from premises oppressors and their oppressed agree upon; and, finally, directly confronting their oppressors by drawing attention to how

⁴ Sojourner Truth was illiterate, so we only have others' versions of this speech. The historically most accurate version is the 1851 Marius Robinson version, <https://youtu.be/IDH4RKX428Y>; for Alice Walker's stunning rendition of the 1862 Frances Gage version, see <https://www.youtube.com/watch?v=EsjdLL3MrKk>. For more on both versions, see The Sojourner Truth Project, <https://www.thesojournertruthproject.com>.

⁵ For two other powerful illustrations of this way of arguing, see Ottobah Cugoano (1787/1999) and Chief Standing Bear, “We Would Rather Have Died,” available at History is a Weapon (website), accessed March 7, 2023, <https://www.historyisaweapon.com/defcon1/standingbearthathavedied.html>.

their oppressors know that what they are doing is wrong (and yet continue to do it anyway) *or* making explicit what they should have known (as it follows from their own premises when combined with undeniable facts) so that they can no longer claim that they didn't know, didn't realize, etc.

In the generation of Black women with exceptional intellectual minds who came after Truth, we find Anna J. Cooper. She further theorizes the complexity of Black women's lives by pointing out that, in contrast to Black men, Black women have to fight two types of oppressive force at the same time: racism and sexism. In her 1886 address to an assembly of Episcopal clergy composed of Black men, the young, recently graduated Cooper emphasizes the lack of truthfulness, including the hypocrisy and inconsistency of institutionalized Christianity's practices. Cooper challenges the roomful of ministers, all Black men, to act differently, better, with regard to respecting and empowering Black women—and not simply respond to her that the Christian institution of religion commands them to follow tradition. In addition, Cooper draws the ministers' attention to the fact that only when “the BLACK WOMAN can say ‘when and where I enter, in the quiet undisputed dignity of my womanhood, without violence and without suing or special patronage, then and there the whole *Negro race enters with me*’” (Cooper [1886] 1998, 63). Cooper is pointing out that the tendency of Black men to think of themselves as bringing the entire racial group with them as they enter new spaces of influence is clearly mistaken. The problem is not only that Black men will not necessarily be loyal to and fight for the rights of Black women, as history had already shown, for example, in Frederick Douglass's betrayal of Sojourner Truth and other Black women; rather, her point is that Black men do not also have to fight against sexism, and so, even if they were obtaining rights, this would not thereby mean that all people racialized as Black would get them. Only once Black women can enter spaces of influence, Cooper argues, can all Black people enter. Now, this is not true either, as Crenshaw points out, because there are other oppressive forces that do not track simply being gendered man or woman, which means that Black women do not, as such, find themselves in the worst condition. Oppressions that target other identities—such as non-heterosexual or non-cis gender identities or identities related to disability, class, and so forth—mean that there are positions worse than that of Black women. To be a disabled Black woman, for example, is worse in terms of intersectional oppression than being a Black woman who does not have to fight against ablism.⁶

The ideas found in Crenshaw's extremely useful analysis of intersectionality can be complemented by other ideas left us by other distinctly philosophical yet oppressed minds. To start, W. E. B. Du Bois proposed the concept of “double-consciousness” to capture how living with an oppressed identity involves the problem of living in

a world which yields him no true self-consciousness, but only lets him see himself through the revelation of the other world. It is a peculiar sensation this double-consciousness, this sense of always looking at one's self through the eyes of others, of measuring one's soul by the tape of a world that looks on in amused contempt and pity. One ever feels his two-ness, an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder. (Du Bois [1903] 1988, 364-65)

When you look in the mirror or walk out the front door, there is the constant awareness of how your oppressors view you—an awareness that the world will not permit you to forget about or

⁶ For a deeply interesting engagement with this question, see Davis (1981).

live as if it is not there.⁷ The problem of being “the other”—not the subject, but the one that subjects relate to as objects, or living as one who is not the most important, but always in the inferior, second place, designated to caring for or serving the ones in the main, first place—is also captured powerfully by Simone de Beauvoir’s concept of “the second/other sex” ([1949] 2011). This theory is, in my view, philosophically deeply compatible with Du Bois’s related proposal that living with an oppressed identity is, ineradicably, to learn to live with how the oppressive forces will make you feel as if you—by virtue of simply existing as yourself—are a “problem” (Du Bois [1903] 1988, 363).

I also want to draw attention to Hannah Arendt’s twin concepts of “pariah” and “parvenu,” as these are extremely useful as we seek to understand intersectional oppression.⁸ Arendt proposes that a so-called “trailblazer” will face the temptation to live as a parvenu (as someone who fits in with the powerful, who lives as a token allegedly demonstrating the absence of prejudice against one’s group) or take on the challenge of living as a pariah (as an outcast). In other words, if you can manage to break the glass ceiling and enter the spaces that historically have been closed off to people with your identity—which is less likely the more oppressed identities you have; relatively privileged Jewish men could enter these spaces, including academia, before relatively privileged Jewish women, for example—it is tempting to live as if the reason you could do this that you are so very brilliant. The logic here is as follows: if everybody were as brilliant as you, they could also break the glass ceiling; unfortunately, however, they are not. Hence, absent in this mindset is any awareness that you were permitted as the exception that confirms the rule, that you are merely clear proof that, for example, academia is accessible to anyone sufficiently brilliant. After all, that’s the “real” reason all representatives of dominant social groupings in those spaces were admitted; they were just more brilliant than all the rest. Hence, on this logic, the reason why so-called Western academia has been dominated by white, cis, straight (-presenting) men is because white, cis, straight men are more intellectual, wiser, better suited to academic tasks. In addition, choosing to be a parvenu rather than a pariah is internally linked to great benefits of self-interest. In the context of academia, it can give you access to a very good salary as well as to the fame and social power that comes with being employed at the socially most powerful universities.

