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## Kant on Sex. Reconsidered. -- A Kantian account of sexuality: sexual love, sexual identity, and sexual orientation

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**Kant on Sex. Reconsidered.**  
**A Kantian Account of Sexuality: Sexual Love,  
Sexual Identity, and Sexual Orientation<sup>1</sup>**  
Helga Varden

**Abstract**

Kant on sex gives most philosophers the following associations: a lifelong celibate philosopher; a natural teleological view of sexuality; a strange incorporation of this natural teleological account within his freedom-based moral theory; and a stark ethical condemnation of most sexual activity. Although this paper provides an interpretation of Kant's view on sexuality, it neither defends nor offers an apology for everything Kant says about sexuality. Rather, it aims to show that a reconsidered Kant-based account can utilize his many worthwhile insights and that making Kant's account of sexuality more consistent with his own basic philosophical commitments results in a compelling approach to the complex and complicated phenomena of sexual love, sexual identity, and sexual orientation.

**Keywords:** Kant, sexual love, sexual identity, sexual orientation, LGBTQIA.

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## Introduction

Mentioning Kant and sex in the same sentence evokes in most philosophers associations of the following kinds: a lifelong celibate philosopher; a peculiar defense of a natural teleological view of sexuality; a strange incorporation of this natural teleological view within his liberal, freedom-based moral theory; and a stark ethical condemnation of uninhibited sexual desire and activity in general and of nonprocreative sexual desire and activity in particular. Certainly, Kant says many things to induce these associations throughout his works. For example, teleological assumptions are typically present when sexuality is being discussed, such as in his description of “sexual love” as “destined by it [nature] to preserve the species . . . a *natural end*” (Kant 1996a, MM 6: 424).<sup>2</sup> Among his moralized and teleologically informed condemnations of most kinds of sexual desire and activity, Kant says that ethically permissible sex occurs only within marriage and involves only procreative sexual activities since “one may not, at least, act contrary to that [natural] end” (1996a, MM 6: 426). Indeed, after having clarified that marriage is between men and women in the *Metaphysics of Morals*, Kant emphasizes that unnatural sexual use takes place “either with a person of the same sex or with an animal of the nonhuman species . . . such transgressions of laws, called unnatural . . . [carnal crimes against nature] or also unmentionable vices, do wrong to humanity in our own person, [and] there are no limitations or exceptions whatsoever that can save them from being repudiated completely” (6: 277).

Along similar lines, Kant claims that any nonprocreative sexual activity (even masturbating with fantasies) involves a “*defiling* (not merely a debasing) of the humanity in his [one’s] own person” and “debases him [one] beneath the beasts” and is “contrary to morality in its highest degree”; in fact, even thinking about sex *within* marriage is a rather shameful activity, which is why sex can only be talked about in “delicate” ways in “polite society” (1996a, MM 6: 424ff.). And as if this wasn’t bad enough, Kant maintains that all nonprocreative sex is to be considered worse than suicide, even though both kinds of activities are inconsistent with “mere

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<sup>2</sup> I refer to all of Kant’s works by means of the standard Prussian Academy Pagination as well as the following abbreviations: For the works printed in *Anthropology, History, and Education* (2007), I use ‘A’ for *Anthropology from a Pragmatic Point of View*; ‘CB’ for “Conjectural Beginning of Human History;” ‘PMB’ for “On the philosophers’ medicine of the body;” ‘MH’ for “Essay on the maladies of the head.” For the works printed in *Practical Philosophy* (1996a), ‘CPR’ for *Critique of Practical Reason*; ‘MM’ for *The Metaphysics of Morals*; ‘GW’ for *Groundwork for the Metaphysics of Morals*; ‘TP’ for “On the common saying: That may be correct in theory, but it is of no use in practice;” and, finally, I use ‘R’ for *Religion within the Boundaries of Mere Reason*, printed in *Religion and Rational Theology* (1996b).

animal nature” (1996a, MM 6: 277). After all, a person who commits suicide must at least have courage, whereas the person engaging in unnatural sex thereby “abandons . . . his personality (throwing it away)” and instead simply “surrenders” to “animal inclination” in a way that deprives him of all self-respect (1996a, MM 6: 425). From reading these and similar passages, it seems that the best we can do, according to Kant, is to engage in ethically permissible sex understood as strictly procreative sexual activities within a marital context, and we should avoid experimenting or enjoying even that too much—a rather grim vision indeed.

Those of us who find Kant’s general ways of doing philosophy fruitful and compelling find these particular statements philosophically puzzling. One puzzle is why Kant—a stout defender of freedom and natural science—employs the perspective of natural teleology in the middle of his account of morally permissible sex. Another general puzzle concerns why Kant thinks that marriage can transform an allegedly inherently unethical activity—sexual activity as such (“sexual love”)—into an ethically permissible one. Sexual love in a narrow sense of the word is, Kant also argues, a type of pleasure that can become the strongest form of pleasure (a “passion”), and it combines sensuous pleasure with the pleasures “from the *enjoyment* of another person” (1996a, MM 6: 426). Moreover, the special kind of pleasure sexual love enables is distinct from both moral love and delight in another person since sexual love includes the desire for carnal enjoyment of the other (objectification), whereas both moral love and delight “instead, deter one from carnal enjoyment” (1996a, MM 6: 426). Kant also argues that sexual love can enter into “a close ‘*union*’ with moral love under the limiting conditions of practical reason” (1996a, MM 6: 426), which occurs when sexual activity is undertaken in procreative ways within a marital context (6: 277). Which leads us back to the question: why is marriage deemed capable of performing such moral magic on otherwise immoral activities?

Sometimes, exploring these seemingly enigmatic statements concerning sexuality in Kant’s writings leads not to simple puzzlement but also to sadness. Most of us who are accustomed to encountering heterosexism and homophobia register Kant as advancing both; indeed, the kind of language Kant uses can be the same language used when we are subjected to emotional or physical sexual violence. Kant is aggressive and condemning: sometimes, such as when reading the texts where we find the language of “defiling” and “debasement” quoted above, it feels as if Kant is having angry panic attacks in the middle of his texts. Why didn’t he do better? What is it about sexuality that makes it so easy and tempting to join damaging social forces, to turn so very aggressive, cognitively stubborn, dehumanizing and narrow-minded, as Kant was? Why didn’t Kant dare to be wiser about sexuality? And, of course, reading what Kant says—what are for many statements about oneself, about one’s loved ones, or about others whose sexual identities or orientations are

not cis or straight—is emotionally hard work, as is trying to fix the account for Kant. This paper is therefore not setting aside, defending, or offering an apology for Kant’s many awful statements about sexuality. Quite the opposite: I’m proceeding on the assumption that it is important to explore these troublesome aspects of Kant’s writings if we are to understand them in all their complexity and the complicated phenomena we then encounter, including his heterosexism and homophobia. Understanding Kant’s mistakes is important not only to understanding Kant’s vulnerabilities in these regards, but also our own, and it is also necessary to finding a better, reconsidered Kantian theory of sexuality. In addition, I argue that by making Kant’s basic philosophical framework and insights more consistent with itself, we can derive from it a compelling approach to sexual love, sexual identity, and sexual orientation.

Part 1 (“Kant on Sex”) sketches Kant’s account of human nature (1.1) and of the union between unreflective and reflective elements of the emotionally healthy, morally good human self. In 1.2 I then explore how Kant envisions the imagination—especially the principles of the beautiful and the sublime—as informing and enabling human sexuality. Part 2 (“Reconsidering Kant on Sex”) develops important elements of Kant’s own account, arguing that a more plausible account of morally justifiable, emotionally healthy human sexuality that encompasses also the sexual identities and orientations of LGBTQIA can be found without abandoning Kant’s basic philosophical framework.<sup>3</sup>

## 1. Kant on Sex

Many who are skeptical of Kant’s practical philosophy assume—often on the basis of (meta-)ethical writings such as his *Groundwork for the Metaphysics of Morals*—that Kant considers the human self a purely rational subject that relates to everything as distinct from itself and that ought to relate to everything at all times in a thoroughly moralized, reasoned, reflective way. As such, a moral subject endeavors always to act only on universalizable maxims from the motivation of duty (a self-reflective mode). And since universalizing a maxim involves checking if the considered action respects all persons as free and equal, it appears that living a moral life involves treating everyone—strangers and loved ones alike—as if they

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<sup>3</sup> Since this paper simply aims to explore and reconsider Kant’s approach to sexual love, sexual identity, and sexual orientation, I do not take on the question of how this account fits with his freedom writings on ethics and right. Although the paper aims at being consistent with my *A Kantian Theory of Sexuality* (Varden, forthcoming), I believe it can be seen as compatible with recent, relevant Kantian or Kant-inspired work on ethics and right, such as recent books by Carol Hay (2013), Barbara Herman (2008), Sarah Clark Miller (2012), and Arthur Ripstein (2009).

