

## **Author Response to Critics: Helga Varden, University of Illinois at Urbana-Champaign**

Hannah Arendt writes in “Remarks”<sup>85</sup> that “each time you write something and you send it out to the world and it becomes public, obviously everybody is free to do with it what he pleases, and this is as it should be.... You should not try to control whatever may happen to what you have been thinking for yourself. You should rather try to learn from what other people do with it.” Hence, my responses to my critics today are in this spirit, meaning that I do not have an interest in trying to control what they (or anyone) think about my book—or about Kant, or about how to do Kantian or feminist philosophy or the philosophy of sex and love (with or without the philosophical tools offered in my book). Although I will of course try to clarify my ideas when asked to do so, my main aim is to try to learn from what my readers do with my book and to engage the topics they would like to engage with. Some of these topics, as my critics know, take me a good bit beyond what I have done in the book, while others require me to reflect on what I have done but have not reflected upon in the book. For example, they want me to reflect upon the method used in the book and on god, two things I don’t explicitly do in the book. So let me start with method since immortal and eternal beings are not in a hurry. And then I will talk a little about something I do talk about in the book, namely Kant’s uneasiness around sex and his account of human nature, before, toward the end—once hopefully also god, the gods, and the goddesses are a little more satisfied—I’ll return one more time to some questions of method.

The questions from my interlocutors regarding method are several. Lockhart, to start, first asks about whether I believe that we also need to revisit Kant’s conception of the household—since some of his and our inherited sexism find their expression exactly in this sphere. She then asks about marriage, noting that I appear to take a different route than some of the strong voices in feminist philosophy, such as Claudia Card, who

---

<sup>85</sup> Hannah Arendt, “Remarks” in *Thinking without a Banister: Essays in Understanding*, ed. Kohn, J/ (New York: Schocken Books, 1973/2018), 476.

denounce marriage as an incurably oppressive institution, especially for women. Lockhart's concern that I haven't said enough about the household was also expressed by Alice MacLachlan in her comments on my book at the AMC session at the Central APA earlier this year; MacLachlan also wanted me to talk more about how to re-envision the family in light of the theory I have developed in the book. Moreover, Jordan Pascoe, at that same AMC session, relatedly asked if I couldn't do more with the idea of people sharing ends than I do in the book. She used my example of kidney donations, in response to which I started to think about sex therapy as another area that needs more thought. More generally, I think my response to Lockhart is similar to the one I gave MacLachlan and Pascoe, namely that yes, I do believe that there is much more to be figured out and said about care relations on this kind of Kantian approach; in fact, my belief is that doing all the work needed there could be a book on its own. In other words, in addition to working out in more detail how to re-envision the family, I believe the account I've presented in *Sex, Love, and Gender*, together with other work I've done on the philosophy of care,<sup>86</sup> may yield a useful contribution to our re-envisioning of all relations involving some notion of shared end-setting, guardianship, and being entrusted to act on others' behalf in the ways that, for example, physicians and therapists are. But I haven't done a good deal of that important work yet, so I'm not quite ready to write that part of the theory yet.

Before moving on to more questions on method, let me also address explicitly Lockhart's more specific puzzle regarding my account of marriage. As Lockhart notes, I take a different approach to this question than many prominent feminists, including Claudia Card. That is to say, in my view, Card was a brilliant philosopher and she did an enormous amount for women and for members of the LGBTQIA+ community—and I am deeply grateful to her. I also disagree with some of her views on marriage. That is, I don't disagree with her that marriage often has been or is a bad institution for women in many places around the world and that marriage is not for everyone; in fact, divorce statistics

---

<sup>86</sup> I'm thinking in particular of Helga Varden, "A Kantian Critique of the Care Tradition" in *Kantian Review* 17, no. 2 (2012): 327–356; "Kant's Moral Theory and Feminist Ethics" in *The Bloomsbury Companion to Analytic Feminism*, ed. Garavaso, P. (London: Bloomsbury Academic, 2018), 459–482; and "Kantian Care" in *Caring for Liberalism: Dependency and Political Theory*, ed. Bhandary, A. and Baehr, A. (New York: Routledge, 2020), 50–74.

suggest rather clearly that the majority of people find it impossible to live together with only one other person for most of their adult lives. What I disagree with her about is her claim that marriage is an institution that we should abolish. I believe instead that marriage should be an institution that LGBTQIA+ and polyamorous people should have access to on the same footing as cis, straight folks and that it should be up to each person to decide whether marriage is part of how they want to live with others in their homes.

In other words, I believe that those in the LGBTQIA+ community who have fought hard to gain the right to marry were not fundamentally self-deceived or mistaken about pursuing these rights. Although most people do not seem to flourish in marriage for a lifetime, some do, and everyone should have a right to access such a legal institution when they share a home as partners. In my view, those who rationally want to marry want access to a certain set of legal rights and duties with regard to their shared home during the period they live together. These legal rights and duties include those concerning how to end that shared life: namely, they commit to the end as not being simple abandonment, but that it comes with a legal procedural closing that they in principle also can use to solve various disputes that tend to occur when we dissolve our shared homes. This is therefore not to say that we cannot divorce or live in ways that aren't shared in that way anymore, but, rather, that if we choose to marry, we thereby choose that we do not simply abandon our spouse(s) if we want to end the relationship; marrying involves the commitment to own our shared, married life as equals as well as to owning the end of the relationship in certain legal ways before moving on. Hence, though I don't think marriage is for everyone, especially not in the sense that living together in married ways for life is something most people can do even if they try, I do think the desire to marry, as such, is not fundamentally irrational. Moreover, my account of marriage provides resources with which to speak to why and how family law is constitutive of rightful homes as well as why the state has special responsibilities to create safe, new homes for people who need to get away from domestic abuse. Hence, my account does take on the problems Card identifies with the institution of marriage that we have inherited from our ancestors and suggests solutions, both in terms of private right (family law) and public right (systemic justice). At some point, though, a fuller analysis of married life brings us back to the first point Lockhart mentions, namely about the household. That is to say, how to envision a world where the responsibility of and security for all parties in a home is real regardless of whether or not

one marries and, as mentioned above, this part of the theory is not yet completed.