Importantly, this parvenu temptation is, it seems fair to say, also expressed in the temptation of “passing”—that is, proceeding in the world, insofar as possible, without making publicly visible your oppressed identity. Sometimes, therefore, you may participate in your own destruction and oppression as well as the destruction and oppression of others who are like you (betrayal). (Other times, of course, you do what you can to pass so that you are able to survive or avoid being harmed.) Finally, I want to draw attention to the many women thinkers—at least from Mary Wollstonecraft (1995) onward—who emphasize the fact that living as a woman involves extraordinary difficulties with regard to securing material, including economic independence.⁹ This idea echoes in Marilyn Frye’s (1983) concept of “double binds”—understood as finding oneself in situations where all the options available track some kind of penalty, censure, or deficit in life—as well as Onora O’Neill’s (2000) suggestion that living subject to oppression typically means finding yourself in situations where you are only given

⁷ An aspect of this experience is captured well by Paul Laurence Dunbar’s poem about how living as oppressed involves learning to live wearing a mask: <https://www.poetryfoundation.org/poems/44203/we-wear-the-mask>. Dunbar’s poem, in turn, inspired Maya Angelou’s incredible “The Mask,” which speaks explicitly to Black women’s experiences of wearing a mask to be able to fare safely in the world. For a beautiful rendition by Angelou of her poem, see <https://www.youtube.com/watch?v=UT9y9HFHpU0>.

⁸ We find this idea many places in Arendt’s work. See, for example, Arendt ([1943] 1997, [1944] 1997, [1951] 1985, and [1958] 1998).

⁹ See Ann Cudd (2006) for a particularly trenchant contemporary analysis of this problem.

offers “you cannot reject.” For the oppressed, there are no genuinely good options, no truly good ways forward or out. One benefit of the #MeToo movement is that it has made it publicly known how many women must choose either to accept being subjected to sexually harassing or violating behavior *or* lose the job they need to support themselves or that provides them with great career opportunities.¹⁰

The above theories—about double-consciousness; the other/second sex; being a problem, pariah vs. parvenue; and double-binds/offers you cannot refuse—are, in my view, extremely useful as we seek to theorize some of the challenges involved in living subject to oppression generally. However, as we try to bring them to bear on the problems of intersectional oppression specifically, we additionally face the challenge of explaining how the intersectional effect of oppressive forces is greater than the sum of the individual forces. The problem is, therefore, not only that intersectional oppression comes from more than one socially more powerful group and that it can come from within several subsections of one’s own intersectional oppressed identity or indeed from oneself; nor that political, social, professional, and personal betrayal and self-betrayal are ineradicable problems; nor that economic independence is extremely difficult to obtain through one’s own efforts alone; nor that one is often confronted with only bad options. As emphasized above, these are all real problems that make life under oppressive conditions extremely difficult. In addition, however, somehow, intersectional oppression works such that the intersectional effect of oppressive forces is greater than the sum of the individual forces. Somehow, given how isms track and sustain pathologies, once they intersect, they issue new, additional pathologies that are distinct from the ones tracking the original isms. In my view, we advance our philosophical understanding if our intersectional theory of evil—of our tendency to do bad things—is also able to capture this complexity. I return to this question in section 3 below.

Besides the above, it is important that we not only let those who went before us teach us ways to theorize oppression but also listen to their life lessons regarding how to live meaningfully under conditions of oppression. Making these resources available to those of us who are, today, trying to figure out how to live well by means of philosophy is important, in my view, because such knowledge empowers us. To put this in Cooper’s words, she saw herself as having had good enough fortune to be able to navigate all these complexities and do all she did—as an intellectual, as a teacher, as a school administrator—with her head “unbowed though bloody” (Cooper [1930] 1998, 237). A general principle, I suggest, is that these people correctly judge the limits of what the world will permit them to do and then they create their own lives cleverly and wisely with an astute awareness of this fact. In a sense, each of them does the impossible by wisely judging what not to do if they want to do the impossible, including identifying when to act or not and what to let go of.

To give another couple of examples of this, consider Queen Kristina of Sweden. Queen Kristina is mostly known in philosophy circles as the one who had invited Descartes to come and teach her philosophy—and then he died during his stay with her. What is less well known is that her father ensured that she became his heir (against the custom, as only boys could inherit the crown), that she was given an education typically restricted to male heirs, that she was extremely intellectually gifted, and that her identity in all likelihood belongs somewhere in the LGBTQIA+ realm. Moreover, importantly for our purposes here, Queen Kristina clearly seems to have realized and acted in response to the fact that she could not be successful as a queen—given who she was and the (related) lack of support around her—and she abdicated

¹⁰ Feminist philosophy has grappled with these complexities for decades. For an outstanding introduction and overview of this literature, see Hay (2020). So has, of course, the philosophy of sex and love. For a terrific introduction and overview of much of this literature, see Marino (2019).

after ten years of ruling and moved to the Vatican, where she lived most of her life and created a remarkable intellectual and artistic space, including by founding the Arcadia Academy.¹¹ In the same vein, the incredibly intellectually gifted Cooper went to France to obtain her PhD, at the age of sixty-five. Cooper likely did so when she did because she finally had the financial means to do it *and* because the destructive political forces around her were particularly active at that point; it was a good time to quietly leave for a while. And, indeed, as soon as the destructive political forces at home learned of her new endeavors, they tried to stop her but failed, and eventually she was able to earn her PhD from the Sorbonne. In addition, when Cooper published *A Voice from the South*, she wisely did so anonymously. Similarly, Mary Anne Evans decided to publish her (deeply philosophical) novels under the male pseudonym George Eliot, and when she realized it was beyond her control to get her English translation of Spinoza's *Ethics* published, she let go of it.¹² These women's abilities to judge what was and what was not possible was, in other words, incredible—and an important lesson for the many who are striving to figure out how to live subject to the conditions of their oppression. It strikes me as important too that these incredibly strong individuals learned to deal with friends who yielded to the strong temptation not to be loyal if this is what their self-interest dictated. Rather than listing examples, let me simply note that I do not know of any exceptions to this rule.