have an equal normative importance when we act. One problem with such an approach is that it fails to capture a meaningful human life—with wonderful loves as well as brutal losses—and another one is that it seems like a morally and emotionally perverted kind of ideal: surely the aim is not to live our lives in ways so thoroughly reflective and moralized that we regard everyone as equally important. Variations of these worries have been raised against Kant’s philosophy from the start—by philosophers from Fichte to Hegel to Nietzsche to Beauvoir and Sartre—and more recently, in the many related discussions surrounding the influential work by feminists on the relational self,<sup>4</sup> by Stephen Darwall’s (2006) Fichte-inspired conception of the second personal address; by Peter F. Strawson’s (1962) analysis of reactive attitudes<sup>5</sup> and Bernard Williams’s (1981) “one-thought-too-many” objection to universal theories.<sup>6</sup> To show why Kant’s philosophy is not advocating such moralized and hyper-reflective ways of being, we must look to his much fuller normative account of the human self. For Kant, human selves comprise both unreflective and reflective normative elements that work together in an integrated whole in morally good, emotionally healthy human beings. More specifically, I argue that Kant’s account of human nature explores the importance of embodiment, nonmoralized emotions, and particular others, though he rightly maintains that we are held morally responsible for them. I also suggest that on this position, insofar as we are morally good, emotionally healthy persons, we move easily between unreflective and reflective ways of being.

### 1.1. The Predisposition to Good in Human Nature

A good account of sexuality requires at least five elements. It must explain how sexuality comprises aspects of ourselves that are deeply personal in nature and

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<sup>4</sup> The relevant literature here is vast. For an excellent description and overview of the literature, see the Stanford Encyclopedia (SEP) entry entitled “Feminist Perspectives on the Self” (<http://plato.stanford.edu/entries/feminism-self/>). This SEP entry also assumes the common interpretation of the Kantian conception of the self that my paper here seeks to challenge. For an overview over Kantian feminist writings, see my “Kant’s Moral Theory and Feminist Ethics: Women, Embodiment, Care Relations, and Systemic Injustice” (Varden 2018).

<sup>5</sup> For a Kantian example, see Allais (2008a, 2008b, 2008c, 2013).

<sup>6</sup> For Kantian examples, see Albrecht (2015) and Sussman (2005). I consider this paper one way to do what these articles by Albrecht, Allais, and Sussman do not view themselves as doing, namely engaging Kant’s texts to show how his own theory can address these issues. Hence, I see these different accounts (mine included) as complementing each other, even if the issues are pursued somewhat differently and we all disagree in some respects.

can have a grounding function for us as embodied, affectionate human beings. Second, sexuality is both social in nature and constituted by relations involving us as the particular people we are. Third, sexuality involves a certain embodied, creative playfulness where the experiences of the beautiful and the sublime in oneself and in another often are constitutive parts. Fourth, although sexuality is unruly in nature, we must account for how we can still assume responsibility for it. Fifth, a minimally plausible account of sexuality cannot end up with a binary, heterosexist analysis of sexuality since that makes it incapable of speaking to LGBTQIA being and experiences in meaningful ways. Importantly—and one aspect that makes Kant’s thinking difficult here—the first three elements concern ways in which sexuality, for the most part, is experienced in unreflective, nonmoralized ways. In fact, in order for reflections on our sexual selves to track reality, they must be informed by how we are oriented in unreflective, affectionately emotional, and embodied ways in life. Contrary to standard interpretations, I argue that Kant would agree with this. Moreover, in this section and the next, I argue that once we overcome the binary heterosexism of his account of human nature and we combine this with his idea that we use the imagination aesthetically when realizing our sexuality, we have an excellent starting point for a productive, reconsidered Kantian account of human sexuality. To start, then, we need a brief outline of Kant’s account of human nature.

Kant outlines his account of human nature in *Religion within the Boundaries of Mere Reason*, and central to understanding its structure is what he calls the “original predisposition to good in human nature” (Kant 1996b, R 6: 26). This predisposition is understood as threefold, namely as comprising the predispositions to (1) “animality . . . as a living being,” (2) to “humanity . . . as a living and at the same time rational being,” and, finally, (3) to “personality, as a rational and at the same time responsible being” (Kant 1996b, R 6: 26). As we will see shortly, the first two elements (animality and humanity) enable important normative, nonmoralized emotional aspects of ourselves—aspects central to any plausible account of sexuality. But before attending to this, notice that at the outset of his discussion, Kant suggests that these predispositions should be thought of as “original” in the sense that “they belong with necessity to the possibility of this being”; they enable the three kinds of self-love constitutive of a morally and emotionally healthy human being (Kant 1996b, R 6: 28). Kant furthermore argues that these predispositions should be seen as “good” not only because “they do not resist the moral law,” but because “they demand compliance with it” (Kant 1996b, R 6: 28). Before addressing how these predispositions work together, let me expand briefly on each of them considered separately.

The first, the predisposition to animality, Kant argues, is constitutive of us as *living* beings. Kant proposes that the predisposition to animality can be seen as consisting in three natural drives or conscious forces in us, namely the drives to self-

preservation; to the propagation of the species “through the sexual drive, and for the preservation of the offspring thereby begotten through breeding”; and finally, to “community with other human beings through the social drive” (Kant 1996b, R 6: 26–27). In sum, this predisposition concerns embodied ways of being oriented in the world, ways we experience as constitutive of us as living, sexually embodied, and social human beings. Importantly, realizing this predisposition does not require reason as such. This is not to say that as *human* animals we do not reflect. Nor is it to deny that we live out our “animality” consciously and in more complex ways than nonhuman animals. Rather, the idea is simply that acting out of this predisposition does not require reason (reflective self-consciousness and abstract conceptual thinking), and hence beings that do not have reason, but instead have much less complex kinds of consciousness (such as reflexive self-consciousness in combination with associative thinking), also have this predisposition.<sup>7</sup>

One way to understand why this is predisposition is “original” and “good” is to consult Simone de Beauvoir’s account of our first (minimally) conscious experiences in the womb in the later stages of pregnancy and as newborns.<sup>8</sup> Drawing also on psychoanalytic insights, Beauvoir suggests that central to understanding certain aspects of our basic emotional life is the fact that we at first experience the natural and the social as one unit: our initial conscious experiences take place inside another human being, where our needs are automatically satisfied and we comfortably float around in a perfectly tempered fluid without any notion of being distinct from our environment. Our first minimally conscious experiences are of being at one and deeply comfortable with the world—and all of this is enabled by another human being. Hence, being born is physically and existentially very painful, since for the first time we are not only cut off from the body-tempered liquid and the automatic food supply—and so we feel our physical needs in an intense, new way—but we are also physically separated from the being we’ve literally been existing inside of. It is in part because this whole separation process is so existentially traumatic that it is common in many cultures to put the baby immediately onto the mother’s body and to tend to and to comfort the baby throughout the first period of infancy (no weaning).

Such tending and comforting enables newborns to experience a safe, trustful way of being in the world. Correspondingly, for caregivers, making sure that the

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<sup>7</sup> For an exploration of this issue, see my “Kant and Moral Responsibility for Animals” (Varden, forthcoming).

<sup>8</sup> That this is possible is not a coincidence: both Beauvoir and Kant were very influenced by Rousseau’s account of human nature in *Emile*. For some of these similarities and differences between Beauvoir and Kant, see Varden (2015); for the influence of Rousseau on Beauvoir, see Scholz (2010).

baby feels that the world as such is good becomes all-important. Moreover, when things go well (in good upbringings), young children learn to be comfortable with their own physical, including sensuous, embodiment. Thus, realizing a healthy predisposition to good in animality involves developing a subjective (first-personal) sense of being at home in the world as a living, embodied, social being, and it means becoming able to act with trust in the world as a good world (despite all the evidence to the contrary). Importantly, too, this kind of self-love is in itself unreflective, yet good in that it enables us to be in the world as natural-social beings with certain nonmoralized, yet normative, kinds of attitudes and emotions that express such trust in the world. For example, developing the animalistic predisposition involves developing abilities to affectively love and be loved by dear ones; physically maneuver in good ways in the world; be comfortable in one's own body and around others' bodies, and even experience profound contentment after a good, healthy meal. For Kant, realizing our animalist nature well is to be fundamentally tuned in to the kinds of embodied social beings we are, such that we derive pleasure from that which is genuinely good for us.

