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### Comments on Superson

Commentary on Anita Superson's "Privilege, Immorality, and Responsibility for Attending to the "Facts About Humanity."

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I strongly agree with Anita Superson's main claims and arguments in "Privilege, Immorality, and Responsibility for Attending to the 'Facts About Humanity.'" The fundamental moral demand of equal respect applies (indeed, with special force) in (our continuing) circumstances of gender privilege and injustice. Those in a privileged position (henceforth, "men") have a weighty moral responsibility, therefore, to treat and see women "as 'likes' – as persons like themselves," requiring them to "ste[p] out of privilege, develop[p] sensitivity, and understand[d] the harms of oppression." (34) It is no defense to say that, since privilege itself can blind men to what they would need to appreciate in order to comply fully with this expectation, the expectation is itself

unreasonable. Even if it is true that individual men are not responsible for creating the social relations that structure their own gender sensibilities, it is self-indulgent, at least, not to accept responsibility for these in one's own moral thought and conduct.<sup>1</sup> It is hard to see how men can claim that it is literally impossible (or even unreasonably difficult) to regard women as full persons. In my view, this is usually wanting to have it both ways. Men are often enough pleased to hold women responsible as full moral persons when they feel wronged by them, so they must likewise hold themselves fully responsible to women.

Of course, relatively few men may *believe* that women are not moral equals or, at least, endorse this as a general proposition. More frequently, they indulge in self-serving feelings and fantasies of privilege that then structure the way they regard and treat women. Or alternatively, or at the same time, they hold that women rightly occupy inferior social roles, say, that wives should submit to their husbands, and rationalize these as consistent with equal respect. In both cases, it seems clear that, were they to think their positions through with full consistency, they could not maintain them on reflection. For husbands properly to see their wives as full equals, they must be able to think that whatever privileges they enjoy in relation to them, even as a matter of social role, must be able to be rationally accepted by their wives, or not reasonably rejected by them, and not just in virtue of their wives' happening to have internalized social norms that rationalize these roles, but from a position of full equality as free and rational persons.

I agree with Superson that Kant's Formula of Humanity (FH) is the most promising perspective from which to analyze the ethical issues of gender privilege. Whether men are responsible for treating women as they would rationally wish to be treated were they in women's shoes (that is, occupying their place, not just wearing their footwear) cannot possibly

depend on the likelihood of their actually occupying this position. So any attempt to use an interpretation of Kant's Formula of Universal Law (FUL) that relies, as Superson presents Herman's, on the fact that no man can be sufficiently secure that he will not fall out of privilege seems too weak to capture what is morally relevant. (46) Planning for the possibility of becoming declass  seems more a matter of prudence than morality. A Rawlsian interpretation of FUL that adds a veil of ignorance—"Act only on principles that you could choose from behind a veil of ignorance that everyone act on"—apparently avoids this problem. Superson, however, agrees with Herman's rejection of a Rawlsian interpretation on the grounds that "embeddedness of the person in the particular is the natural and necessary starting point of moral judgment." (quoted on 44) So it is, but that doesn't mean that thinking through particular moral issues doesn't itself require abstraction and hypothetical shifting of positions.<sup>2</sup> In my view, contractualism, whether Rawlsian or Scanlonian, is the most fruitful way of interpreting FH through Kant's idea of the "realm of ends." The thought would be that the content of moral responsibilities, "what we owe to each other," is determined by what principles we could rationally choose, or not reasonably reject, that all be held accountable for complying with, from a perspective that situates us equally as moral persons. What it is to treat others as persons, as ends in themselves, on this view, is to hold oneself responsible to them by regulating one's conduct by principles that all could rationally choose, or none could reasonably reject, that people be held accountable for following *as* equal moral persons.