A second general principle that appears to inform these groundbreaking philosophical minds, I suggest, is that they seem to have a deep appreciation of solitude and to have clarified for themselves their deep existential, religious, or spiritual grounding in the world.¹³ Hence, this element strikes me as central to explaining how, although they were very aware of the social forces surrounding them, they did not bow to those forces just because they were shamed or threatened with violence, even death. Important too to explaining this surefootedness, in my view, is that, like Socrates—who was, as we know, killed by the socially more powerful—they seem to agree that doing wrong is worse than suffering wrong.¹⁴ For example, when Douglass meets with his dying former slaver Thomas Auld, he says that we do not know where in the river of history we get placed and that each of them received horrific places. Douglass says about Auld and himself that

Our courses had been determined for us, not by us. We had both been flung, by powers that did not ask our consent, upon a mighty current of life, which we could neither resist nor control. By this current he was a master, and I a slave; but now our lives were verging towards a point where differences disappear, where even the constancy of hate breaks down, where the clouds of pride, passion, and selfishness vanish before the brightness of infinite light. At such a time, and in such a place, when a man is about closing his eyes on this world and ready to step into the eternal unknown, no word of reproach or bitterness should reach him or fall from his lips; and on this occasion there was to this rule no transgression on either side. (Douglass 1882, p. 535)

¹¹ Queen Kristina is one of three women who were buried in the Vatican with full honors. In my view, there is not yet an excellent text that captures the complexities of her life. Still, for an imperfect introduction and overview over some of her life, see <https://www.britannica.com/biography/Christina-queen-of-Sweden>.

¹² <https://www.theguardian.com/books/2019/nov/22/george-eliot-translation-of-spinoza-sheds-new-light-on-her-fiction>

¹³ For a terrific reflection upon this, see Elizabeth Cady Stanton's (1892) "Solitude of Self" here: <https://www.nps.gov/wori/learn/historyculture/solitude-of-self.htm>

¹⁴ See Plato (1987) for more on doing vs. suffering wrong.

Importantly, none of this is to deny that as long as those who wrong you keep wronging you, the main task is to try to escape those wrongs or minimize your exposure to them—indeed, Douglass escaped his enslavement to get away from Auld’s horrific treatment of him. But it is also the case that if one fails as horribly as Auld did (at the basic challenge in life of treating other human beings with dignity), not only is undoing those wrongs impossible, but one must die, as Auld did, having failed so fundamentally and radically at life. Using one of Arendt’s theories, according to which humans “are unable to forgive what they cannot punish” (Arendt [1958] 1998, 241), Auld failed in a way that is unforgiveable.¹⁵ This, in turn, is not to say that Arendt was able to see Black racism for what it was; she absolutely wasn’t.¹⁶ Indeed, in my view, a major challenge for us as we theorize oppression and dehumanization is that, without exception, even thinkers who write excellently on some kinds of it—typically those kinds they know first-personally—are quite oblivious to, and even participate in, others. To give the obvious example, as Kantians, we should struggle with the question of how Kant, who revolutionized philosophy by proposing incredible freedom theories, also actively engaged in oppression and dehumanization of women and minorities. If we cannot understand this, I doubt that we will be able to improve our understanding of evil, including how we are tempted to do bad things as academics.

2. Some Patterns of Prejudices

This section first sketches some general patterns of prejudice against all oppressed people before delineating some more distinctive directions of those oppressive forces. The aim of this is not to give an exhaustive list but to notice the importance of patterns of various destructive forces and to show how some of the above theories and ideas are reflected in more common experiences of dehumanization. The idea is that showing these connections is one way to make sure that we listen to the people whose lives our philosophical theories are trying to capture.

Members of oppressed groups experience themselves as facing forces that strive for their perpetual denial of equal public standing with non-oppressed groups. Women and minorities who try to break the glass ceilings or to continue the efforts of their predecessors experience themselves as facing much oppression; indeed, the more successful they are, the more blatantly brutal the oppressive forces often become. Seen in this light, it is not surprising that if we look at the histories of the identities of those who have been able to hold the highest elective political office in any given land—say a president or a prime minister—they affirm these patterns. Most of the people who have held these positions have been men whose identities put them squarely within the more socially powerful groups in their respective societies. The same patterns can be found if we look at the social identities of those who are able to hold other public legal and political power, such as judges, politicians, positions of executive authority (police and military officials, for example), licensed professionals (lawyers, engineers, physicians, etc.), and academics.

In addition, members of oppressed groups experience themselves as facing forces that strive to deny them a sense of home in the world, safety in their own bodies, beauty in their social presentation to the world, and economic independence. To give some examples, whether we look at the histories of the thinkers mentioned above or we look to our own lives or those of people we know personally who live subject to oppressive forces, they all face ongoing challenges involved in being able to protect themselves against attacks (whether physical,

¹⁵ I believe this issue of forgiveness is more complicated than Arendt’s theory allows, but that’s irrelevant for the discussion here in this paper.

¹⁶ For an illustration of Arendt’s inability to see Black racism clearly, see Arendt (1970). For a discussion of this aspect of Arendt, see Belle (2014).

social, or institutional), to build a protective network of reliable people around them, and to obtain a safe economic foundation. The #MeToo and the Black Lives Matter movements have been quite successful at bringing these facts out into the open.