This segues to one of Hay's worries about method, namely that many of her pre-theoretical intuitions line up with this theory—and, so, she is worried that the theory simply justifies what she believes in anyway, and that this is one of the reasons why she finds the theory persuasive. Moreover, she is worried that because it does align with many of her intuitions, it doesn't help us when we do have different intuitions—as she and I sometimes do, at least on the surface—because it doesn't give us the resources we need to work through our differences. This point relates to the above point regarding feminist philosophy in that, similarly to the way I defend the people who do want to have a right to marry against some feminists, like Card, I defend those among the LGBTQIA+ community who argue that whether or not one is gay, trans, bi, etc., is not experienced as a choice for many, which means that there are aspects of one's sexual orientation and gender/sexual identity that are not constructed all the way down. This is to say not only that some strong voices in feminism have much to disagree over on the topic of marriage, but also that other strong voices in feminist philosophy and the philosophy of sex and love have much to disagree over regarding the question of whether construction goes all the way down when it comes to central issues concerning sexual orientation and sexual/gender identity. In a related interchange with Ann Cahill at the already mentioned, earlier AMC session, I responded to some complexities regarding construction by saying that, although it makes deep sense to think that race is a result of racism (and, so, constructed all the way down), it doesn't make corresponding sense to say that homosexuality is a result of heterosexism or homophobia (and Cahill agreed). Hence, my reconstructed Kantian account of sex, love, and gender responds in part to this complexity.

This is also my first response to Hay: I do believe that deep pre-theoretical intuitions held by those whose lives our theories speak to yield *one* source of theoretical correction as we go about developing our theories. Moreover, I think that it's possible that my theory doesn't fit Hay's pre-theoretical intuitions in the sense of the intuitions she had before she started to do feminist philosophy, and the philosophy of sex and love. And, if it is the case that my theory fits with many of her pre-theoretical intuitions in the sense of the intuitions she *now* has as an incredibly thoughtful—in fact, leading—voice in feminist philosophy, the philosophy of sex and love, and the corresponding Kantian literature,

that, to me, is also very important with regard to the question of whether the theory is on the right track. Indeed, it is not implausible that in the process involved in working out my theory, I paid special attention exactly to these two sources of correction. As the “Preface” explains, I believe I was shown much of the best of our current philosophical practice in terms of careful, generous, open-minded, and deep engagement by thinkers (students and faculty) from across the field (of study or philosophical or scholarly tradition) as this theory developed. As the preface also emphasizes, some of what has been most valuable in working with the ideas that ultimately became this book are the ways in which readers or people in the audience have used the theory to engage with and better understand difficult aspects of their own lives or selves. Whether with regard to the question of what it is to be a woman (in philosophy), to be trans, or, as DeWitt did in her oral commentary at the SGIR session, as a resource for dealing with the experiences of lethal threats of illness attacking our loved ones, nothing matters more to me than to see that my theory (and book) is experienced as a friend when dealing with these parts of ourselves.

My next response to Hay is that the theory I present in *Sex, Love, and Gender* is definitely not consistent with some of my initial pre-theoretical intuitions nor with my first philosophical intuitions. My starting point was a set of pre-theoretical intuitions that fit rather perfectly with Simone de Beauvoir’s account as presented in *The Second Sex*. Among other things, one reason why I realized that those intuitions cannot be correct is similar to why I think those theories that are constructivist—as is the case for those who follow, for example, Judith Butler or Sally Haslanger’s basic theoretical commitments—cannot be correct all the way down. For me, one initial wake-up call came in relation to my students who were trans; in my view, the constructivist theories cannot capture characteristic subjective experiences of those for whom transitioning involves surgeries.<sup>87</sup> And then I realized that neither can those theories explain any of the other sexual or gender orientations identified by the letters “L,” “G,” “B,” “I,” and “A” in the acronym LGBTQIA; constructivist theories (of various existentialist, continental, postmodern

---

<sup>87</sup> Butler has noted this problem with her own theory as presented in *Gender Trouble* quite recently. See Molly Fischer, “Think Gender is Performance? You have Judith Butler to Thank for That,” in *New York Magazine: The Cut* (June 13, 2016, [www.thecut.com/2016/06/judith-butler-c-v-r.html?mid=fb-share-thecut](http://www.thecut.com/2016/06/judith-butler-c-v-r.html?mid=fb-share-thecut)) for more on this.

kinds) ultimately do best with regard to the “Q.” So I had to step back and think again; something was wrong about how I thought about all of this. And as I thought through it—and listened to many, many talks and relevant non-philosophical expressions of related experiences—I also realized that it is important to make sense of how we appear to have certain, deep phenomenological patterns in this regard, as well as how sexually flourishing lives often have quite a lot of flexibility that is characteristic of what we do sexually, so that our sexual experiences often go beyond what we mean when we say things such as “I’m gay” or “I’m straight.” To give an easy example, being straight is clearly compatible with having many non-straight sexual experiences and incompatible with generally living a non-straight type of life.

All of this entails, as Hay notes, that the philosophical account I present is not binary, though let me emphasize that it does not propose that femme cannot be fundamentally attracted to femme (simplified: beautiful to beautiful) or butch fundamentally to butch (simplified: sublime to sublime). However, it does acknowledge and accommodate that some people experience their own related identities and orientations as binary in ineliminable ways—just as it makes space for lives that are not binary or that are not very sexual or that are quite traditional. It only calls on everyone not to universalize their contingent ways, and instead to appreciate that we are very different in these regards and that the first and major aim should be to try to find a way that works well for oneself. For example, after much listening (to talks and presentations) and reading (of articles and books), I believe that many Kantian and other philosophers and academics do not experience themselves as very sexual; they experience themselves (in these regards) subjectively as more in line with rationalist interpretations of the self. I want my theory to be consistent with and have room for these more asexual ways of being. At the same time, I resist the common philosophical or academic (including Kantian) proposal that these more asexual ways are the universal or the best ways of living a human life. I insist that it is one among many good, ineliminably contingent ways. Finally, I also aim to ensure that the theory is consistent both with how sexuality is an aspect of life that many deeply associate with the meaning of life, including as captured by their religions or religious sentiments, and with how it is something that many find a little scary and/or want or need to keep in a less prominent space or in a space that is more than anything safe and affectionately and morally loving.