The second predisposition, to *humanity*, involves end-setting as a "*rational being*"; it is "physical . . . and yet *involves comparison* for which reason is required," though it does not require being able to act as motivated by pure practical reason; and, finally, "out of this self-love originates the inclination to *gain worth in the opinion of others*, originally, of course, merely *equal worth*. . ." (6: 27). This predisposition adds to our animality "comparative uses of reason" and acting rationally, meaning orienting ourselves in the world by means of comparing things (including ourselves to each other), setting ends of our own, and acting on maxims (subjective principles of action). When the predisposition to humanity is developed well, we experience a kind of love that is enabled by perceiving and being perceived by another as equally valuable as well as mastering rational end-setting (acting on maxims that can hold as universal laws). Correspondingly, insofar as we are realizing healthy intimate relationships, we regard each other as equally valuable in all our differences; we take joy in each other's successes, and we always assume that the other is directed towards us as we are towards them. When we fail, either intentionally or unintentionally, to affirm ourselves and others as having equal worth, we get hurt or hurt each other. But then we can remedy the hurt. Insofar as we are emotionally healthy human beings in good relationships, we do all of this spontaneously; it simply is the way we are predisposed emotionally to be oriented towards one another.

The above is, I believe, part of what Kant means by saying that these two predispositions are "original" and "good" in the *Religion* (6: 28). They are original because realizing them is constitutive of realizing human nature, and they are good because realizing them well (including through developing the related emotions)

makes it subjectively easier to do what moral reflection requires; “they demand compliance with it [the moral law]” (6: 28).<sup>9</sup> Because we are rational and so have the use of reflection and abstract conceptual thinking we learn to feel, describe, and further develop our emotional experiences. Through reflective and conceptual consideration of what we want and need, the world presents itself in an open-ended kind of way: we rationally choose and set (new) ends of our own. Moreover, we learn to act on principles that respect others and ourselves as rational beings and which are consistent with and, insofar as possible, supportive of others’ ability to set and pursue ends of their own.<sup>10</sup>

As mentioned above, Kant argues that although the second predisposition (to humanity) necessarily involves comparative uses of reason and rational end-setting, it should not be seen as necessarily involving acting as motivated by practical reason. It simply prepares the way for being able to do this. The susceptibility to act as motivated by practical reason—what enables me to do something *just because* it is the right thing to do (to act from duty)—is due to what Kant calls the predisposition to *personality*, which is revealed in “moral feeling,” or in a basic ability to pick up on the need to act as demanded by, or as motivated by, practical reason. In Kant’s words, the predisposition to personality is “the susceptibility to respect for the moral law *as of itself a sufficient motive to the power of choice*. This susceptibility to simple respect for the moral law within us . . . [is] moral feeling . . . [which is the incentive] of the free power of choice . . . [which] incorporates moral feeling into its maxim” (Kant 1996b, R 6: 27, cf. Kant 1996a, MM 399ff.). Moral feeling, then, concerns the way in which we are susceptible to a moral demand, which includes realizing that a situation requires us to act in a certain way *just because* doing so is the right thing to do. To act on universalizable maxims from the motive of duty is to have realized our disposition to “personality,” meaning our capacity to act in morally responsible and, so, truly free or autonomous ways. Hence, when we so act we use “the free power of choice” to incorporate “moral feeling into its maxim,” by making duty our motivation for action (Kant 1996b, R 6: 28) and thereby giving our action “moral worth” (Kant 1996a, GW 4: 401). Thus Kant also describes “personality” as “the idea of humanity considered wholly intellectually” (Kant 1996b, R 6: 28, cf. 6: 26n.), meaning beings that can set ends rationally (act on universalizable maxims) and as motivated by duty.

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<sup>9</sup> Relatedly, in the *Anthropology* Kant describes realizing this second predisposition as realizing “moral decency” (Kant 2007, A 7: 306), which is a developmental precursor to moral being.

<sup>10</sup> We find the same point in (Kant 1996a, GW 4: 424), when Kant says, we learn to act only on universalizable maxims, maxims that can be “thought” and “willed” as universal laws.

Shortly we will see that, because of our ability to choose—to set ends of our own—in combination with our sensible nature, it is universally the case that we will do bad things, indeed that we can become quite destructive and damaging to each other and to ourselves. But for now, notice that none of what has been said so far commits us always to assume the self-reflective, moralized stance when we act in the ways enabled by the first two predispositions to good in human nature. On the contrary, we can have emotionally healthy nonmoralized interactions with others: We eat, drink, affectionately love, and play together. Kant's claim is that the motivational powers of our reflective abilities come into play when something seems problematic, when we have to figure out what we are doing (which maxim we are acting on) and then act as we ought to.<sup>11</sup> As Kant argues in *The Metaphysics of Morals*, insofar as I'm able to act responsibly (have developed personality), at all times I am not only aware of what I'm doing, but I relate to myself and my actions as *mine* and as something I can relate to and assume moral responsibility for: I relate to myself as a *person* and to my actions as my *deeds* (Kant 1996a, MM 6: 223).

Kant's position, then, is not one according to which the human self is simply a rational, immaterial self that relates to everything in a self-reflective, moralized way. Rather, insofar as we are virtuous, emotionally healthy beings—or as we fully develop the capacities constitutive of human being (all three predispositions to good in human nature) in robust ways—we become able to move easily between acting as embodied beings in nonmoralized, emotionally healthy ways and as moral beings motivated by practical reason. When what we are doing unreflectively is good, thinking about what we are doing is not experienced as uncomfortable. After all, part of what being human is all about is developing the embodied, emotional, social selves enabled by the predispositions to animality and humanity in healthy ways. Hence, Kant argues that affects—such as acting out of joy, anger, or astonishment—can be emotionally “healthful” (Kant 2007, PHM 15: 940), although they do make reflection “impossible or more difficult” (Kant 1996a, MM 6: 408). Rather what we have a duty to do in these regards—what Kant calls the “duty of apathy” (6: 408)—is to be able to be around strong affects and emotions without immediately acting on them and generally not simply to live our lives as dictated by our affects.<sup>12</sup> Moreover, growing in these emotional and moral ways is obviously not an end-project; being engaged in it, becoming better at it, challenging oneself not only to

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<sup>11</sup> Relatedly, in the second *Critique* Kant clarifies that rational self-love “merely *infringes upon* [animalistic] self-love, inasmuch as it only restricts it, as natural and active in us even prior to the moral law” (Kant 1996a, CPrR 5: 73).

<sup>12</sup> See Langton (1992) for a relevant yet very different take on Kant's duty of apathy (and conception of the human self).

set ends of one's own but to develop good ways of going about life, including as one meets various difficult situations and threats, is a project for life; it is life.

The moral aim, then, is not to rid oneself of these other nonmoralized yet normative emotional aspects of oneself, but to correct one's ways of realizing them when what one is doing is not respectful of or good for oneself or for others. Consequently, whether we put this in terms of the contemporary philosophical language of relational selves, reactive attitudes, second-personal address, or affectionate love, Kant thinks that an emotionally healthy human being lives much of life within the sphere of nonmoralized yet normative emotions, which reveals the importance of the how particular individuals enable the mutual flourishing of each other. The moral aim is simply always to make sure that our ways of realizing these nonmoralized forms of self-love is in "close union . . . under the limiting conditions of practical reason" (Kant 1996a, MM 6: 426)—corresponding to how the "highest good" for human beings is viewed as a "union" and "harmony" between "human morality" and "human happiness" (Kant 1996a, TP 8: 279). Personality enables us to assume moral responsibility for developing the capacities for animality and humanity in ways that are truly good for us as the social, yet particular, free beings we are. And so, the morally and emotionally healthy human being moves easily between unreflective and reflective ways of being. Consistent with this, as we will see in more detail below, realizing sexual love in a broader sense of the word, involves developing, transforming, and integrating all three predispositions (animality, humanity, and personality) to good in human nature in one whole. First, however, getting Kant's full account of human sexuality into view requires that we tend to his discussion of how we utilize the principles of the beautiful and sublime imaginatively when realizing our sexual selves.

## 1.2. The Role of the Imagination in Kant's Theory of Sexuality

As mentioned, a sufficiently complex theory of sexuality needs an account of how an aesthetic employment of the imagination constitutes important aspects of sexuality for many human beings (for Kant, as enabled by our employment of the beautiful and the sublime) as well as a way to conceive of sexuality that doesn't involve the heterosexist binaries. Here I outline Kant's suggestion for how aesthetic and teleological use of the imagination is constitutive of sexuality, which enables us, in the next section, to overcome Kant's binary heterosexism.

Since there already exist several interpretations of Kant's take on the traditional genders ("man" and "woman"),<sup>13</sup> here I only sketch his account with an eye to issues relevant to reconsidering his account of sexuality. To start, Kant's general suggestion is that we use aesthetic and teleological imagination to

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<sup>13</sup> For two recent ones, see Mikkola (2011) and Varden (2015).

experience complementary female and male sexual embodiment. More specifically, the beautiful (female) embodied power irresistibly allures and hence makes the sublime (male) embodied power want to subject itself to and become one with it, whereas the beautiful wants to be empowered by the sublime and hence wants to become one with it. In this way, the sexual union becomes a union between two kinds of equally powerful, embodied principles; the female experiences sublime, forceful embodiment through her union with the male—through having it wanting her and yet being in control of it—and vice versa. In addition, Kant argues, it is a union that is compatible with procreation and, so, with a teleological use of the imagination.<sup>14</sup> When things go well, Kant furthermore argues, this sexual union matures into a social, self-sustaining union in that the two people affirm each other's worth as equals, where they split between themselves the emotional, physical, and social work, so that they complement each other in their shared life in addition to pursuing ends of their own.