Turning to patterns aimed at specific groups, for reasons of space, I limit myself to a few examples of claims that I believe those whose oppressed lives described would affirm: Disabled persons and LGBTQIA+ persons face forces that strive to make them feel naturally perverted. Women face forces that aim to make them submissive, sexually attractive, and endlessly caring for straight men. Gay men and trans people face forces that strive to annihilate them through physical, sexualized torture. Lesbian women face forces that strive to destroy their sexually loving ways and make them submissive to straight men. Bisexual persons face forces that strive to make them live in accordance with straight or one type of sexually loving desire. Polyamorous and polysexual people face forces that strive to make them live as monogamous. Queer and asexual people face forces that strive to make them feel immature. Intersex people face forces that strive to make them feel personally deformed and to make their physical embodiment conform with heteronormative bodies. Disabled persons face forces that strive to make them into scientific research objects and testing grounds for medical theories. Sex workers face forces that strive to make them feel deserving of being treated as mere means for others' sexual desires. In addition, they are made to feel either that they must have been pressured (via coercion or desperation) into pursuing sex work as a form of employment that they, *ceteris paribus*, would not otherwise have chosen *or*, if they did choose this form of employment because they find it meaningful or enjoyable, that it is debased and immoral and reflects poorly on their character, that they should view themselves as perverted.¹⁷

Religious minorities, in turn, face forces that strive to destroy their existential openness to the world as good by making life unbearably difficult, by denying the goodness of their religion, or by denying that they have a claim on a specific religion. Poor people face forces that try to make them feel like they deserve to be poor, to be grateful to the rich(er), and to view themselves as mere means for others. Racialized minorities face forces that deny them equal intellectual standing with majorities and, so, push them into becoming mere economic (or also, for women, sexual) means for the racialized majorities. Indigenous peoples face forces that aim to destroy their relationship to their land and their superior direct perceptive attunement to and understanding of the planet's natural forces, including by denying them "true" knowledge of the world and as having "real" religions. Black men face forces that strive for a tortured, sexualized public death. Black women face forces that strive to push them into purely private, sexualized means for White men as well as permissible outlets for anger and existential frustration from traumatized Black men. If we now combine oppressed identities, we can see how the complexities of the forces multiply and, as mentioned above, ideally, we want a theory that can not only explain that it is not accidental that we human beings are violated and violate in the above kinds of ways but also why the intersectional effect of oppressive forces is greater than the sum of the individual forces.

3. Rethinking Kant

There are many ways to develop the above theories further so that they can speak to the complexities of oppressive violences, including intersectional violences. This section sketches one way to do this for those who find systematic philosophy a useful resource for thinking

¹⁷ Given the level of prejudice and violence against sex workers, let me just also point out that obviously none of this is to deny that some people are forced into sex work.

about these complexities¹⁸ and who are interested in doing this as part of developing a freedom theory that puts human dignity at its moral center. More specifically, the aim is to show how we can develop Kant's account of human nature—especially his account of the predisposition to good and the propensity to evil—together with his freedom theories (of virtue and of right) as part of developing one philosophical theory of intersectionality. Along the way, I pay special attention to how this theory is useful in explaining why, given the kinds of beings we are, the above patterns of oppression are not accidental and also why, once we combine these pathologies, we can be tempted to imaginatively combining the oppressive principles in exponentially new and changing ways.

Kant's account of human nature has some features that I find particularly useful as we seek to understand how we humans strive to live well and how we can be tempted to use violence and oppression to push one another down. To start, notice above that the threat of violence—the kind of force oppressed social groups face in the world—has certain patterns: from debilitating physical, including sexual, physical, and intimate, violence to social shaming and exclusion from powerful spaces of authority. Kant's philosophy can be developed so that we can capture this systematically, and although it historically has received very little attention, his account of human nature is very useful if we do. To see this, first notice that his account of the predisposition to good in human nature is comprised of three sub-predispositions: animality, humanity, and personality.¹⁹

Animality comprises three reflexively self-conscious strivings—to self-preservation, to sex, and to community—and they can be developed by many cognitive means, including abstract conceptual thought, associative thought, teleological thought, and aesthetic thought. Importantly, as a matter of human development, we first develop this aspect of ourselves through associative thought—for instance, learning to associate smells and sounds with the pleasures of food—and this type of conscious striving is not, as such, enabled by the kinds of abstract conceptual thought that our reflective self-consciousness and reasoning powers ultimately enable, the ones that are constitutive of being able to be morally responsible for our actions. Moreover, when we develop this predisposition well, we do so as informed also by our natural “vital force,” (Kant [1788] 1996, 269/CPPrR 5: 162) or in such a way that we feel strong and harmonious. This is important as a matter of theory because it explains why violent oppression typically will aim at our animality through physical, including sexualized, violence by one or more toward another—with the threat of death in the background. When we are pushed into these modes of being—into the three spheres of animality—then we are likely to activate associative thought intensely. This is both why the violence is so debilitating and can involve both losing our ability to feel safe in the world or in our bodies—the world is experienced as fundamentally unsafe and we easily get very anxious when these associations are triggered—and significant difficulties of healing (since reflecting on and correctly describing that we have been wronged is insufficient to heal; animality is importantly reflexive and in these situations developed associatively).²⁰

The second sub-predisposition to good for Kant is “humanity,” which yields the most powerful conception, I think, if we understand it as consisting of both our capacity to set ends

¹⁸ In this regard, I view myself as following in the footsteps of great women who theorize oppression in a way that is integrated with their developing a philosophical system. For example, see Hannah Arendt's *The Human Condition*, Simone de Beauvoir's *The Second Sex*, and Martha C. Nussbaum's many writings on oppression.