Some aspects of this self-exploration, again, I do not think my theory (or any theory) can solve for people—and so all I try to do is to speak to some of the emotional complexities involving sexual, loving, gendered lives in the hope that doing so may be useful for those who are engaging seriously with these aspects of themselves by means of philosophy. That is to say, I defend the view that the subjective explorations of these questions must lie with each person; my aim in the book is only to suggest a range of possible clues and phenomenological patterns that we may want to pay attention to as we engage in those self-discoveries in careful ways. Moreover, I hope my book as a whole communicates the importance of being careful around these contingent aspects of ourselves, including those who inherit more socially powerful ways of being sexual and/or loving and whose (their own and their predecessors) lack of care in the past and present has done and does so much existential damage to other human beings. The theory thus does contain a warning to both cis men as well as straight folk that their inherited privilege leaves them extra vulnerable both to self-deception as well as to doing damage to women and to sexual and gendered minorities. However, as Hay is quite right to say, this warning should have been made clearer and more explicit.

Finally on this point, Hay is quite right to push me on identifying the source of the four criteria for a good theory—and she's right in that I'm not quite sure what the source is. I can only say where I think the criteria come from: I think they express what I tried to do over the fifteen years or so when I was developing the theory in a way that I think takes more seriously (than Kant did) the fact that these parts of our theories are contingent. That is to say, if we start with the human phenomena of sex, love, and gender where central to that endeavor is to listen to those whose lives our theories strive to speak to, as well as pay attention to lives clearly lived well or not so well (and why/how) in these regards, what are some of the core things we must pay attention to as we develop our theories? Those four things, I think, consistently struck me as central yardsticks I needed to measure my theory against to ensure that it was on the right track or, which I'm often more confident about, not on the wrong track. And then, as Hay also notes, I kept striving to make sure that the objective framework was set by the principles of (internal and external) freedom. Within this framework, I tried to make space for what is contingent or distinctly human. My overall aim is to envision how a more complete theory of sex and love can combine objective principles of freedom and contingent human matters. More

specifically, in Part I, I try to show how the objective principles of internal freedom—virtue—can make space for what Kant sometimes calls “moral anthropology”<sup>88</sup> or human contingencies or structures of our human phenomenology. In contrast, in Part II, my main aim is to show how the principles of external freedom—right—can make space for this as well as what Kant sometimes calls a “principle of politics”<sup>89</sup> or historical contingencies regarding the societies we inherit. The four criteria Hay is concerned about come up especially in relation to the analysis in Part I. Her comments—as well as those of others—have made me think, though, that writing a paper on ideal and non-ideal theory in Kant’s practical philosophy with a focus on central questions concerning method should be a task I set myself soon, and I’m very grateful to her and other critics for having pushed me on this.

And now we have pretty much arrived at god, gods, and goddesses, which represent a shared concern of DeWitt and Lockhart, and also at Kant’s uneasiness around sexuality, which is a central concern for Lockhart. First a word or two on Kant’s uneasiness around sexuality, including how the patterns of his anger around non-procreative sexuality reveals much internal conflict around these issues. On the one hand, I don’t think that it is most plausible to see his writings as simply expressing sexual discomfort in general, as Lockhart does. After noting in my book that Kant is definitely uncomfortable around all non-procreative sex (115–116), the patterns of his anger always track what Kant typically calls “unnatural sex” and he never, to my knowledge, talks about homosexual sex without anger. For example, in the *Metaphysics of Morals*, after noting that he thinks sex comes in two forms—natural (procreative) and unnatural (non-procreative), he continues by saying about unnatural sex that it “takes place either with a person of the same sex or with an animal of a nonhuman species. Since such transgressions of laws, called unnatural ... or also unmentionable vices, do wrong to humanity in our own person, there are no limitations or exceptions whatever that can save them from being repudiated

---

<sup>88</sup> Kant, MM, 6:217. Throughout this text, all of Kant’s works are referenced by means of the standard Prussian Academy Pagination as well as the following abbreviations: “MM” for *The Metaphysics of Morals*; “R” for *Religion within the Boundaries of Mere Reason*; “TP” for “On the Common Saying: That May Be Correct in Theory, but It Is of No Use in Practice,” and “SRL” for “On a Supposed Right to Lie from Philanthropy.” All these works are printed in Immanuel Kant, *Practical Philosophy* trans. and ed. by Gregor, M. (New York: Cambridge University Press, 1996).

<sup>89</sup> Kant, SRL, 8: 429, cf. and Kant, TP, 8: 277ff.



completely.”<sup>90</sup> Hence, though Kant’s anger tracks all unnatural sex (but not all sex as such), the anger becomes especially prominent when he talks about homosexual sex. Hence, my take on this is that, although it is certainly the case that Kant is generally uncomfortable around sexuality, when we look at discomfort and related anger, there are patterns to be discovered. In Kant’s case, his anger does not, for example, track women—and, so he does not, as many philosophers in history do, lash out at women, such as condemning women who seem to enjoy sex, who are concubines, or who are sex workers. If my theory in the book is on the right track, these patterns of anger are not an accident given the kinds of beings we are; there are deep emotional reasons (of failure, of fear, and of low self-esteem) for them. Indeed, it is not impossible that the fact that I perceive his anger as revealing self-hatred—which is so common among people in the LGBTQIA+ community—is one of the reasons why I have what strikes Lockhart (and others) as a surprising level of patience with Kant on these issues.