As I see it, the deep idea underlying Kant's equal dignity of persons is equal "second-personal authority," that is, that we all have the same standing to make claims and demands of each other and hold one another accountable.<sup>3</sup> The point is not just that persons are beings who must be treated in certain ways or not in others, but that we are *equally accountable to one*

*another* for this treatment. To be a person is, as Rawls said, to be a "self-originating source of valid claims."<sup>4</sup> Or, as Kant put it, the dignity of a person is that "by which he *exacts respect* for himself from all other rational beings in the world."<sup>5</sup>

Seeing things in this way can give us an especially illuminating perspective on gender injustice. Recognizing women as equal members of the moral community is not just granting that they deserve equal consideration, or respect, even, of their "ability to have interests, form goals and plans." (46) Equally important is the idea that they are no less capable of entering into relations of reciprocal responsibility and that one is, therefore, accountable *to them* for how one treats them.<sup>6</sup> As equal members of the moral community, women have the same standing men do to hold others responsible. The only way men can respect this standing is by holding themselves responsible to (individual) women, openly hearing their charges and complaints and taking them seriously.

In my view, the idea of equal fundamental *authority* to make demands of one another as mutually accountable equals has considerably more philosophical power to subvert gender injustice than other interpretations of equal value (say, that we are all equally precious in God's eyes, or all equally important, or whatever). It entails that to be fully justified, any way of treating women must be able to be justified *to them as equals*.

Appreciating equal dignity as equal second-personal authority can also illuminate why when a society, like ours, has gotten the treatment of women clearly on the table, we can rightly hold men responsible for making themselves aware of ways in which gender privilege structures their own thought and practice. The question we face isn't whether going practices uphold the equal value or importance of women in just any sense; it is whether they uphold their

equal *authority*.<sup>7</sup> The question each, and hence I, must ask is whether I hold myself equally accountable to all, hence to women, and accept responsibility for acting in ways that can be justified *to them*. Going ideologies frequently have narratives rationalizing forms of gender hierarchy as consistent with our fundamental equality of importance or value conceived in some terms or other, say, as equally realizing natural potentials. Rarely, however, do these proceed in terms of equal authority. But this is precisely the question that we must put, and that men must hold themselves responsible for putting to themselves. And once the question has been raised, ignorance of the fundamental source of moral obligations, that we are equally accountable to one another, or that certain ways of treating women are plainly incompatible with this equal authority, is no excuse. This is especially so, moreover, when there is reason to believe, as there frequently is, that men would not be blind to or more likely to ignore even less obvious forms of gender injustice if they were simply to make themselves genuinely accountable to women.

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<sup>1</sup> I take Superson to be discussing a society, like ours, where the questions of gender injustice have been on the table for some period of time and not a traditional society.

<sup>2</sup> Of course, no one can simply think themselves into the original position in practice; such a perspective can only be achieved asymptotically at best and by subjecting one's thinking to the criticism of others, most especially those who one is at risk of treating unfairly.

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<sup>3</sup> I develop this in *The Second-Person Standpoint: Morality, Respect, and Accountability* (Cambridge, MA: Harvard University Press, forthcoming).

<sup>4</sup> John Rawls, "Kantian Constructivism in Moral Theory," 77 (1980): 546.

<sup>5</sup> Immanuel Kant, *The Metaphysics of Morals*, in *Practical Philosophy*, trans. and ed. Mary J. Gregor. Cambridge: Cambridge University Press, Ak. v. 6, p. 434-435.

<sup>6</sup> So men must see themselves as accountable *to women* for how they treat them. By this, I don't mean that they are accountable to women as a group, at least in the first instance. Men are accountable to women as individual persons, hence, as equal members of the moral community. This may, in practice, involve some accountability to women as a group, if that is the most appropriate way of holding themselves accountable to women as individuals (if, that is, the group can have this representative function). But the fundamental moral relation is one of mutual accountability between all persons (or equal second-personal authority).

<sup>7</sup> In Kant's view, the form of self-centeredness that is the greatest threat to equal dignity is not self-love, but what he calls "self-conceit," the idea that one has the authority to legislate to others. For a discussion of self-conceit and respect as fundamentally concerning second-personal authority, see my "Respect and the Second-Person Standpoint," *Proceedings and Addresses of the American Philosophical Association* 78 (2004): 43-59. For a penetrating discussion of Kant on self-conceit, see Robin Dillon, "Kant on Arrogance and Self-Respect," in *Setting the Moral Compass: Essays by Women Philosophers*, ed. Cheshire Calhoun. New York: Oxford University Press, 2004..