¹⁹ See Kant ([1793b] 1996) for his accounts of the predisposition to good and the propensity to evil in human nature. For more on my take on this as well as the vital forces, see Varden (2020).

²⁰ For two incredible philosophical narrations of sexual violence and healing, see Brison (2002) and Alcoff (2018). I've written on some of the complexities of trauma in Varden (2022b).

of our own (freedom) as well as our social sense of self. Hence, it captures the idea that to be a human being involves a striving to become a self—an I—as well as developing an awareness of how others regard us. In the Kantian system, the capacity to set ends of our own is explored through Kant's (meta-)ethical writings both on virtue (on acting on universalizing maxims in accordance with the Categorical Imperative) and on right (on interacting with others in accordance with the Universal Principle of right), while his (Rousseau-inspired) account of our sociality finds expression in many of his analyses of honor and other social emotions like envy and jealousy. Importantly, the starting point for us, on this account, is a brute sense of freedom expressed in the fact that human beings scream when they are born—they scream because they are frustrated. Newborn babies cannot act; brute freedom is consequently expressed negatively, as a frustration. In contrast, social emotions are enabled by our awareness of how others see us, and a brute version of this is expressed as soon as babies can smile interactively. These social emotions are also not entirely under our control as others can dishonor or shame us; there is an ineradicable interactive power involved. In our context, these philosophical theories are important if we strive to capture how oppression often involves forces that deny us the right to set our own ends or that seek to dishonor or shame us by virtue of who we are. We have double-consciousness, we are related to as the lower, second or other type of humans, and we are “a problem,” as we saw Beauvoir and Du Bois emphasize. We are always aware of how socially dominant forces are judging us—and if we interact as if we are not, there will be consequences.

Third, on this account, there is the sub-predisposition to personality, which is enabled by our practical reason—our ability not only to set ends of our own but to do so in morally responsible ways—and it is revealed in what Kant calls “moral feeling,” understood as our ability to sense the “ought” or to do something just because it is the right thing to do. Because it is this capacity that enables us to set ends of our own in the universe in morally responsible ways, it is by virtue of having this capacity that we have dignity, understood as a kind of pricelessness and as commanding all other human beings to treat us with respect. All oppression involves denying the oppressed this respect, corresponding to, of course, how living subjected to oppressive forces involves constantly having to deal with majorities treating one without respect. Insofar as we are able to develop a strong, fundamental moral character, we have a strong “moral vital force” (Kant [1797] 1996, 529/MM 6: 400).

It is important to emphasize that each human being has a constant, ongoing project of developing, integrating, and transforming all three sub-predispositions into one harmonious whole that is also morally justifiable. In so doing, each of us is pursuing the highest good, understood as “...the union and harmony of ... human morality ... and human happiness” (Kant [1793a] 1996, 282/TP 8: 279, cf. Kant [1788] 1996, 229/CPrR 5: 110f). This means, on the one hand, that we must develop, transform, and integrate our ability to, for example, eat and drink into a social and morally respectful activity, such as developing an ability to enjoy a meal together with others—an activity that requires our ability to develop, integrate, and transform our animality, humanity, and personality by means of associative, abstract conceptual, teleological, and aesthetic thought. A wonderful meal is, in other words, quite an accomplishment. On the other hand, this also means, of course, that disrespecting, offending, hurting, or harming one aspect of ourselves often has repercussions for the rest of us too. In a good and just society, then, everyone is able to pursue their own conception of the good—their happiness—within the parameters set by our practical reason, namely our ability to act within the boundaries set by the Categorical Imperative and the Universal Principle of Right.

Those familiar with Kant's practical philosophy already know that on this approach, living in accordance with the Categorical Imperative means that people fulfill their perfect and

imperfect duties; they do not destroy themselves or each other (doing so conflicts with their perfect duties); and they strive to develop their own abilities and assist others in their pursuit of happiness (fulfill their imperfect duties).²¹ Living in accordance with the Universal Principle of Right, in contrast, means establishing a public legal and political authority that secures innate, private, and public right for each and all citizens. A rightful condition, on this approach, means that each citizen's exercise of freedom is not subject to other citizen's private choices but instead is subjected only to the public rule of laws of freedom. This entails that insofar as some citizens find themselves wronged and violated in oppressive ways, they are treated badly not only from the point of view of virtue (first-personal ethics) but also from the point of view of right (justice). In addition to this position's strength with regard to analyzing core rights—such as bodily rights, freedom of thought and speech, rights to private property, contract right, family law—for the purposes of analyzing life under oppressive conditions, this position is particularly interesting in its philosophical tools for analyzing systemic issues. Its first move is to argue that once a public authority establishes its monopoly on coercion as regulated by public laws of freedom—as it must—it must reconcile this monopoly on coercion with the rights of each individual. To do so, it must ensure that no one citizen is left without legal access to means such that only by committing crimes can they access means because all legal access is made impossible by the system of property; poverty is, in other words, a systemic issue of justice on this approach.