What about god? First I want to emphasize—as I believe I do in the book too—that the instrumental type of interpretation regarding our animality that Lockhart is most drawn to certainly is a possible reading of Kant’s texts. Moreover, this instrumentalist reading of Kant on animality is compatible with the historically prominent, rationalist readings of Kant’s moral philosophy, which often leads to conclusions such that Kant views the sage as *the* instantiation of the highest good—the best way of life—for human beings.<sup>91</sup> Moreover, I agree with Lockhart, the feminists, and philosophers of sex and love who believe that if this rationalist approach captures the ideal Kantian agent, then Kant’s philosophy doesn’t have the resources we need to give rich, plausible accounts of human beings’ diverse and flourishing ways of being sexual, loving, and gendered. There just isn’t enough to work with, since on these conceptions, sex, affectionate love, and gender become irrelevant or distractions from or merely a means to our true aim—namely to become like the sage—and, too, our animality and social aspects of our ever so earthly being don’t have value beyond instrumental value (since all that has true value is internally related to our moral personality). My account of human nature challenges these

---

<sup>90</sup> Kant, MM, 6:277.

<sup>91</sup> For my interpretation of Kant on animals and the sage, see Helga Varden, “Kant and Moral Responsibility for Animals,” in *Kant & Animals*, ed. Allais, L. and Callanan, J. (Oxford: Oxford University Press, 2020), 157–175, and *Sex, Love, and Gender*, respectively.

instrumentalist interpretations and/or accounts of Kantian animality and rationalist interpretations of the Kantian agent. I point to places in Kant's texts as well as philosophical ideas of his that don't sit well with such instrumentalist or rationalist interpretations as well as to the host of philosophical problems that are associated with them. I then suggest a different way to interpret Kant's account of human nature, one that is also textually plausible, overcomes these philosophical problems, is consistent with what I regard as his deepest philosophical commitments, and is very useful as we seek to explore classical issues of feminist philosophy and the philosophy of sex and love. Hence, my book is agreeable to those who think my philosophical account is Kant's and those who think it is not, in that both groups can agree that my account is distinctly Kantian and philosophically better in that it enables us to engage the questions of sex and love as well as issues of feminist philosophy in useful ways—ways the traditional instrumental, rationalist Kant interpretations and accounts cannot do.

Some of DeWitt's comments enter the discussion around here. She defends a cognitivist approach to Kant, but one that is not matched with the instrumentalist account of animality that Lockhart favors. DeWitt's account is furthermore an account where much of the important philosophical work is being done by what I call "humanity" and "personality" in my book (and in this text below). Her account of humanity is also compatible with a different account of angels, namely one where the angels have a conception of happiness as well as a moral will. She thinks that her account is consistent with much of what I argue for in the book, including my interpretation of Kant's idea of the highest good, but she thinks hers is better both as a matter of Kant interpretation and philosophy (otherwise, of course, she wouldn't defend it). Our conversations about this will probably continue in the years to come—which I look forward to because I absolutely consider it possible that perhaps we can do more with a cognitivist approach than I currently know. Moreover, as DeWitt knows, there are points at which my book hands the ball over to my Kantian friends who do metaphysics and metaethics much better than I do. In particular, I pass the ball to Kantians such as Lucy Allais and Katerina Deligiorgi on issues of so-called "free will" and to Alix Cohen on metaphysical questions regarding the faculties of desire and of feeling. Since some questions of interpretation ultimately depend on interpretations of Kant's metaphysics and metaethics, I want to hold it open that DeWitt has the stronger interpretation of Kant. (Time will tell.) As a matter of getting

the best Kantian account of human nature, including as it pertains to capturing core sexual, loving, and gendered experiences, I don't, however, agree with DeWitt's current take. In short, as we will see in more detail below, her account becomes an account that is philosophically quite similar, in relevant respects, to certain constructivist phenomenological and/or existentialist accounts. In my view, her account is good at capturing individuality or particularity (as mine can, too), but it is not good, in my view, at capturing our animality, including the related patterns of our phenomenological experiences regarding sex, love, and gender.

Here is another way to express this last point, one that joins with Lockhart's concerns above as well as the journey of developing this theory as a whole. Assume for a moment that we agree with DeWitt's alternative account of angels—so that they become more humanlike as they are pursuing happiness (even if not in spacetime, but only in time)—*and* that we make the human agent very particular in the ways she is suggesting *and* that we accept DeWitt's account of animality. Alternatively, let us assume that Lockhart is correct to suggest that we should abandon Kant's account of animality and instead look to other contemporary accounts of sex, love, and gender if we want to move the Kantian project forward—a temptation also expressed by Charlotte Sabourin in her review of *Sex, Love, and Gender*. Now, first, notice that all of these thinkers then will need to answer the following question: which contemporary account of sex, love, and gender do they want to endorse instead? They all agree—either explicitly (Lockhart) or implicitly (DeWitt) that they do not want essentialist approaches—for reasons I agree with. So the main contenders we have left are virtue theory/capability theories or constructivist (existentialist, phenomenological, continental, postmodern) accounts. Because of all the philosophical work she wants “humanity” and “personality”—and, so, reason—to do in her account of human nature, DeWitt's proposed account in effect, I believe, becomes one such constructivist account (or else it becomes conservative in ways that cannot capture diversity). However, as explained above and as argued in the book, as far as I can tell, none of these theories work philosophically with regard to some core issues in the philosophy of sex, love, and gender. They don't have the philosophical moves we need, while the reconstructed Kantian theory I have presented does, as well as the moves regarding particularity or individuality that DeWitt wants a good theory to have.

