

Some Puzzles of Sexual Orientation, Sexual/Gender Identity, and Politics.

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Simone de Beauvoir's (1949) *The Second Sex* was nothing less than a philosophical revolution in the philosophy of sex, love and gender. When I started studying philosophy in the 1990s, over forty years after its publication, the theory that spoke the most directly to me was still Beauvoir's. I loved teaching it and my students loved learning it.

Today, one of the reasons I believe Beauvoir's framework was so important for me is that I belong to the LGBTQIA+ community. My identity as a part of this community doesn't track generationally in the ways that identities based on family, community, race, gender, or ethnicity do. Hence, I needed a theory that put the individual at the center of the analysis, one that treats each individual as having dignity and as being deserving of respect. To illustrate this point, notice that the weight of an oppressed identity shared by groups that are intergenerational in nature—such as those who inherit identities as, for instance, Black, women, or Jewish—results from each member of these groups understanding and feeling not only their own oppression but also that of those who went before them. In contrast, LGBTQIA+, as well as disabled, people pop up in any family, in any society—they are not intergenerational identities—and, so, the weight of these identities is characterized by a sense of profound loneliness. Indeed, one's family and community may disown rather than love you because of who you are. Thus, Beauvoir's framework was attractive to me, I think, because of how her existentialist philosophy spoke to these aspects of myself.

I also gravitated toward Beauvoir, I believe, because, although Immanuel Kant was my lodestar regarding many philosophical topics, on sex, love and gender his works are somewhere between immature and plain terrible. Nevertheless, I eventually realized there was a serious blind spot in Beauvoir's framework. A student once raised their hand during a discussion of Beauvoir to ask: "What about me?" This student was trans and had started transitioning—and her transition could not be properly theorized within Beauvoir's framework. On Beauvoir's theory, one cannot capture philosophically what makes gender or sexual identity existentially important to some people, indeed, why it is that some are not able to live as who they are without transitioning.

I realized that there isn't a philosophical theory that can explain this—and, for that matter, available theories also cannot explain that it is existentially important to be gay, lesbian, non-binary, intersex, asexual, straight, queer, bisexual, or cis for some people to be who they are.

The philosophical types of theories available to try to explain the existential importance of living in accordance with one's gender identity and sexual orientation were primarily existentialist or constructivist. According to existentialist theories (such as that of Beauvoir), emotionally and sexually mature people will experiment and, fundamentally, choose how to realize their sexuality—on their own and together with others. Constructivist theories (which often take their lead from [Judith Butler](#) or Sally Haslanger), in contrast, argue that one performs sexuality or gender by obeying social norms (Butler) or that gender is constructed (Haslanger) all the way down by society (it is fundamentally about learning how to use society's concepts to construct one's gender and sexual presentations in the world).

The world of medicine, in turn, has been more influenced by a kind of essence thinking, according to which we one day might scientifically discover a “gay” gene. On this line of reasoning, somehow there is a scientific law—yet unknown to us—that can explain these puzzles around sexuality and gender. This view—a kind of scientific essentialism—is not so far away from rationalist ancient Greek philosophy in that, for example, Plato argued in his *Symposium* that we are born with different kinds of souls, and that's why not everyone is straight.

What my student ultimately enabled me to understand was that despite their many deeply important insights, none of these theories can be right because they cannot explain her. More specifically, what they cannot explain is that there was something that she got right about herself—and transitioning was constitutive of that. None of these theories can fully capture what it was that she got right. After all, my student is neither constructed all the way down nor is their identity simply a choice or a performance, and what she was yearning to experience was clear to her before she was actually able to experience this physically (given her biological or genetical makeup). And, so, they could also not explain why, once she transitioned, she could finally start to live consistent with how she had always felt herself to be. Hence, both the subjective longing and the correctness of her choice (as revealed in the relief subsequently obtained) was what I wanted to explain.