In addition, the public authority must also regulate the systems upon which citizens' exercise of freedom is made dependent. Hence, on this account, there are resources with which to capture why and how the state must be involved. For example, as is common in our modern world, citizens' basic exercise of freedom is often made dependent upon the economy either by access to goods or services being facilitated through stores or by access to income being dependent on employment. Once such system-dependence exists, then the state must also regulate these systems to ensure that citizens can access private businesses as free and equal, such as by everyone being charged the same price for the same goods and services. In addition, in such conditions, the state must ensure that the economy (partially or as a whole) is not under the control of one or a few powerful private actors, such as by their forming monopolies or oligarchies. And to give one more example, insofar as we are system-dependent for income, it is crucial that no one is forced into a situation where there are no good minimally good choices available. No one, in other words, should find themselves in double-binds or in a situation where they are given offers they, in O'Neill's (2000) analysis, cannot reject—for instance, offers of employment that involve terrible, dehumanizing working conditions or work that they find morally unjustifiable. The state must secure not only good working conditions but also good employment opportunities—and as our modern world is becoming increasingly system-

²¹ In my view, there is a related and particularly interesting Kantian discussion here concerning how to accurately describe a situation in which (oppressing) violence comes at you. The starting point for these discussions is Kant's (in)famous analysis of lying to the murderer at the door. To deal with this problem, some Kant scholars have revised Kant's position so as to justify either an exception to the rule in situations such as these—we should generally not lie, but in this situation, we can—or that lying in such situations is the morally right thing to do. For example, Barbara Herman, Onora O'Neill, Thomas E. Hill Jr. and Seana Shiffrin argue for a version of an exception to the rule here, while Jochen Bojanowski argues that one has a duty to lie. My proposal is instead that there is a perfect formal, but not material, duty not to lie operating here. I believe this is more consistent with Kant's own text and that a philosophical advantage of the position is that the resulting philosophical position enables us to explain why facing such situations or living subjected to oppression is so exhausting. Reasons of space make it impossible to go into this in any detail here, but it has been an important topic for me since my first (2010) paper on this topic.

dependent, the importance of this point only increases.²² The state must ensure, to put this point in Kantianese, that everyone can exercise their freedom of choice in such a way that they are subjected to coercive laws of freedom only and not to another private person's coercive, arbitrary choices.

Notice too that if we work with Kant's distinctions between "anarchy," "barbarism," "despotism," and "republic," we can capture ways in which particular citizens who live subject to oppression can find themselves in a republic—conditions of freedom—generally and yet find some aspect of their life subject to conditions of (anarchic, despotic, or barbaric) injustice.²³ For example, we may find ourselves in a condition where everyone has private property rights, but, to use two historical examples from the US context, interracial couples cannot marry or gay sex is criminalized (sodomy law). Alternatively, we can capture differences between states passively permitting some groups of citizens wronging others without legal consequence (such as states that do not recognize marital rape as a legal wrong) and states actively engaging in wrongdoing either by not holding those entrusted with public authority (such as prison guards, police officers, foster institutions) accountable to the laws and policies governing their actions or by using state offices to violate citizens' basic rights (such as the historical phenomena of internment camps for Japanese Americans during WW2 or US Indian Boarding schools for Indigenous children).

Before moving on to the question of why we are tempted both as persons and as social groups to violate and wrong one another, notice that the above account can also explain why it may not be a coincidence that philosophical minds who were able to do the impossible tended to have both a deep appreciation of solitude and clarified religious or spiritual foundations. If the above account is right, then, because we are free, we have an unsocial aspect. Our creative freedom—whether in action or in thought—is importantly unsocial. We have, to use Kant's formulation, an "*unsociable sociability*" (Kant [1784] 2007, 111/IUH 8: 20); our humanity captures both our end-setting and our social sense of self. Hence, insofar as it is difficult for us to set ends in the world freely, one alternative is to avoid the social sphere more often. In addition, insofar as our favorite activity is philosophical reflection, we can do a lot of this without anyone knowing. To what extent we leave breadcrumbs behind for others, let alone publish them in an effort to contribute to a better world, is something we can be, as the thinkers above were, careful about, including by publishing anonymously or, to use a contemporary example, after one has obtained a more secure employment situation (tenure).

Finally, notice that the predisposition to good in human nature is a predisposition; it is not a result of choice, and it is not, on this theory, something we can destroy. That we can fundamentally trust our predisposition to good is revealed in much work around healing as well as, of course, in people's trust that the world is good despite all the evidence to the contrary. Indeed, this could be one explanation for why people oppress others with regard to their religion in the ways they do, namely as informed by the drive to destroy their presumption of the world—their God, their idea of spirit, their gods and goddesses—being good. Not being moved by these attacks is, then, something that strong, yet reflective, minds are able to withstand even when facing brutality and even likely destruction. In my view, all the above thinkers have moments when they express a steadfastness and existential clarity of the kind—a way of being—we find in Chief Seattle's 1854 oration when he says:

²² For an introduction and overview over the Kant literature on the "Doctrine of Right" in the previous two paragraphs, see "Introduction to Part II" in Varden (2020).

²³ For reasons of space, I must be brief here, but for more on these distinctions in Kant, see Varden (2021, 2022a).

Every part of this soil is sacred in the estimation of my people. Every hillside, every valley, every plain and grove, has been hallowed by some sad or happy event in days long vanished. Even the rocks, which seem to be dumb and dead as the swelter in the sun along the silent shore, thrill with memories of stirring events connected with the lives of my people, and the very dust upon which you now stand responds more lovingly to their footsteps than yours, because it is rich with the blood of our ancestors, and our bare feet are conscious of the sympathetic touch. Our departed braves, fond mothers, glad, happy hearted maidens, and even the little children who lived here and rejoiced here for a brief season, will love these somber solitudes and at eventide they greet shadowy returning spirits.²⁴

Of course, most of us do not know and find it unlikely we will be able to do as these incredible philosophical minds have done before us. But we admire them and are grateful for their showing us that it is possible.

Before drawing together all the above considerations to speak to the complexities of intersectionality, let me also briefly note how Kant's theory of human nature—more specifically, his account of the propensity to evil—is useful to understand oppression. To start, Kant's account of the propensity to evil is not an account of a predisposition but a propensity; it is an account of how we do bad things because we can choose. Moreover, Kant thinks that the propensity to evil comes in three degrees: *frailty*, *impurity*, and *depravity*. In my view, the strongest Kantian account views frailty as *an instance* of wrongdoing that can be either self-deceived or not; impurity as *a pattern* of wrongdoing that can also be self-deceived or not; and, finally, depravity is viewed as *a way of living* that is inherently destructive and always involves self-deception.