An illustration of this line of argument is found in his "Conjectural Beginning of Human History" essay, where Kant interprets the Judeo-Christian story of Adam and Eve in just this way. Part of Kant's purpose here, I believe, is to explain features of this story that help us to see how human beings' reasoning and imaginative powers set them apart from other animals both cognitively and emotionally (cf. Kant 2007, A 7: 322, 328). To do this, Kant first emphasizes that though human beings share with other animals the natural drive for nourishment, our capacity for self-reflective consciousness and reason (abstract, conceptual powers) enables us not only to be at a reflective distance from our natural, instinctual desires, but also to imagine new ways of satisfying them. Hence, humans can set new kinds of ends regarding our instinctual desire for nourishment rather than merely satisfying natural instincts. Contrarily, since other animals do not have self-reflective, abstract conceptual consciousness, their end-setting is ultimately determined by instincts and natural desires. Moreover, humans can enhance the sensuous experience itself by utilizing our aesthetic appreciation of the beautiful and the sublime. For example, we enhance the experience of eating by combining tastes of various kinds of foods as well as through the aesthetic presentation of food as beautiful or elegant, including by manipulating colors and shapes. Human beings don't only eat, in other words; we enjoy meals.<sup>15</sup>

Second, and relatedly, humans can also develop a more complex version of the natural sexual instinct. This instinct, Kant suggests, is that by means of which all

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<sup>14</sup> Thomas Nagel (1969) comes close to philosophically defending something like Kant's own conception of "natural sexuality." For an interpretation much closer to the one I'm defending here, see Wood (2008).

<sup>15</sup> I'm grateful to Leo Zaibert for this formulation.

animals, including humans, “care for the preservation of the[ir] kind” (Kant 2007, CB 8: 113). Yet, our self-reflective reasoning powers transform our natural sexual instinct too:

The human being soon found that the stimulus to sex, which with animals rests merely on a transient, for the most part periodic impulse, was capable for him of being prolonged and even increased through the power of the imagination, whose concern, to be sure, is more with moderation, yet at the same time works more enduringly and uniformly the more its object is *withdrawn from the senses*, and he found that it prevents the boredom that comes along with the satisfaction of a merely animal desire. The figleaf . . . was thus the product of a far greater manifestation of reason than that which it had demonstrated in the first stage of its development. For to make an inclination more inward and enduring by its withdrawing its object from the senses, shows already the consciousness of some dominion of reason over impulse and not merely, as in the first step, a faculty for doing service to those impulses within a lesser or greater extension. *Refusal* was the first artifice for leading from the merely sensed stimulus over to ideal ones, from merely animal desire gradually over to love, and with the latter from the feeling of the merely agreeable over to the taste for beauty, in the beginning only in human beings but then, however, also in nature. Moreover, *propriety*, an inclination by good conduct to influence others to show respect for us (through the concealment of that which could incite low esteem), as the genuine foundation of all true sociability, gave the first hint toward the formation of the human being as a moral creature.—A small beginning, which, however, is epoch-making, in that it gives an entirely new direction to the mode of thought—and is more important than the entire immeasurable extensions of culture that followed upon it. (8: 112–113)

Again, our reflective self-consciousness and abstract conceptual reasoning powers enable us to have a certain distance from our sexual desires such that we can develop and increase these desires through a playful game of concealing and revealing our bodies to each other. I take it that although straightforward procreative sex in response to sexual impulse is obviously very satisfying (for straight people at least), in the long run doing only this gets rather boring. We make it more exciting—and increase the sexual pleasure experienced—by engaging in various sexual games of concealment, allurements, refusal, and acceptance.

Notice also that part of Kant’s point here seems to be that we develop and transform our basic, animalistic (affectionate) sociality so that it is integrated into the self-recognitional kind of sociality enabled by our presupposition to humanity.

That is, engaging in these kinds of sexual activities expresses our ability to affirm one another as equally valuable. The way in which reason enables us to engage the world in new and playful ways is therefore seen as promoting more complex ways of desiring one another and as developing, transforming, and integrating sexual desire into mutual and affirmational sexual love. As the sexual relation is developed into its more emotionally mature form, brought about is an ability to be profoundly affectionate and emotionally open to one another in the course of the sexual activity itself. Our being emotionally open to another in terms of our sexuality is one way in which we are open to being struck by another as beautiful and/or sublime. It opens up our ability to experience the world as beautiful and/or sublime in an embodied way—to be, as Kant says, awe-struck or filled with awe. This analysis also helps bring out Kant’s claims that being sexually attracted to someone is to want his/her *person*—and not just his/her body—as we would like the other to show us her aesthetic, creative playfulness and invite us to be part of her project of developing herself as who she is. It even helps to understand his condemnation of masturbation.<sup>16</sup> That is to say, being fully directed towards another in an emotionally open, sexually loving way is being directed towards the person, and not just the body of the person. One wants the other to see how one reveals oneself—as who one truly is, in all one’s spontaneous, creative expressions—and one wants the other to want exactly this, to find exactly this irresistible, and to affirm oneself as revealed (and vice versa). And with time, we want to be part of each other’s developing, transforming, and integrating this ability into something more than it was. If so, then Kant’s worry about masturbation is that it is not other-directed in the right kinds of ways: it is narcissistically self-oriented rather than other-oriented. Moreover, for human beings, the point of sexuality cannot simply be orgasms; if so, then the point would be “lower than the beasts” and involve “throwing away one’s personality” since it would involve focusing simply on one’s animalistic capacity for intensely pleasant physical feelings rather than developing these capacities into an integrated life where one’s predisposition for humanity and personality are also realized in a unified whole.

Even though I believe this is too simplified a view of masturbation for emotionally healthy human beings (I provide a revised analysis below), it seems fair to say that a danger internal to sexual self-gratification is that it simply becomes an ability to feel sexual pleasures strongly and that a related danger internal to sexual interaction is that there may not be reciprocity in emotional openness. Sexual love becomes either reduced to sexual pleasure or merely a more complex way of

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<sup>16</sup> I’m very grateful to Penelope Deutscher for having helped me see how Rousseau’s influence might have led to this reason as Kant’s worry about masturbation. I’m also grateful to David Sussman for earlier discussions of these themes.

masturbating, where one is treating the other simply as a masturbation tool with the gratifying capacity to affirm one's sense of self.<sup>17</sup> Now, none of this is to say that this binary, heterosexist account is necessary or sufficient: after all, it is simply not the case that this binary, heterosexual way is how very many experience fulfilling sexual love—indeed, not even many who do identify as cis and heterosexual experience their own sexuality in such a binary way. In order to address these complexities, we need to use Kant's own philosophical tools to go beyond his texts, which is the purpose of the next section.

As we have seen, Kant affirms a binary, heterosexist view of sexuality, according to which morally justifiable and emotionally healthy sex tracks procreation and ought to be undertaken only within the confines of lifelong marriage. Many, such as Barbara Herman (2002), have noted that it is truly puzzling why Kant thinks that marriage can do such moral magic on inherently immoral activities (having sex). Although Kant certainly seems mistaken to think that sex is morally permissible only within the setting of heterosexual marriage (for reasons that will become clearer below), it seems plausible that encouraging another to be as emotionally open as happens in intimate, sexually loving affectionate relationships is justifiable only if one is equally open oneself—and that this is why Kant argues that when we realize our sexuality in ways that involve good realizations of our animality and humanity, but also our personality, we do it through marriage. Obviously, like several Kantians before me, I don't think emotionally healthy and morally good sexual encounters and relationships require marriage or that real relationships are this simple; surely they aren't. And yet, marriage as a criterion of reciprocal openness might not be so strange: it may help explain why marriage is such an important human institution to so many (regardless of their sexual orientations or identities). That is to say, this account can say something as to why Kant thinks that marriage—public, lifelong commitment to one another—is emotionally and morally important. Notice too that this interpretation fits with how Kant argues the only way in which sexual love itself can develop into a damaging passion is if it is not reciprocated (Kant 2007, A 7: 266). “Like all passionate longings,” Kant argues, unrequited love “gnaw[s] and consume[s] the heart or, so to speak, bind[s] the vital force with shackles” (Kant 2007, PMF 15: 940) and “the capacity of the understanding is of little help against it; for the end of enchanted human being sees very well indeed the reasons against his favorite inclination, but he feels powerless to give them active emphasis” (Kant 2007, MH 2: 261). Sexual passion driven by unrequited love is therefore emotionally and morally damaging

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<sup>17</sup> I cannot develop this argument here, but I believe the implied conception of moral development is broadly consistent with, for example, those we find in Abramson and Leite (2011) and Herman (2008).

because it is one way in which one can make it increasingly difficult to live one's own life; instead one's life becomes focused on one unsatisfied aspect of life that one cannot develop, transform, and integrate into one's life. Marriage, then, for Kant, is one way to secure oneself against this morally dangerous aspect of sexuality; it captures how one reasonably expects anyone who wants profound, intimate emotional openness towards oneself to be (come) similarly oriented themselves and with an aim for a lifelong relationship since any other way to proceed involves opening oneself and each other up to self-damaging passions.