The task I set myself, therefore, became how to make sense of the experience of the givenness of sexual or gender identity and sexual orientation; how each person can get these things about themselves right. And as I set out to do this—a work that resulted in [Sex, Love, and Gender: A Kantian Theory](#)—I wanted to explain it “without invoking the notion of an ‘essence’” while also avoiding “understanding our sexual loving, gendered selves simply as a matter of choice,” construction, or performance. Of course, all emotionally healthy

engagements with sex, love and gender involve choices, performances, and social constructions, but one central aspect of the heart of the matter, as I saw it, was that there is more to this puzzle regarding our human existence than that. The most plausible accounts also need to make sense of how many LGBTQIA+ folk keep insisting that this part of themselves is not understandable simply in terms of performances, choices or (biological, scientific or rational) essences.

I found my way to do this by invoking the philosophical ideas left behind by the thinker that I—like pretty much every other philosopher—originally had deemed an impossible resource: Immanuel Kant. To be sure, I had to dive into relatively unexplored aspects of his theory—namely his writings on religion, anthropology, and human nature—and I had to overcome his errors by reconstructing his theory. But once I did, the result was a remarkably interesting theory, one that could speak not only to my student's experiences but also to all the letters in LGBTQIA+ as well as, of course, how cis, straight folk experience their sexually loving gendered selves.

At the base of this theory lies a reenvisioned Kantian conception of what we in philosophy call our “phenomenology,” a theory of how each of us experiences the world first-personally. I related Kant's account of human nature—which he breaks down into our “animality,” our “humanity,” and our “personality—to how we all experience sex, love and gender. Let me try to illustrate this by means of a non-sexual example. To start, think about the last wonderful meal you had with your friends—one that stayed with you in a good way for days. Thinking about the meal kept making you feel warm and good. A good philosophical account of human phenomenology and nature will capture how the experience of sharing a meal elicits these feelings of warmth and connection. Indeed, it captures how we transform our eating habits from the moment we are born, through childhood, and into our adult selves—and it captures how we develop differently than other animals in these regards.

Kant's account of human nature explains this by first noting that when we are born, we consciously strive in three ways: to preserve ourselves, to be touched, and to be affectionately loved in ways that make us feel harmonious. (These three strivings constitute what Kant calls our “animality.”) Hence, for Kant, a newborn's caregivers aim to provide an environment that integrates these three conscious activities and then they judge their success by the extent to which the baby is harmonious. In addition, Kant notices, only human babies scream when they are born—a scream that, he thinks, expresses frustration, namely a frustration that we cannot act at all—and caregivers read the scream as a sign that all is well (“freedom”).

Over the next few months, two more kinds of baby behaviors (constituting what Kant calls “humanity”) emerge. We start to smile—which Kant interprets as revealing a cognitive ability to relate to being seen by others and them as being seen by us with

pleasure (a social sense of self)—and we start to do things like reach for moving or sparkling objects (rational end-setting). With more time, we also start being able to understand words (abstract concepts) as referring to various kinds of things in the world. Around year one, we start the project of walking—of setting an end in the world and moving our body toward that end, and at around three or four, we suddenly are able to switch from thinking about ourselves in the third person (“Does Helga want milk?”) to doing so in the first person singular (“I want milk”) and second person singular (“Do you want milk?”). Trailing this comes, of course, the infamous no-age. Once we are able to think of ourselves as an I, soon comes the ability to understand that whether or not something is going to happen depends on me not saying “yes” or “no” when asked. Hence, we feel very liberated and take great pleasure in saying no to everything for a while.

Once these basic abilities are in place, we can start the project of maturing into adult selves and figuring out what we like and do not like. Slowly but surely, for example, we become able to use many kinds of thought to develop how we eat and drink. We use aesthetic imagination (about the beautiful and the sublime), associative thought (associating something with something else), and practical reason, among other kinds of thought, to appreciate combinations of food—ingredients in terms of taste, color, nutrients, etc.—so as to make pleasing meals for ourselves and others. Moreover, in order to do this really well, we must also, Kant thinks, be able to develop a way around others that respects them as having dignity and that requires us to treat them with respect; we must value that they have their own lives to live and that the kinds of lives those will be is for them to figure out (“personality”).