To illustrate these distinctions, I might say *a sexist thing* about a colleague to my male colleagues once because doing so is in my self-interest (my sexist colleagues will like me more if I do)—and I can do this in self-deceived ways (“she deserved it”) or not self-deceived ways (I know I did wrong and I feel bad about it). This is frailty—and being self-deceived about it is morally and emotionally worse than not being self-deceived, including because it makes it easier to own wrongdoing if I do not also lie to myself about it. Alternatively, I might say sexist *things* about my women colleagues *quite often*—there is a pattern involved—and I might do so with self-deception (“they are so annoying”) or without (“I have a problem with women”). This is morally and emotionally worse than frailty (because there is a pattern involved) and, again, being self-deceived is worse than not; if I know I have a problem, it is easier to work on it. Finally, I might be depraved with regard to women, in which case I *orient my life* so as to make life worse for women—and when I do, I am always self-deceived about it. For example, I might be an INCEL (it's women's fault as well as their fathers' fault since they didn't raise their daughters properly) or I might use religious language to describe what I am doing (“God meant for women to obey men,” etc.). Depravity is morally and emotionally worse than the others because it has become a way of living that is inherently destructive and it involves deep self-deception.

The above Kantian account of human nature and of freedom gives us philosophical resources with which to see why it is likely not an accident that the theories of double-consciousness, the other/second sex, being a problem, pariah and parvenue, and of double binds/being given offers you cannot resist are so powerful to us. They track aspects of our predisposition to good with an emphasis on our social world and freedom—which is

²⁴ For the full speech, see: <https://suquamish.nsn.us/home/about-us/chief-seattle-speech/>

unsurprising because of how oppression typically plays out in our shared social world—and they also draw attention to how when we do bad things to others, we are tempted to be self-deceived. Hence, as oppression typically has lasted for a long time, it is also not surprising that these self-deceptions can become part of the culture, and since they are so prevalent, they evolve into pressure to consider oneself “the other” or “the second” or just a “problem.” Furthermore, given this theory of human nature and of freedom, it is also no longer surprising that oppressed groups generally are deprived of access to the public sphere as equals, nor is it surprising that oppression often attacks on all levels, namely one’s animality (physical, including sexual, attacks and attacks on one’s loved ones), one’s humanity (lowering of one’s sense of self and limits or attacks on one’s ability to set ends of one’s own), and one’s personality (undermining or denying of one’s ability to be responsible for one’s actions). And it is not surprising that the worse these attacks are, the more they involve attacking all aspects of oneself, and the attacks are described in language that actively appeals to our embodied, social “human nature” (by appealing to how it is deprived, unnatural, or shameful, for example) or morality (that one’s way is immoral or undignified) in self-deceptive ways.

Given how we develop our predisposition to good by means of associative, abstract conceptual, teleological, and aesthetic thought, we can now also see how these different kinds of thought are used when we oppress others. In addition, because our cognitive capacities also are creative in that we can imagine new ways of combining thoughts, it is no longer surprising that intersectional violence becomes larger than the sum of the distinct violences. If our victims have one oppressive identity, we can imagine many and new ways of wronging them—by combining associative, abstract conceptual, teleological, and aesthetic thought in many ways—but once our victims have more than one oppressed identity, the possible combinations exponentially multiply. Finally, given how freedom comes both in first-personal ethical forms (virtue) and state-delivered justice forms (right), it is not surprising that insofar as we have privilege, we use our legal-political institutions—and the theories thereof—as (active or passive) means of oppression and create double-binds and offers the oppressed cannot refuse. And as the oppressed choose—in an effort to survive—those with privileged can obtain their narrow self-interests at their cost, *or* they can feel very powerful and important (especially if they use self-deceived, moralized language as they do), or both.

“There are two kinds of peace in the world,” Cooper writes, “The one produced by suppression, which is the passivity of death; the other brought about by a proper adjustment of living, acting forces” (Cooper [1892] 1998, 121). I hope the above shows some reasons why Kant’s theory of human nature—good and bad—together with his freedom writings is very fruitful as we develop our philosophical theories further, beyond Kant’s own limitations, and thereby contribute in constructive ways to philosophical discussions of intersectionality; to understand both kinds of peace. Importantly too, of course, notice that if the only philosophical tools we have at hand are (Kant’s) freedom theories—and not theories that can capture our earthly nature—then we do not have all that we need. For reasons of space, I cannot expand any further on how we can combine Kantian philosophy with the ideas of the other important freedom thinkers. However, because I believe Hannah Arendt is correct in proposing that modernity brought human evil to a new level, and in the next and final section, I want to suggest how we can use the above to speak to modernity’s distinctively life-numbing, totalitarian aspects of European colonialization, oppression of Indigenous peoples, and the Holocaust.

4. Modern Evil

In *The Origins of Totalitarianism*, Arendt suggests that modernity's antisemitism is different in kind from that found in earlier historical periods. Arendt, however, is also unable to see clearly²⁵ that antisemitism was not the only oppressive force altered by modernity; so too were the oppressive forces involved in European colonialization, the treatment of Indigenous peoples not only in the Americas but also in Europe, as well as the Holocaust more generally (and, so, as including for example the Roma people, disabled people, members of the LGBTQIA+ community). My Arendt-inspired suggestion below is that while oppressive forces in pre-modern periods tended to both lower oppressed people to the level of animality and not value animality—as this concept is used above—modern oppressive forces have gone to war against animality while subjecting oppressed people not only to the threat of death (to make them conform) but also to the general conditions of a living death that targets their animality, humanity, and personality.