For example, if we try to use a DeWittian constructivist account to capture sex,

love, and gender, I believe we will not be able to explain how and why sexual orientation and sexual/gender identity are experienced as existentially important, or how and why there are certain phenomenological patterns involved in flourishing sexual, gendered lives. To draw an analogy: Kant's first *Critique* presented a new, third alternative to rationalism and empiricism as he thought that his new theory—transcendental idealism—could keep many of their important insights and yet solve puzzles neither one of them could solve on their own. Philosophy of sex, love, and gender used to have two prominent theories: essentialist and constructivist theories. My theory of sex, love, and gender presents a new, third alternative that seeks to keep the important insights of the two existing, prominent kinds of theories and solves puzzles neither one of them can do on their own. Alternatively, just like Kant's transcendental idealism bears some important similarities with Aristotle's hylomorphism (form-in-matter) theory, my reconsidered Kantian theory bears some important similarities with virtue theory, but it is able to overcome its inherent conservatism without losing its ability to explain the existential importance and phenomenological structures of sexual orientation and gender/sexual identity—something I believe contemporary capabilities theories such as Martha Nussbaum's cannot explain. *Sex, Love, and Gender* is not, however, proposing that my theory is the only possible one, but it is proposing that all strong theories need these central, new philosophical moves regarding our related phenomenological structure and animality.

Still, Lockhart is likely to ask here, even if we accept this, is my account still compatible with Kant's postulate of the existence of god, that is, with his postulate of the existence of Being as such? I don't yet have any reasons to think that it isn't (and we can read DeWitt's text as implicitly agreeing with me on this point). One doesn't need an instrumentalist interpretation of animality combined with a rationalist interpretation of the human agent to defend Kant's postulate here. For example, the teleological judgment of sexuality—the one Kant links to the sex drive and preservation of the species—can be seen expressed in, for example, homosexual activity and in sexual activities of people who biologically cannot or cannot any longer have children. It is not uncommon to feel the desire to have a child with one's partner regardless of whether, as a matter of biological fact, one can literally engage in the physical activities that can lead to creating a human baby. Kant himself notes this: if marriage were only to track procreative sexual activity,

then, once menopause hits, sex should also stop and the marriage should dissolve. But it doesn't work like that. My account doesn't give up any of this, it just adds layers of complexity regarding our phenomenological structure as well as the development, transformation, and integration of our basic sexual and erotic desires. In a related conversation with Alice MacLachlan at the earlier mentioned AMC session, I suggested that I think what ultimately follows from my account is that learning to trust the postulate is to learn that one can trust one's deepest life-affirming feelings of pleasure and pain—and this is something everyone must learn, and for those whose lives are characterized by having inherited oppressed identities, this lesson is absolutely crucial. After all, the world and much of how people talk and act will attack some of what is most precious in you, and you must learn to trust yourself in these regards, that you are good, that you can trust your deepest distinctions between pleasure and pain and how they enable you to realize yourself in vitally strong ways. That is to say, you need to learn to trust that your predisposition to good is good. It is also where I would put grace; that you have this in you is something, philosophically, for which you appropriately feel gratitude, since you didn't make it the case that there are such fundamental distinctions between pleasure and pain in yourself or that you can trust them, including as you go about learning to understand, develop, transform, and integrate them.

The main reason why I don't talk about god, gods, and goddesses in *Sex, Love, and Gender* is the same reason why I didn't say anything explicit about method. And that reason is that I do not yet know exactly what I want to say or how to say it. My current thoughts about god, gods, and goddesses are deeply inspired in particular by both Hannah Arendt and Immanuel Kant, and they go something like this: it makes sense to think of some of our deep religious intuitions and experiences as being internally linked with the fact that we are Earth-dwellers. Hence, it makes good sense to think with Arendt in *The Human Condition* that before philosophy started in Ancient Greek society, the gods and goddesses were viewed as immortal beings who capture central human characteristics that track both a flourishing planet, a flourishing human life in society, and the presence of natural events and our own unruly emotional nature that make it truly difficult for us to flourish over a lifetime. For heathens like me, I still think these religious aspects related to the fact that we Earth-dwellers are best tended to in nature—by hiking in the mountains or swimming in the lakes, fjords, and oceans—but I realize that others prefer to have these

experiences by coming together in religious houses where they sing and play religious songs as well as read classical religious texts together. We are different in these basic religious sentiments, in part for historical reasons and in part because of our temperaments. Consequently, some of us prefer these related religious imaginations involving gods and goddesses and natural spirits, while others prefer rich, epic (his)stories with religious prophets who know and care about human beings and suffering, for example. All of these religious ways are furthermore consistent with a postulate of Being as such and with thinking that our philosophical or scholarly reflective abilities—for Kant: our reflective self-consciousness and our abilities to use abstract concepts and think in terms of laws—open up access to and engagement with reality that goes beyond the senses and the planet Earth. And once we do this—a practice that in the Western world started with Ancient Greek philosophy—we can no longer simply appeal to what is available in (religious) natural experiences or in religious texts to answer some of the questions that arise. The awe that can be experienced at the top of a mountain, the stories of the Greek gods and goddesses, or the writings related to Judaism, Jesus, Muhammed, or Buddha don't offer much philosophical help if we try to ponder whether mathematics or atoms are ontologically basic, for example. When we try to answer these questions, we need to appeal, at some point, to God or Being as such or X in our arguments.

In Kant's transcendental idealism, this appeal can only be a postulate and not an affirmation. Moreover, in Kant's account, it is our ability to think in terms of abstract concepts and laws in a self-reflectively conscious way that enables us to explore and travel to the universe beyond the planet, as well as to set and pursue ends of our own—to participate actively and in morally responsible ways—in the universe. All of that can only be explained philosophically, in Kant's account, if we postulate an X or Being as such or one ultimate being ("God")—and view this Being as internally linked both to our rational capacities and to the possibility of embodied, social beings on planet Earth. At this point in time, I believe Kant is right about this, and nothing I have said in *Sex, Love, and Gender* contradicts it. Hence, I believe my account is consistent with both heathen and doctrinal religious beliefs, as well as with the postulate of Being as such. However, saying much more than what I did in *Sex, Love, and Gender* is not something I'm yet ready to do—though I agree with DeWitt that the more convincing accounts would have to restrict any

claims about what Being as such possibly could be to what is consistent with the way in which our powers regarding feeling, thought, reason, and imagination are. Once I can do all of this with a steady philosophical mind, I will also be able to speak to the unity of the first *Critique* (objective, universal laws of scientific causality), the second *Critique* (objective, universal laws of freedom), and the third *Critique* (contingent laws of biological organisms and aesthetics) in Kant's or Kantian philosophy. I suspect, however, that my metaphysics/metaethics friends will be able to do this before I can—and that DeWitt will be one of them, even if it is also the case that unless she changes her views (especially on animality and the natural vital force) a little, I will probably end up following one of my other favorites in this regard.