Hence, the last wonderful meal that you remember having with friends is quite an accomplishment: The cooks were able to serve food that deeply fit who you are, and you and your friends were able to share a meal in ways that allowed you to both experience seeing and appreciating each other as yourselves and enjoy being together. Each of you individually as well as together have been able to develop your animality, your humanity, and your personality into separate and shared wholes that you feel as consistent with, grounding of, and developing of who you are and are striving to become.

One’s [sexuality and gender identity are similar to learning to enjoy meals](#) in that they also require us to develop our animality, humanity and personality into unified wholes—on our own and together with others. Moreover, just as there are things we truly do not like in terms of food and drink—our bodies refuse them or we cannot feel them as deeply pleasing—so it is with sexuality and gender. Some people like everything sexually loving and playful (the + in LGBTQIA+), while other don’t really like much of it (the A). Yet others again—those groups represented by the other letters, as well as cis and straight people—have deep existential, patterned preferences here that they need to heed and realize in order to live in ways consistent with, grounding of, and developing of who they are and who they are striving to become. Because realizing our sexualities and genders in these

ways are grounded in our animalistic strivings, our sexualities and genders are existential in nature: not being able to realize them well makes us feel as if we cannot exist as who we are.

For most of us, our sexualities and genders are, correspondingly, neither something with regard to which all choices are possible, nor are they fully predetermined. Rather, there are patterns with regard to how we are striving in (teleological, aesthetic and embodied) ways that we need to heed, understand, integrate, and develop in order to truly flourish as sexually loving selves. And these ways do not always track certain biological features we may be born with. Hence, neither choice nor construction nor genes nor simple biology provide all we need to understand humans' sexually loving selves. To understand human sexuality and gender, philosophy therefore needs to develop its theories of phenomenology and human nature.

The importance of understanding our sexually loving, gendered selves goes beyond making us wiser, however. Indeed, in light of the recent targeting of women and LGBTQIA+ communities by highly destructive political forces, the stakes might be much higher for all of us.

In 1943, Hannah Arendt wrote: ["The comity of the European peoples went to pieces when, and because, it allowed its weakest member \[the Jewish people\] to be excluded and persecuted."](#) In addition to the Jewish people, of course, other populations—disabled people, sex workers, Roma people, and LGBTQIA+ people—were also transported to the concentration camps by the Nazis. These other groups were and still are politically small and unimportant. And yet, the various destructive political forces that have taken hold in many countries at the moment have focused exactly on these, and other, vulnerable groups: they are first going after the most vulnerable among us, namely trans persons. Arendt's challenge—to recognize that the persecution of one group of people could become the catalytic agent for the persecution of other peoples—is still with us.

[Arendt also thinks](#) that the horrors of World War II taught us that, "We can no longer afford to take that which was good in the past and simply call it our heritage, to discard the bad and simply think of it as a dead load which by itself time will bury in oblivion." Indeed, she argues, "The trouble is that our period has so strangely intertwined the good with the bad." Modernity, in other words, bears the strangest mix of moral horrors and moral accomplishments: colonialization and concentration camps *as well as* ideas about one humankind and the right to freedom.

The signs, according to Arendt, that political destruction will lead to total domination or the near incomprehensible condition of "living death," are that people are targeted not for having done anything wrong but for merely being themselves, that the distinction between truth and untruth no longer matters to the major political players, and that the "political forces" in charge "cannot be trusted to follow the rules of common sense and self-interest—forces that look like sheer insanity."

When some political leaders start to say that the gendered identities and sexual orientations that comprise the LGBTQIA+ community don't exist, or that this politically weakest of groups is somehow among our biggest political problems on a planet that is characterized by severe poverty and enormous environmental problems, we have, in other words, good reason to think that understanding these issues better goes beyond our need to become wiser sexually loving, gendered selves.

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