If we look at the above account of human nature, to live fully—to transform, integrate, and transform one's animality, humanity, and personality through associative, abstract conceptual, teleological, and aesthetic thought such that one's natural and vital forces are strong and harmonious—one needs to learn to richly feel the earthly aspects of one's being. This also involves learning to be around one's vulnerability and inhabiting that vulnerability without fear. Moreover, somewhat paradoxically, if we do this together with (an)other(s), as we do this more deeply, our strength increases with the depth of our vulnerability. One of Arendt's interesting suggestions in *The Human Condition* is that in modernity, human existence became much more dependent on science, technology, and economies, which furthers our alienation from earthly life. For instance, when the first humanmade object, Sputnik, was sent into space, this dependence reinforced the alienating ways in which so-called Western philosophy has always devalued our animality—what Arendt calls 'labor'—resulting in people commonly expressing the hope that perhaps we can soon leave the planet altogether. Although there are many extremely interesting ideas and proposals that can be drawn from this analysis, here I want to draw attention to her idea modernity's alienation was important to enable totalitarianism, which directed science and technology toward the production of dehumanizing suffering in WWII concentration camps. Arendt argues that totalitarian violence can be understood as "total domination," which, in turn, aims at "abolishing freedom, even at eliminating human spontaneity in general..." (Arendt [1951] 1985, 405). Moreover, in its "final solution," this type of political violence non-accidentally (given the destructive, self-deceived pathologies constitutive of it) establishing concentration camps. These camps, Arendt furthermore argues, were

"... meant not only to exterminate people and degrade human beings, but also serve the ghastly experiment of eliminating, under scientifically controlled conditions, spontaneity itself as an expression of human behavior and of transforming the human personality into a mere thing, into something that even animals are not." (Arendt [1951] 1985, 438).

The aim of the concentration camp was not, in other words, just to kill and degrade disabled people, LGBTQIA-people, and the Jewish people; it was also to subject these groups to

²⁵ Sometimes I think she sees some of the other isms more clearly; other times she does not see them at all or participates in dehumanization of social groups. For reasons of space, it is impossible for me to go into all these complexities here, but in addition to Belle's work on this, see, for example, the (generally wonderful) "Zur Person" interview with Arendt which illustrates quite well her inability to see women in all their diversity and complexity: <https://www.youtube.com/watch?v=dsoImQfVsO4&t=4s>

terrorizing conditions, to create a living death under which any kind of spontaneity—that characteristic of any animalistic living being—would, through associative thought, become associated with possible violence. And there was no end in sight with regard to the concentration camps; new groups would be subjected to them—it was a type of institution that was constitutive of Nazi-Germany rule.

I believe that important aspects of the terror of European colonialization—including the horrendous transatlantic slave trade and treatment of Indigenous peoples in the Americas—as well as the horrific treatment of Indigenous peoples in Europe come better into view if we use the same “living death” analysis. The violences involved in colonization, forced labor, and (cultural) genocide were aimed not only at oppressing or denying rights but at a continuous dehumanization through systemic, often state-supported, terrorizing attacks on these groups and their animality, humanity, and personality. Rape, internment schools, and forced starvation were common tools in addition to public shaming and radical deprivation of freedom. In addition, these groups were denied their personality; they were denied recognition of their ability to be morally responsible, which, in turn, was used to deny Black slaves the right to education and to deny Indigenous parents the right to educate their children. The extraordinary brutality involved in denying these groups their own religion must also be seen in this light: it involved a fundamental challenge to their assumption of the world as good. Indeed, denying them their own religions and physically displacing them from their lands were means of depriving them access to existentially grounding practices. In addition, any exercise of religion was in itself seen as an offense. To give another example, Black churches were burned not only because the enslaved were not permitted to practice the religions of Africa but because they not permitted to worship full stop.

Of course, there are many possible examples we could add here. For reasons of space, let me simply conclude by pointing out that if we work within (Kantian) freedom theories—where, indeed, the concept of dignity is intimately tied to the morally responsible exercise of freedom—it is especially important that we own our difficult histories by understanding evil (in general and in our traditions) better. After all, evil, in the form of depravity, as we learn above, is often expressed through powerful moral language to justify brutal oppression, and on this position, the public authority—the state—must have a constitutive role in realizing justice (as rightful, human freedom). Moreover, in our modern world, the language of individual rights, freedom, and human dignity is the most powerful one—and for good reasons; it envisions a way of living together respectfully that is not dependent on specific cultures or ways of life but only on our shared capacities of freedom. However, it was in this modern—or “enlightened” or “free”—world that dehumanization found a new force of expression, and Kant’s theories were used to enact it; indeed, Kant himself developed theories of race, sex, and gender that were inherently racist, heterosexist, and sexist, and we inherit institutions and philosophical traditions that participated in this, including in the name of freedom, individual rights, and human dignity. Working for a better world does not, in other words, allow us to set aside these features of the modern world, or our philosophies, as “simple mistakes.” To put the point from a different direction, Kant and Kantians should have been listening, of course, to enslaved and dehumanized peoples all along. They did not, and according to Kant’s own theory of the predisposition to good and the propensity to evil, that they did not is not an accident given the kinds of beings we are. To state the obvious: that many who have read a lot of Kant or Kantian theories may never, to this point in time, have heard of any or many of the historical thinkers referenced in this paper is a source of shame for us Kantians. A better future requires, if the theory presented in this paper is on the track that leads toward truth, that we Kantians need to

own our failings here—including feeling appropriately humbled and shameful about this—and then strive to do better.

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