To bring out aspects of the above account, notice also how it allows us to improve upon existing interpretations of Kant by adding a new kind of phenomenological structure to Kant's account, namely one informed by his account of human nature. For example, Barbara Herman (2002) argues that "although on Kant's view sexuality creates a morally impermissible relation between the sexual partners, it is neither desirable nor possible to forbid sexual activity. Sexual intercourse is the now standard (then necessary) means for procreation, and love relations with sexual components are essential to happiness (for many). So we have a kind of relationship that we cannot forego (as the kind of beings we are) but that is not morally acceptable. Marriage is supposed to solve the problem—resetting the moral stage so that there is a morally permissible way for sexual life to take place without inevitable moral loss or danger" (64–65). She continues later, "The idea seems to be that through the mediation by law, the natural tendencies to objectification, and so dominance and exploitation, in sexual relations are blocked. The institution of marriage in this way resolves the moral difficulty arising from sexual activity" (67). Herman proceeds, "The purpose of the institution of marriage is to block the transformation of regard that comes with sexual appetite. . . . What . . . [the rights and responsibilities] are to do is to secure regard for one's partner as a person with a life, which is what the sexual appetite by itself causes one to disregard" (68).

Agreeing with Herman that sexual desire for Kant is inherently objectifying, Christine Korsgaard (1992) identifies the main problem somewhat differently, as being one of desiring to possess the other: "Viewed through the eyes of sexual desire another person is seen as something wantable, desirable, and, therefore, inevitably, possessable" (Korsgaard 1992, 310). Marriage solves this problem of objectification, Korsgaard continues, because of how it enables reciprocal possession: "perfect reciprocity is the only condition under which the sexual relation is morally legitimate; and Kant thinks this condition is only possible in marriage, where the reciprocity of surrender has been pledged" (311). Of course, neither Herman nor Korsgaard thinks that the historical institution of marriage—or "marriage-as-we-know-it" (Herman) or "marriage as it has usually existed" (Korsgaard)—has been the solution; as Herman points out, *that* institution is a

“nasty thing” (Herman 2002, 65) and “has hardly been a solution to *this* problem [of objectification]” (Korsgaard 1992, 311).<sup>18</sup> Moreover, in *Sexual Solipsism*, Rae Langton (2009) argues that even if Herman’s reading of Kant’s worries about sex (sexual love being “a desire for a person *qua* body, a *reductive* desire”) or Korsgaard’s reading (which understands sexual love as “a desire for a person *qua* person, but... an *invasive* desire”) are correct interpretations, both take sexual desires to be “certain pathologies.” This basic assumption also appears affirmed by Jordan Pascoe (2012) in her “Kant and Kinky Sex,” where her main argument is that Kant mistakes all sex for kinky sex—before proceeding to explain how one can also engage in kinky (highly objectifying and hence highly morally dangerous) sex in morally responsible ways. Finally, Langton (2009) concludes her engagement with Herman and Korsgaard by arguing that even if Kant held some such view, like Pascoe, she argues that we shouldn’t see *all* sexual desire that way.

The above account adds to these discussions by showing how Kant’s account of human nature informs his comments about sexuality. We have seen that according to Kant, simple animalistic sexual love is objectifying and bad because it does not involve a realization of our three-fold predisposition to good in human nature; it involves living as if our beings are comprised of only one aspect. On the one hand, it informs why he says that “natural sexual union takes place either in accordance with mere animal nature . . . or in accordance with *law* [which is *marriage*]” (Kant 1996a, MM 6: 277). Now, given Kant’s account of sexual teleology, this is also why he thinks that the only thing worse than simple objectifying animalistic sex is *unnatural* objectifying sex; in this case, we not only live as if we are beings with sheer animality, but we use our capacities to choose to pervert this animality. Hence, this is why Kant says things like, “unnatural sex” involves

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<sup>18</sup> In “A Kantian Conception of Rightful Sexual Relations: Sex, (Gay) Marriage and Prostitution” (2007) and in “A Kantian Critique of the Care Tradition: Family Law and Systemic Justice” (2012), I argue that although the ideal legal institution of marriage does have such remedial virtues according to Kant, his argument succeeds without making objectifying features of sexual desire do such philosophical work. However, since the aim here is merely to see how Kant’s account of human nature informs his comments on sexuality and how marriage can be an emotionally healthy and a safeguard against our tendencies to do bad things, I’m setting aside this issue here. Also, notice that if this argument is persuasive, it gives us interpretive resources with which both to show that Kant doesn’t lack an account of the good, as Herlinde Pauer-Studer (1994) objects to Kant and Kantian defenders such as Barbara Herman and Christine Korsgaard, and to add more structure to the Kantian phenomenology than we find to date in the work of Herman, Korsgaard, and other prominent Kantian ethicists.

“transgressions of laws, called unnatural [carnal crimes against nature] or also unmentionable vices, do wrong to humanity in our own person, [and] there are no limitations or exceptions whatsoever that can save them from being repudiated completely” (6: 277); why unnatural sex involves “defiling (not merely a debasing) of the humanity in his [one’s] own person” and “debases him [one] beneath the beasts” and is “contrary to morality in its highest degree” (6: 424–425); why unnatural sex is worse than suicide since person who commits suicide must at least have courage, whereas the person engaging in unnatural sex thereby “abandons . . . his personality (throwing it away)” and instead simply “surrenders” to “animal inclination” in such a way that deprives him of all self-respect (Kant 1996a, MM 6: 425). “Mere” objectifying sex, in contrast, also involves one’s using one’s ability to choose (humanity) in such a way that it reduces oneself and the other to a mere thing—to one’s animality—and so it is also bad. The only way to act in good ways, in contrast, involves developing one’s sexual animality in such a way that it is transformed and integrated in a unified whole where one’s humanity and personality is thereby affirmed, and the only way to do this, Kant argues, involves engaging in procreative sex activities within the confines of marriage, in which case sexuality is realized in nonpathological and morally justifiable ways. Below I will argue, in a spirit similar to Langton and Pascoe, that although Kant is right to argue that human sexuality is morally dangerous, Kant is wrong to argue that the only way to realize emotionally healthy and morally good sexuality is through heterosexual, procreative activities within the confines of marriage. Indeed, I will argue, this is what Kant himself should have argued, given his other philosophical commitments.

## 2. Reconsidering Kant on Sex.

The previous section outlined Kant’s take on sexuality, which brings us back to the question asked at the beginning of this paper: what went wrong philosophically such that Kant ended up defending the binary, heterosexist un/natural distinction, and how do we overcome this problem in his theory? In my view, the answer to these questions is also found in Kant’s discussion of human nature, including his account of the three original predispositions to good and the way in which it is integrated with his related discussions of the beautiful and the sublime. My suggestion is that Kant should have conceived of the first, animalistic predisposition somewhat differently, since only then is it possible to capture how emotionally and morally healthy human sexuality is not invariably experienced as heterosexuality. I proceed without giving up on Kant’s insight that there is more to sexuality that what can be captured through scientific, deterministic analyses of strict causality (as would be the perspective of the first *Critique*) or through the moral perspective of freedom (as would be the perspective of the second *Critique*). I maintain that sexuality also requires a different, inherently contingent analysis of

our employment of the imagination in aesthetic-teleological ways (the perspective of the third *Critique*). The resulting account, I conclude, is what Kant *should* have defended, since it can capture the predispositional aspect of human sexuality and our experience of our own sexuality and directedness towards others without ending up in unsustainable, binary heterosexism. I first outline what I take to be Kant's important insight that sexuality should not be simply moralized or understood in terms of deterministic science. I then show how we can overcome the heterosexist shortcomings of Kant's own approach.

To start, then, what Kant clearly seems correct in saying is that there is a certain givenness to one's experience of one's own sexuality, including one's sexual and loving affectionate attractions, and that this is related to feeling at home in the world as an embodied, sexual being. How one identifies sexually, for example, such as whether one identifies oneself as man, woman, trans, lesbian, queer, and so forth, is experienced as tracking something true about oneself, and for many it is related to how one feels others can complete oneself in sexual activities and to a certain teleological, aesthetic embodied engagement with and/or how one experiences oneself as a good part of a good world. Moreover, Kant seems right to argue that if we try to explore this givenness through the perspectives of deterministic science or unbounded/free choices, we simply cannot get it properly into view. Yet what Kant, like so many others, seems clearly wrong about is the idea that this is simply a question of realizing oneself in line with some selection of the biological attributes one is born with. Hence, even if we can grant that there are cultural and biological tendencies that can be generalized into binary heterosexism, it is simply not the case that much of human sexuality can be meaningfully understood in this way.