There is, however, one more aspect to this question about god from Lockhart, one that links up with many of DeWitt's concerns, too. One way to ask this question is: what does it mean to say that the predisposition to good is *good*, including the way in which Kant says that realizing the predisposition to good is not only compatible with what is morally good but leads to it. This worry lines up with one of Hay's concerns about my claims that Kant should have known better, namely, what does it mean that he should have known better, and with DeWitt's worries about my Kantian account of evil. Is the problem that Kant was internally inconsistent or, as Lockhart also notes, that his account is deeply inconsistent (maybe also with his own deepest philosophical commitments). Relatedly, with DeWitt, we might wonder whether the person who has a depraved heart is not always self-deceived when doing horrible wrong. I don't yet have a complete philosophical picture of the incoherence of our minds insofar as they are bad in the patterned ways of racism, sexism, and heterosexism, and so I don't yet have all the tools to capture all of Kant's own failures in these regards, but let me go over some of the features of the account presented in *Sex, Love, and Gender* in the hope that it might facilitate further discussion in the future about these important questions.

So, to start, given my interpretation of Kant's account of the predisposition to good in human nature, why is it a predisposition to *good* not only in that it does not contradict what morality requires but leads to it? Or to ask with DeWitt: exactly how does this story of transformation, integration, and development go such that feelings and desires are distinguished in the right kinds of ways? Or, as she asks in Kantianese, why think that there is one faculty of desire and one of feeling; how are they integrated in a human life

with regard to our animality, humanity, and personality?

To bring everyone into the discussion, let me first briefly summarize what I believe I say in the book: the predisposition to good in human nature refers to basic ways in which we can distinguish—all the way from when we are born—between pleasure and pain. We start by being able to distinguish between animalistic pleasures and pains as well as being able to feel our lack of ability to act as frustration (we scream when we are born), and then, as we develop, we also reveal a capacity for taking pleasure and/or pain in having a social sense of self (our first smile, and, later, shame, envy, jealousy, etc.). Much later, as we become able to recognize the conclusions or commands of our practical reason, we become capable of moral feeling (“the ought,” feeling the pangs of our conscience, etc.). My suggestion is—viewing myself as following Cohen here in important regards—that all these feelings are constitutive of the faculty of feeling, which in turn is developed, transformed, and integrated through the faculty of desire. The faculty of desire enables us to develop, transform, and integrate these basic feelings into ways of orienting in the world by means of, and insofar as our capacities allow us to employ, associative and abstract conceptual, reasoning thought as well as through aesthetic–teleological imaginings. (More on this below.)

Now, it follows from this that constitutive of emotionally healthy, morally responsible persons—persons who are pursuing “the highest good” understood as a union of happiness (with its connection to the natural vital power) and morality (with its connection to the moral vital power)—is a commitment to truthfulness and a striving to be harmonious. That is, such persons are not constantly experiencing conflicting feelings of pleasure and pain, or having their pleasure and pain all over the place, nor are they finding themselves often or constantly numbing their pleasure and pain through affect or creating much destructive excitement through passions (in Kant’s technical senses of these terms). The idea is that insofar as we use our faculty of desire well, we describe and pay attention to our most basic pleasure and pain in vitally attentive ways. We thereby learn to discern and distinguish between different objects and activities correctly, which in turn will be supportive and lead to what is morally good because, first, being morally good requires us to be able to act on maxims (subjective rules of action) truthfully. That is, being morally good is possible only if I’m able to act truthfully. Second, to act in morally good ways is to ensure that we act on universalizable maxims, namely ways consistent



with and supportive of rational being and that make space for embodied, human sociality. The predisposition to good is, in other words, constitutive of our development into moral beings. And in contrast to DeWitt's account, there are limits to what our reasoning powers can or should try to do with regard to our animality; in my account, it is central to learn to attend to and develop our animalistic pleasures well so that we can become a harmonious whole.

To illustrate these points in ways that may also show how my account is different from the more traditional rationalist interpretations as well as DeWitt's cognitive account, take a Kantian conception of learning to eat well.<sup>92</sup> To eat well starts for us (as newborn babies) as simply eating when we're hungry and stopping when we're full—our animalistic predisposition to self-preservation enables us to do this; we drink milk until we are full. With time, however, our move to associative thinking and then to abstract conceptual thought and aesthetic–teleological imagination develops this ability to preserve ourselves with sustenance. We develop not only such that we don't just eat when we're hungry, but we gain an ability to eat as a social practice—and, so, have many types of meals—and to make food that is creative, nutritious, aesthetically pleasing (what we like and what is aesthetically beautiful), and respectful of others (such as carnivores not serving meat to their vegetarian friends). In my view, to capture why this leads to morality concerns the way in which we are aware of what we are doing—we can describe these activities correctly—and we are thereby also aware of the kinds of value involved in doing so, and all of this strengthens our commitment to morality. That is to say, as we develop moral character, we become steadfast in our commitment to do all of this such that we are in harmony internally and so we don't find it difficult, but rather obvious, that our meals are always respectful of all our guests, and within this framework we create our wonderful meals together.

To illustrate this general idea from a different direction, a sexually loving, gendered encounter that hits all the buttons on this theory would be one involving: animality

---

<sup>92</sup> I choose this example rather than DeWitt's bacon-eating example because I think it's easier to get an impression of my theory this way. Also, for reasons explored in the book, DeWitt's bacon-eating example would involve what I there identify as basic, religious sentiments about how we need to engage the world. Hence, in the theory presented in the book, those who change from eating meat to not eating meat harmoniously would do so because of a prior, deep (religious) transformation regarding how they need to engage the world in order for their engagement to be felt (reflexively) as good.