To illustrate the philosophical problem and how my revised Kantian account solves it, let me start with an example of sexual identity, namely an experience common to some of those who identify as trans. In my view, a good philosophical theory of sexuality must be able to make good sense of being trans, including the transitioning experience. It must, for example, address how some people who identify as trans are deeply uncomfortable with their current embodiment, a discomfort that can be alleviated only through transitioning. That is to say, the account must be able to explain how some have a deep desire or need to go through the physical surgeries involved in transitioning and how, after undergoing them, they describe feeling peacefully at home in the world as the embodied beings they have always felt themselves to be. In my view, it is very hard to make good philosophical sense of this if we understand sexuality simply as a matter of choices (including in response to existing desires) or science (strict, deterministic spatio-temporal causality relations). Both types of account struggle to get into focus the existential importance of the surgeries as well as the existential relief experienced

when the process has been completed successfully. A sufficiently complex account needs to be able to capture how the same people have not until after transitioning had those positive, life-affirming embodied experiences (including those physical experiences) that these medical surgeries and treatments enable and that they have desired for so long. And this is what the choice (freedom) and science (determinism) accounts cannot do. After all, before the surgeries, these people have not yet had the physical embodiment that they are longing for, meaning that one's existing physicality pre-surgery cannot explain having these desires pre-surgery and, so, also cannot explain why they are fulfilled through transitioning and having those physical experiences. It seems more plausible to argue that such transitioning is better understood as fulfilling a deeply felt need to adjust one's physical embodiment so that it fits better with one's subjective experience of oneself as a forceful embodied part of the natural-social world, including with the sexual functions and physical attributes important for one's sense of being at home in the world and for obtaining profoundly fulfilling intimate relations.

Let me try to illustrate these points also with regard to sexual orientation. Although most of us are significantly more flexible about sexuality than conventional theories seem to allow, it still seems true that many experience basic sexual orientation as having a certain givenness to it. It is neither sheer choice nor is it determined by strict causality (there is no gay gene that can explain non-straightness deterministically). For example, straight people experience themselves as most comfortable sexually, including most sexually aroused and most easily sexually aroused, when they are sexually connecting with and physically complemented by members of the opposite sex; gay people are most comfortable sexually with people of the same sex, and bisexuals with both. Again, what this means is not that there isn't playfulness that crosses these boundaries. At the same time, however, these distinctions do track something experienced as existentially important—an importance revealed also in how deeply and increasingly difficult it is for someone to be denied the possibility of living out their sexuality by developing and integrating it into their way of living life.<sup>19</sup>

I believe we can add to our understanding of the nature of our sexuality by reconsidering both the way in which Kant links the ideas of the sublime to the male and the beautiful to the female and also a teleological understanding of ourselves as embodied beings. It seems to me that we do not, nor should we, have to link these ideas rigidly to the binary male and female, including how these two perspectives

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<sup>19</sup> According to the recent National Transgender Discrimination Survey (Haas, Rogers, and Herman 2014), the suicide-attempt rate among people identifying as trans is 41 percent, 10–20 percent among gay and lesbians, and only 4.6 percent among people who identify as heterosexual.

can complement each other, such as in various ways of taking (power) and being taken (subjection), of being inviting and alluring as well as feeling oneself drawn towards and completed by another. Nevertheless, these principles of the beautiful and the sublime do seem important for how many go about realizing their sexuality one way or another, including when femme is attracted to femme or for those who playfully engage different principles at different times, in different situations. The philosophical mistake is therefore not to argue that many of us experience sexuality partially through the embodied employment of the aesthetic principles of the sublime and the beautiful or that teleological principles concerning unions (parts and wholes) seem central to the experience for many. Both kinds of principles seem important to how many see ourselves as part of the natural world and as acknowledged, affirmed as who we are by others; they are important to our feeling of belonging or being grounded in the (natural-social) world. Moreover, teleological orientation also appears important in accounting for why it is also common (albeit not universally the case), regardless of one's sexual orientation and identity, to experience a deep desire to have children with one's sexual loves. For example, from the start, the rights to adopt and access artificial insemination have been central to many members of the LGBTQIA movement. Kant's mistake, rather, is the way in which he lets the binary, heterosexist male-female distinction run through the entire analysis.

Although Kant himself was stuck in a binary, heterosexist perspective, I believe that it was philosophical considerations along these lines that informed his insistence that the phenomenon of sexuality cannot be understood through the a priori, noncontingent perspectives of pure reason (first *Critique*) or of pure practical reason (second *Critique*); sexuality is contingent and subjective in a way that neither perspective captures or allows. After all, the distinction between men and women is not a distinction that tracks spatio-temporal causal necessities, and it is simply not the case that most people find their basic sexuality to be something they can simply choose in unbounded ways, let alone find meaningful when undertaken out of a sense of (moral) duty. Moreover, this approach is consistent with Kant's basic suggestion that sexuality as such requires an analysis through the perspective of human nature (the predisposition to good in human nature) in combination with an analysis of the beautiful and the sublime (third *Critique*). What we are exploring in this context is not, in other words, our bodies as spatio-temporal objects to be studied scientifically or as an object we can choose to do sexual things with, but rather unreflective aspects of ourselves as embodied, sexual forces in the world. We are tending not only to the fact that there is a certain direction to it, but also to the nature of it—how it feels when we imaginatively develop our sexual force in enhancing or productive ways, when engaging it feels comfortable, good, and aesthetically deeply pleasing as who we are, from a first-personal, subjective and

unreflective point of view. We are paying attention to something internal to the way in which each of us is directed as an embodied force, something that can be picked up on and engaged also by others, in that they can complement and affirm us through their own sexual forcefulness. And when we do this well, as who we are, we seek and are invited to affirm one another in playful, aesthetic, sexual, affectionate—and so personally empowering—ways.<sup>20</sup> Hence, in Kantianese, what we pick out in intuition (as explored in the first *Critique*) is engaged in the inherently subjective way enabled by the power of judgment (as explored in the third *Critique*).<sup>21</sup> If so, then neither the perspective of deterministic science, nor choice<sup>22</sup> nor language<sup>23</sup> (construction) goes all the way when it comes to sexuality. There is something in us—a direction or structure to our embodied forcefulness—that we are in tune with, first-personally, when we are getting all of this basically right about ourselves. Moreover, when we do this well, rather than acting in ways that are destructive and damaging for our basic, embodied forcefulness—or what we might, with Kant, call ways of “bind[ing] . . . the vital force with shackles” (Kant 2007, PMB 15: 940)—we enable it, and so us, to develop, transform, and integrate these animalistic desires in the morally good, emotionally healthy ways constitutive of our humanity and personality.

If the above account is correct, then it can provide some explanation of why sexuality is unruly and hard to handle well. After all, sexuality concerns something deeply unreflective about us, a basic ability to feel at one with oneself, at home in the world as who one is, including when together with others. It follows that not being comfortable with one’s sexuality (identity or orientation) is not fixed simply by thinking about it (reflecting). Reflection can make one aware of problems, and

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<sup>20</sup> Because the three aspects of the predisposition to animality appear to be Kant’s relational categories of the understanding, one might say that this forcefulness in ourselves that we can pick up by intuition is what we engage at the animalistic level by means of the relational categories of the understanding though employed in teleological and aesthetic ways. And, of course, in turn, this is complemented in an integrated way by the emotional orientations enabled by our capacities for a self-recognitional sense of self and open, rational, and morally responsible end-setting. I’m grateful to Andrew Cutrofello for helping me see this point.

<sup>21</sup> I am greatly indebted to the work of Lucy Allais (2015) on the first *Critique* and Rachel Zuckert (2007) on the third *Critique* here.

<sup>22</sup> Thus, existentialist philosophy, including Beauvoir, is wrong on this point.

<sup>23</sup> If so, then much Continental philosophy and related (hermeneutic) language-style interpretations of Kant get this wrong, which is why they fail to get all of sexuality into view and instead tend to focus only on socially oppressive and violent aspects of it.

although it is a central means of dealing with some problems, much of the work is unreflective in nature. It involves relearning (or learning for the first time) how to be vulnerable and true to oneself without feeling powerless. Or, to put the point differently: How we experience ourselves sexually cannot be simply chosen away. Relatedly, the above account can explain why it is hard to understand a different sexuality than one's own: one's sexuality is inherently contingent and first-personal, and so another's sexuality is something one can gain access to only by living closely and in an emotionally open reciprocity with that person. It would also explain why many seek to understand different subjectivities through art (paintings, songs, novels, plays, movies, books, etc.): art can offer a sense of what it is like to experience life through another's different sexuality.

Turning to issues of various types of LGBTQIA oppression and aggression—the anger referred to with the term “homophobia”—if one is not only uncomfortable around sexuality or if one seeks to understand it only through the bifocal lenses of male and female or maybe even as simply being a matter of choice or lived lives in language-structured realities, then one may never quite understand and tend to the source of one's discomfort in the right way. Also, to give this a Beauvoirian spin that is also consistent with what I've said above, it seems plausible to argue that facing the fact of the sexual flexibility most of us have can be very confusing and scary. Some fears expressed as aggression (homophobia) may be internally connected *not* to repressing one's deep sexual tendencies—one's sexual identity/orientation—but to fear of being seduced into realizing one's more fluid, potential, and playful sexual desires.<sup>24</sup> In addition, trying to get at the givenness of our sexuality—the way we basically *are*—can be one reason why people can get so terribly aggressive and violent against non-cis and non-straight people. It is as if they want to beat this given nature out of them—a project that is, of course, impossible. And yet, wanting to do so is, I think, best explained by how one is not oneself at home in the world, including sexually, and by how one finds it disempowering that others actually are, even though they are not conforming to the dominant social norms.

None of this is to deny, of course, that if one finds oneself living in a sexually oppressive society or being a member of a sub-culture where physical, social, and emotional abuse against people who don't conform to heterosexist norms are commonplace, then it takes much moral courage to stand up to it. It is, as Lucy Allais (2016) argues in relation to racism, much more tempting to rationalize one's (and much of society's) bad behavior by dehumanizing those who are wronged and hurt by the behavior. Much aggression and violence against the LGBTQIA community is rationalized through thinking that its members have sexualities that involve some

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<sup>24</sup> I'm very grateful to Andrew Cutrofello for discussions on this point.

notion of corruption or perversion of human nature. For people like Kant, who are deeply committed to ideas such as respect for the dignity of human beings, the felt need to rationalize oppressive aggressive behavior such that it is consistent with respect for human dignity is great. For a person deeply committed to doing what is right—whether for moral, philosophical, or religious reasons—admitting that she has got something this important so very wrong, that she didn't hear human suffering *as suffering* and even wanted to or has already inflicted more suffering on vulnerable others, maybe even loved ones—is a very hard thing to do, in Kant's time as it is now. I don't deny this—quite the contrary. In addition, I have argued that in contrast to his racist and sexist statements—where Kant appeared to have improved with regard to the former and never been fully convinced of the latter—Kant never improved regarding his heterosexism or homophobia. Still, even if we accept that Kant's account of natural teleology and his social context help explain his heterosexism, it doesn't suffice to explain his homophobia; his anger remains puzzling.

So, how do we explain Kant's homophobia? As argued above, explaining homophobia—the turn from simple heterosexism (inability to perceive diversity) to homophobia (anger at this difference)—is difficult unless we somehow relate it to some discomfort with one's own sexuality. And indeed: If the tales of Kant and Joseph Green are correct, in Kant's own case, one source may have been his inability to fully accept his own way of loving affectionately. According to the story, Kant and Mr. Green developed a most special relationship.<sup>25</sup> We all know the story of how everyone in Königsberg could align their clocks with Kant's meticulously regular daily walk. However, what the story typically doesn't reveal is that Kant's regularity was due to his daily visits with Mr. Green. For two decades—from 1765 until Mr. Green died in 1786—every afternoon Kant would walk to his Mr. Green's house, where he typically would find his dear friend sleeping in a chair. Kant would walk in, pull his chair up to Mr. Green's, and fall asleep there, until, at a specific time, they were both woken up. They then spent time together—talking about philosophy, life, politics, and literature—until Kant would leave at exactly 7 p.m. (9 p.m. on Sundays)

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<sup>25</sup> For more on the special friendship between Kant and Mr. Green, see Genischen (2004) and Hoffmann (1902). I'm most grateful to Terry Pinkard for drawing my attention to the relationship between Kant and Mr. Green, including these references. Many years ago, Pinkard also alerted Manfred Kuehn to these aspects of Kant's life. For Kuehn's interpretation of them, according to which Kant and Mr. Green were simply best friends, see Kuehn (2001), and for further details about the above stories about Kant and Mr. Green, see (Kuehn 2001: 154–158, 219, 222, 228, 240ff., 322ff.).

to walk home and work some more. Reliably structured, this daily ritual was a central, precious part of how they lived their everyday lives together.

Kant's relationship with Mr. Green was also special in other ways. For example, the two would go for buggy rides and holidays together in the countryside outside of Königsberg. And, indeed, the expectations regarding reliability and (because of Mr. Green's) punctuality were very high also here. For example, once when Kant (who didn't have a punctual nature) forgot the time and arrived a few minutes late, Mr. Green left without him—with Kant running down the street after the buggy. Mr. Green (a banker) was also entrusted with Kant's financial investments—something Mr. Green did so well that Kant was relatively well off in his later years. Mr. Green also read and discussed all of Kant's philosophical writings with him in this period—including the entire *Critique of Pure Reason* as it was developing—and together, they were invited every Sunday for dinner at a friend's (the Motherby's) house. These ways of living together and caring for one another do not characterize ordinary friendships. The relationship is much more intimate, has more structure and daily involvement, and involves much higher expectations than do ordinary friendships. The relationship includes features that simply cannot be explained without a notion of intimate, affectionate, reciprocal love. Hence, it is also not surprising to learn that when Mr. Green passed away, Kant in important ways withdrew from the world. Now, Kant and Mr. Green never seem to have taken their relationship to physical levels, and judging from Kant's anger when he writes on sexuality, one reason could very well be a discomfort with this aspect of himself. Of course, for those of us who do live out non-heterosexist sexualities, we intimately understand the challenges of doing so. Indeed, the more sexually oppressive the society we have grown up in, the better we grasp the difficulty. We are also not surprised by such a story about Kant, by how it can be the reason for his anger. We know that sexual discomfort or self-hatred sometimes manifests itself in this way; tragically sometimes those who hate us the most are the same as we are.

Another problem with Kant's own reflections upon sexuality, which can also be explained through his own discomfort around it and which the above revision of his account can make better sense of, is his writings' inability to capture the erotic as opposed to the sexual. In particular, eroticism may be seen as distinct from sexuality in that erotic experiences are characterized by delighting in another or in oneself as an embodied sensuously and aesthetically appealing being. Hence, the erotic aspect of our sexuality is not about wanting another person or wanting another person to want oneself. Rather, this part of sexuality is more about delighting in oneself or in another person as the sensuously embodied yet particular being she or he is. This is not to say that eroticism doesn't involve arousal, but that the arousal involved is not of a possessive kind. And I take it that this can be one way in which another can give rise to awe in us; we can find ourselves profoundly struck by the beauty of another,

whether in person or in an artistic depiction. And a lot of intimate, sexual interaction switches between these ways of engaging one another—the sexual (wanting and wanting to be wanted by the other) and the erotic (delighting in oneself and in one another).

I also believe that although Kant's own account of sexuality is unable to account for how good sexual interaction does not always come with deep emotional connections, how it sometimes is not limited to only one other person, and how some do not experience themselves as particularly sexual at all, the revised one can. To start, it seems undeniable that many people genuinely enjoy casual sexual encounters, including with strangers, and that these can be experienced as morally uncomplicated for all parties involved. On my revised Kantian account, this fact should not be seen as all that surprising. Under uncomplicated conditions, developing sexual desires in meaningful, playful ways, including together with others, needs neither always to involve deep emotional connections nor morally corrupting objectification. For example, one may compare a morally good, emotionally healthy casual sexual encounter with a game of squash (though this example runs the risk of not communicating this point to those who do not find sports—or other physical games—deeply enjoyable). So, finding a great squash partner is truly wonderful: that particular partner knows exactly how to challenge you, it's always a game with that partner, and good games are just fantastic fun—they challenge you in all kinds of playful ways. They are good even on a pretty bad day. Still, sometimes it's fun to play with someone you haven't played with before—sometimes because it's just a different game, sometimes because newness is fun in its sheer unpredictability, and sometimes because, for some reason, that particular player is able to challenge you in a different way, a way that is very satisfying; he intuitively gets your way of playing in such a way that he can challenge you in ways no one has before. And, of course, for some, playing squash is a way of being in the world that is so important and so enjoyable that they seek to establish or join clubs where they are likely to be able to live this out with similarly minded people, etc.