(meeting someone one is deeply sexually attracted to, for whom one feels deep affectionate love, and with whom one feels safe), humanity (one feels truly seen by this other person and seen as wonderful, and one feels one can be oneself with that person), and personality (one feels truly respected by this other person). Then we use associative, abstract conceptual, and aesthetic and teleological imagination to develop this initial starting point into a flourishing relationship (which may or may not also involve others and/or living together, etc.). Developing our predisposition to good in human nature is therefore to learn to stand steady on our feet by realizing our faculty of desire in its fullest way, which, ultimately, involves realizing all of us within a framework that we morally own and that makes us happy. Alternatively, eating or drinking poorly—pathologically, addictively, etc.—means that we are using our capacity for choice to mess with our distinctions between pleasures and pains regarding food or drink so as to deal with aspects of our lives in a way that feels palliative (pleasant) in the moment, but is, ultimately, self-destructive. We eat or drink substances to numb or set aside unruly, difficult feelings rather than to work on them to learn to manage life better. In these ways, our animality is much more important philosophically, has patterns that are not accidents or reducible to individuality (particularity), and is more integrated into full lives than DeWitt's current and other constructivist accounts allow. I believe these features of my account yield a philosophical strength when we try to capture human sex, love, and gender.

Let me now return once again to my conception of fallen angels and the depraved wrongdoer in general, as DeWitt wants me to do, before, as Hay wants me to do, talking more about Kant's wrongdoing in particular. DeWitt suggests that the fallen angels should be thought of as having both a conception of happiness (in time only, not in both space and time) as well as moral sense, which is why she thinks holy beings (including the sage) capture the human ideal. In contrast, in my book, I propose that the angels can be thought of as not having a conception of happiness at all (as they are imagined to deliver messages from God) and that, correspondingly, Kant proposes the sage as a moral ideal agent, but not as *the* ideal human moral agent. Since I—as a heathen—don't have much knowledge

of religious texts<sup>93</sup>—Christian or otherwise—let me just say that my two main reasons for thinking that DeWitt’s conception of fallen angels isn’t yet convincing to me, are, first, that if she is right, then it’s strange to me that most angels are not fallen—why *the* fallen angel is such a big deal in the religious text (unless my knowledge is faulty here)—and that angels don’t experience the categorical imperative (i.e., it seems like, on DeWitt’s conception, the fallen angel could choose not to be fallen any longer or to morally improve, which I thought was impossible for the fallen angel). Second, if we accept DeWitt’s conception of angels, then I think they become too similar to human beings and not particularly difficult to imagine (even if a little, since they have a conception of happiness in time only)—which I had thought Kant thinks they are—and, correspondingly, they seem a little less philosophically puzzling and interesting to me. Finally on these points, if the sage really is Kant’s ideal human moral agent for DeWitt, then this illustrates some of my worries regarding her current take on our animality, namely that animality doesn’t do enough philosophical work in her account of rich human lives.

What about the depraved wrongdoer? I don’t want to be too assertive here, since I hold it as a real possibility that I may not have listened enough to the streams of consciousness of people who have done horrific things (and I definitely experience myself as having an emotional limit here). So, instead, let me only suggest where I come from: also in my view, the wrongdoers do know, at some level, that what they are doing is wrong. They are self-deceived, and they hide what they are doing from the world. A core challenge, I find, is to capture this way in which they, at some level, do know better, which I consider essential to explain their moral responsibility for their wrongdoing. I currently believe that if we do listen to the stream of consciousness of the people who have done such awful things to others—including the horrible wrongs mentioned by DeWitt—we find that they do rationalize what they are doing. Depending on the type of wrong they are involved in, they, for example, tend to either say that the people whom they are wronging are getting what they deserve, which is prominent when the abuse is aimed at women or members of the LGBTQIA+ community, or that it is what they “really” want, which is

---

<sup>93</sup> Indeed, after a “mini-course” generously taught me by Deligiorgi after learning about my clear limitations here, I realize that I need to learn much more about angels.

common in child abuse cases and also in some cases of sexual assault (such as cis men raping lesbian women). This is consistent with them knowing, at some level, that what they are doing is wrong.

To give one example of a case that I have followed a good deal,<sup>94</sup> when questioned about killing children and teenagers at Utøya, Anders Behring-Breivik responded not unexpectedly (on my theory) that the killing was emotionally difficult but justified, because these people were the future leaders of the Norwegian Labor Party, as well as morally heroic and necessary to bring about a better future with less multiculturalism. When asked whether he thought himself the moral authority of life and death, he said no, and when asked about what is morally heroic about shooting defenseless children, Behring-Breivik didn't have an answer, but just mumbled that they didn't look like children, but looked older. I still believe that the incoherence of the depraved mind characteristically has such features; if you can bring the wrongdoer around to share any of their stream of consciousness at all, it will either be a passionate rant about moral heroism and their own moral greatness, or it will be quiet, stumbling, somewhat incoherent sentences like these, which occur when you call their attention to obvious contradictions, lies, or claims that make no sense whatsoever. And I believe the reasons for this are deep and reveal some of the tragic nature of such wrongdoing. As Kant says in some of his (more sensible) comments on the death penalty: truly owning that what you have done is this horrible is internally linked to feeling that you don't have a right to live any longer. My current view is that even if you have only been engaged in such wrongdoing indirectly, owning it is internally related to deep shame and thinking differently about how you have gone about central aspects of your life in ways that have involved practices of dehumanizing others. Hence, owning wrongdoing that involves a depraved heart is truly difficult for us even if doing so is central to our projects of transforming and improving human life on planet Earth.