I don't think that having emotionally healthy, morally good sex, as such, is all that different from such a game of squash, which is not to belittle either. And it's not universalizable, meaning that it is not the same for all. For some, the best games are with one's one-and-only or one's few fellow players—the one or those who know you so very well and with whom you have had or aspire to have long-lasting, committed connections and relationships. For others, all that emotion and history is also a little burdensome, and it's lovely and light to have new partners. And some seek to take squash to a different level together with others who have similarly, strong desires. I believe we simply differ about this on the individual, personal level. It's just the way it is. Which doesn't mean that those who mostly prefer to play one way cannot ever enjoy doing it another way. Or that some people find it OK once in

a while, but not all that often. And it doesn't involve denying that some folks don't like squash at all, they really, really don't like it: they find it physically exhausting and sweaty (rather than thrilling and exuberating), smelly and messy (rather than luscious), and drainingly dramatic and emotional (rather than, simply, amazingly wonderfully fun and challenging). And that's all right too. Obviously. We really just are that different. Or to put these points back into the sexual framework: we might think of the various ways in which we are sexually and erotically wired as coming with a range of volume buttons; some of them may be generally turned up quite high, whereas others are turned very low or off. Hence, we have many combinations of types of sexual identity and orientation as well as differing subjective enjoyments of various types of sexual and erotic activity, depending on how we are—first-personally. Seeking to understand ourselves sexually, and individually, will give us clues as to what (and with whom) will help us to flourish in this aspect of our being.

To sum up, I believe that Kant is right that there is something about our sexuality that is first-personally experienced as given and that there is something about our sexuality that we can only get into view if we invoke the aesthetic ideas of the beautiful and the sublime as well as teleological concepts of complementary parts and wholes (human nature). Kant's mistake concerns how he thinks this entails that healthy sexuality comes in only two forms (male and female), that those who are biologically more male always identify with the sublime and those biologically more female always identify with the beautiful, and that healthy sexual activity can only involve procreative activities. Once we give these up and add the other elements in the ways indicated above, I believe the result is a powerful account of human sexuality. The revised position can account for all three nonmoralized features of human sexuality mentioned at the beginning of section 1.1. The account is also no longer binary and heterosexist, and it can explain how our sexuality is experienced as deeply personal, embodied, and social in nature, how it is simultaneously experienced as given, grounding, teleological, and personal as well as aesthetically playful. Our sexuality fundamentally concerns how we experience ourselves as embodied forces and engagements that involve viewing our embodiment as part of nature, as something that others can physically complement and affectionately love. The revised account can explain how sexuality involves extraordinary interpersonal power, ideally empowerment; it centrally engages and affirms our sense of having worth in the eyes of others.

The way in which many engage and develop our sexuality also very much incorporates a playful use of teleological as well as aesthetic principles, of power and subjection, and of the beautiful and the sublime. Insofar as we get it right, it tracks one another's particular ways of being and enables one to become even more playful in sexual and loving ways—and so we also experience a feeling of being seen as who we are and desired as such. Again, being sexually and affectionately loving

isn't always simply about "throwing away one's personality," even though it does involve, in important ways, letting go of the self-reflective, moralized perspective; it is also about learning to trust—albeit supported by good reasons—one another through directly and affirmatively engaging via revealed sexual and affective playfulness. In the words of Rae Langton, the point about letting oneself love and be loved is not primarily so that one can know oneself, but because living together in affectionately affirming (including sexually) loving ways is one of the most meaningful things we can experience, of daring to go through an open gate "to a garden, an orchard of fruits where things are growing (calamus and cinnamon, myrrh and aloe), where there are cool breezes, the sound of water—and [from where] someone seems to be calling" (Langton 2009, 381).

Of course, the above is not to deny that sometimes morality (ethics and the law) comes in to limit sexual behavior—indeed, our tendency to do bad things is empirically universal. For morally responsible persons, the law primarily only engages with other-destructive, coercive (nonconsensual) behavior and creates conditions under which one can form a legally recognized "us" (marriage). Ethics, in contrast, comes in as a limiting force also with regard to consensual interaction and any destructive sexual behavior. As we know, for Kant there are two types of ethical duties—perfect and imperfect—and I take it that there are two main ethical alerts that something is off. One is behavior that is either self- or other-destructive, in which case the behavior that violates one's perfect duties to self and others. For example, if one is gay, ethics manifests as bad conscience if one pushes oneself to engage in straight sex that one really does not want (as this is self-destructive). On the other hand, one ought also to develop oneself and assist others in their pursuit of happiness, which in this context means striving to feel at home with oneself and in the world in terms of one's sexuality and helping one's sexual partner(s) develop theirs. Finally, the above is to affirm what Kant says elsewhere, namely that until conditions of freedom are established, we do not really know which of a culture's dominant beliefs about the inherently contingent issues of moral anthropology—here sexuality—are prejudices and which are insights (Kant 1996a, MM 6: 217). Hence, we must let the objective principles of freedom set the framework within which we make space for considerations of moral anthropology, and then some people will break free from the prejudices and others will follow. In the previous century, we saw this liberation with regard to historically common prejudices with women;<sup>26</sup> in this century, we are hopefully seeing the beginning of a similar development with regard to the flourishing of LGBTIQIA identities and orientations.

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<sup>26</sup> For an interpretation of this point in relation to women, see Varden (2015).

## Conclusion

If it is correct to explore sexuality's givenness by means of an idea of embodied force as engaged and developed through reflective judgment, then not only do we have a suggestion for how Kant's metaphysics can be seen as working with regard to sexuality, but we can also solve certain puzzles in contemporary philosophical discussions of sex and love. On the one hand, we have seen not only that we can make sense of the givenness of sexuality without invoking a notion of an "essence"—whether understood in rationalist ways (e.g., the idea of "femaleness") or in scientific ways (e.g., the idea expressed in search for the "gay gene" deterministically understood). In addition, because of the way in which our sexuality involves our embodiment, it is entirely consistent with there being a science (strict spatio-temporal causal analyses) appropriate with regard to some aspects of our sexuality, as is true for other aspects of our physical bodies. But rather than a strict analysis in terms of causal laws, these aspects of our sexuality seem better understood in terms of the contingency biological sciences allow. For example, current research on the so-called "gay gene," although still in its infancy, has not revealed strict causal relations but rather certain tendencies with respect to sexual desires. On the other hand, we have an analysis that avoids understanding sexuality simply as a matter of choice—whether an existentialist type of analysis of free choice à la Simone de Beauvoir in *The Second Sex* or a postmodern analysis of more or less coerced performances à la Judith Butler in *Gender Trouble*—something that for long has been a central objection to both types of theories, especially from members of the LGBTQIA community. Instead, the account draws on these philosophers'—and inspired works'—wonderful insights, and moves beyond them by being able to speak better to how members of the LGBTQIA community, again and again, call on philosophers to listen to them when they say that their sexualities are neither essences nor simply choices.<sup>27</sup>

Finally, notice that one interesting feature of the account is the way in which the third *Critique* holds a main clue as to how to understand the nature of sexuality. Our sexuality is something we relate to in the first instance through our capacity for judgment (the imagination), that is, our capacity to relate to our own embodied forcefulness aesthetically and teleologically as "purposive without a purpose," or

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<sup>27</sup> This also seems to be in both Beauvoir's and Butler's spirits. As Butler says in a recent interview by Molly Fischer for the *New York Magazine* (2016), she is "thrilled to see the work that has gone beyond hers. 'I didn't take on trans very well,' she says of *Gender Trouble*. The book doesn't account for the experience of gender that someone like Caitlyn Jenner describes when she says her brain feels 'much more female than it is male,' for example. 'So, in many ways, it's a very dated book.'"

without a claim to objective, universal (scientific or moral) validity. Again, this is why any attempt at reducing sexuality to either the perspective of deterministic science or to choices will fail. If the above, and hence Kant, is right about this, then sexuality involves engaging with an embodied forcefulness we can pick out by sensible intuition (in ourselves or in others), but engaging in a different way, namely from the perspective of reflective (aesthetic and teleological) judgment. And, of course, because we share a capacity for imagination, our sexuality can be presented to and understood by others; indeed, how we present ourselves to others depends upon to whom we are presenting. For example, regardless of how we sexually identify, we can all agree that someone can present in a “hot” way, such that those who don’t see it as “hot” are failing to perceive something just as would be the case when someone doesn’t see that an incredible painting is beautiful. One is not seeing or getting something there to be gotten. Gender presentations work—we can all pick up on gender presentations that are, say, “butch,” “tomboy,” “queer,” and they work on this conception because gender is something that opens up to us by means of our shared capacity for judgment (the imagination). If this is along the correct lines, then it can also explain why so many of the philosophical writings on the phenomenology of sexuality are written within the so-called continental or postmodern tradition. After all, the philosophers in this tradition are not only closely connected with those thinkers particularly inspired by Kant’s third *Critique*, but they are also following their basic philosophical judgment that core features of sexuality are impossible to get a good hold of if we limit our analyses to those objective lenses enabled by deterministic science (first *Critique*) and free choices (2<sup>nd</sup> *Critique*). Contrary to what they and many think, however, Kant would agree with this: subjectivity so explored is at the heart of the matter. And so do I.

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