Which is a natural transition to Hay's questions about Kant's own wrongdoing:

---

<sup>94</sup> I'm using this example because I did listen to Behring-Breivik's stream of consciousness (testimony) for the month when he was on trial for his terrorist attack at Utøya. If I had written the related article after having written my book, I could have spoken to more features of this trial as well as developed this analysis further. Still, for more on this case, see Helga Varden, "The Terrorist Attacks in Norway, July 22nd, 2011—Some Kantian Reflections" in *Norsk Filosofisk Tidsskrift/Norwegian Journal of Philosophy* 49, no. 3–4 (2014): 236–259.

what resources did he have internal to himself that he could have used to stop himself from dehumanizing women and members of the LGBTQIA+ community? Now, I don't think he did as poorly on the woman question as he did on the LGBTQIA+ issue, so let me focus only on the latter. A first resource—in fact, a red flag to him that his thinking was off—was his own anger and discomfort around non-procreative sex as well as his own dehumanizing language with regard to other human beings in this regard. Until we are able to be truthful and vulnerable about our own sexual desires, including our fears and hopes, we usually are not ready to write well philosophically about them. And, given Kant's own theory of human nature, this anger should have been alarming to him. His practical philosophy generally is, at least in the interpretation presented in my book, in line with Maggie Smith's advice to her own younger self in *Tea With the Dames* (2018): "If in doubt,"—i.e., in this context: as long as you don't know what you feel or what to say, or whether you can say something about really difficult issues in a careful way and without dehumanizing people who may be different from you—"don't." Or, as Kant says, you need to strive to "know your heart" if you want to live wisely,<sup>95</sup> and, of course also, write wisely as a philosopher.

A second, related resource was, I think, the one that all philosophers must use when we try to do philosophy, namely to listen to those whose lives we are describing with our theory—including those who have only what Hay calls pre-theoretical (and not technical philosophical) intuitions—with a special emphasis on their own vulnerable self-regarding intuitions. And then we can use our theories to see if we can make sense of them. If we can't, then we must improve our theories. When it comes to diversity in particular, such as that involving sexuality, religion, and ethnicity, people are profoundly different, and those who speak the loudest often don't speak for all. Again, if you're not sure, stop, think, and listen for a while longer. Also, and here I'm leaning on some of Cahill's other comments at the earlier mentioned AMC session, I believe some puzzles regarding my method in *Sex, Love, and Gender* stem from how it is written in a way that I hope would be good to read also for Kant. Kant's writings on freedom and human dignity have been tremendously important to me, and yet did fail himself, I think, and he failed me in regard to sex, love, and gender. As a philosopher, then, in these regards he failed

---

<sup>95</sup> Kant, MM, 6:441.

humanity; he was not able to love humanity, whether in himself or in general—and so he engaged in unjustifiable and terrible dehumanization. Life as a member of the LGBTQIA+ and/or polyamorous community—as a philosopher, as a Kantian, or as a human being—would have been better if Kant hadn't done what he did on these topics. Moreover, according to the theory presented in *Sex, Love, and Gender*, such serious failures come from a place of self-damage, and the more uncontrollable or deeply angry philosophers are when they write on these topics, the more serious is the damage from where these outbursts come. Moreover, my patience with Kant probably would not be possible if he were still alive and his hatred and anger were directed at me in person. After all, this part of Kant is very destructive, and he never managed to do anything about it, which is objectively very sad—as are all cases of such failure—and subjectively especially sad when it happens with someone we admire and/or is very important for us. I hope Kant would read *Sex, Love, and Gender* as a writing of a friend who appreciates all he did well and cares deeply about his philosophical legacy. To put the point from a different direction: I believe Malcom X and James Baldwin in important ways also let down the LGBTQIA+ community, but mostly in what they didn't say but could and should have said differently and better. I am grateful to them too, but not for what they weren't able to do well. In the case of Kant, maybe what I am able to do is to look him in the eye and hold him accountable with love because I too belong to the LGBTQIA+ community, and so I know his struggles from a first-person perspective. For this reason, it is easier for me to be a friend of his than it is for those who are not members of this community. And I hope that he would recognize my efforts as those of a true friend, even if he probably wouldn't like it at first.

### **Bibliography**

- Arendt, Hannah. "Remarks." In *Thinking without a Banister: Essays in Understanding*, edited by Jerome Kohn, 476–484. New York: Schocken Books, 1973/2018.
- Arendt, Hannah. *The Human Condition*, 2nd edition. Chicago: The University of Chicago Press, 1958/1998.

- Fischer, Molly. “Think Gender is Performance? You Have Judith Butler to Thank for That.” *New York Magazine: The Cut*, June 13, 2016. [www.thecut.com/2016/06/judith-butler-c-v-r.html?mid=fb-share-thecut](http://www.thecut.com/2016/06/judith-butler-c-v-r.html?mid=fb-share-thecut)
- Kant, Immanuel. *Practical Philosophy*. Translated and edited by Mary J. Gregor. New York: Cambridge University Press, 1996.
- Michel, Roger. *Tea With the Dames*, 2018. [www.imdb.com/title/tt7363336/](http://www.imdb.com/title/tt7363336/)
- Sabourin, Charlotte. “Helga Varden, *Sex, Love, and Gender: A Kantian Theory*.” *Kantian Review* 26, no. 1 (2021): 176–181.
- Varden, Helga. “A Kantian Critique of the Care Tradition: Family Law and Systemic Justice.” *Kantian Review* 17, no. 2 (2012): 327–356.
- Varden, Helga. “Kant and Moral Responsibility for Animals.” In *Kant & Animals*, edited by Lucy Allais and John Callanan, 157–175. Oxford: Oxford University Press, 2020.
- Varden, Helga. “Kantian Care.” In *Caring for Liberalism: Dependency and Political Theory*, edited by Asha L. Bhandary and Amy Baehr, 50–74. New York: Routledge, 2020.
- Varden, Helga. “Kant’s Moral Theory and Feminist Ethics: Women, Embodiment, Care Relations, and Systemic Injustice.” In *The Bloomsbury Companion to Analytic Feminism*, edited by Pieranna Garavaso, 459–482. London: Bloomsbury Academic, 2018.
- Varden, Helga. “The Terrorist Attacks in Norway, July 22nd 2011—Some Kantian Reflections.” In *Norsk Filosofisk Tidsskrift/Norwegian Journal of Philosophy* 49, no. 3–4 (2014): 236–59.
- Varden, Helga. *Sex, Love, and Gender: A Kantian Theory*. Oxford: Oxford University Press, 2020.