theories and methodologies

Simone de Beauvoir and Practical Deliberation

EMILY R. GROSHOLZ

THE VIEW THAT PHILOSOPHERS TAKE OF THEIR ART AND CRAFT CHANGES WHEN THEY REMEMBER THAT PHILOSOPHY IS NOT MERELY DESCRIPtive but is also performative. To use J. L. Austin's vocabulary, this change occurs when philosophers admit that their writings have illocutionary and perlocutionary, as well as locutionary, import. Any proposition is at once a judgment made by a thinking person and an expressive utterance presented to an audience; any argument is rational persuasion (even when it is quoted in a logic textbook). To speak with Stanley Cavell and Ludwig Wittgenstein, from their caravansaries along the trade route between Harvard and Cambridge, the change occurs when philosophers admit that their writings always take place in language games and forms of life, so that the search for criteria in framing concepts and for evidence in framing arguments is also a claim to community. Aristotle, more than two thousand years ago, urged similar insights and questions on philosophers when he wrote about rhetoric as an extension of logic and ethics. Filtered through the editorial work of Richard McKeon, the Aristotelian tradition at the University of Chicago produced books about practical deliberation that to my mind deserve at least as much attention as those of Cavell and Austin, works by Wayne Booth, Edward Levi, David Luban, Paul Kahn, and Eugene Garver. Notably, their texts deal with works of literature and of law, discursive realms in which narratives of human action are central and irreducible, however much they may be subject to philosophical analysis.

In this essay, invoking both rhetorical traditions in late-twentieth-century American philosophy, I will argue that Simone de Beauvoir's work exhibits a methodological trajectory as Beauvoir sees more and more clearly that philosophical writing is performative as well as descriptive and that the enterprise she has undertaken is a form of rational persuasion rather than the construction of a "correct" theory about people. This trajectory begins with *Pyrrhus et Cinéas* (1944), though I start here with *Pour une morale de l'ambiguité* (1947; *The Ethics of Ambiguity*), and continues through *Le deuxième*

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https://doi.org/10.1632/pmla.2009.124.1.199 Published online by Cambridge University Press

sexe (1949; *The Second Sex*), followed by her works on old age that have a distinctly practical cast. It culminates in her active engagement with the feminist movement in France, which crystallized around the issue of reproductive rights in the 1970s. My point is not that this trajectory circumscribes the rich complexity of Beauvoir's oeuvre but that it captures an important tendency in her conception of philosophical method.

Ambiguity

At the end of chapter 2 of *The Ethics of Ambiguity*, Beauvoir observes that in her earlier book *Pyrrhus et Cinéas* she tried to show that to be free, a human being needs the freedom of others: "No project can be defined except by its interference with other projects" ("aucun projet ne se définit que par son interférence avec d'autres projets"). To be free, we must act in a world endowed with human meaning, where others can carry our projects beyond us, even beyond the span of a lifetime, and moreover can call our bad faith into question, shaking us out of "the absurdity of facticity" ("l'absurdité de la facticité"). Existentialism is not a solipsism, she argues: "if it is true that every project emanates from subjectivity, it is also true that this subjective movement establishes by itself a surpassing of subjectivity. Man can find a justification of his own existence only in the existence of other men" ("s'il est vrai que tout projet émane d'une subjectivité, il est vrai aussi que ce mouvement subjectif pose de soi-même une dépassement de la subjectivité. L'homme ne peut trouver que dans l'existence des autres hommes une justification de sa propre existence"). And she adds, "I concern others and they concern me. There we have an irreducible truth. The me-other relationship is as indissoluble as the subject-object relationship" ("Je concerne les autres et c'est moi qu'ils concerne; c'est là une vérité indécomposable: le rapport moi-autrui est aussi indissoluble que le rapport sujet-objet"; 71–73; 100–02).

However, if what I have just quoted is taken as a formal doctrine, a coldly abstract theory of human nature empty of particular content, it will merely describe human beings without being able to propose and conclude any action: it will not be an *ethics* of ambiguity. To counter this objection, she considers in chapter 3 a series of concrete situations, in which she tries to show that the dictum "to will oneself free is also to will others free" must lead the subject to see and evaluate concrete actions to be achieved. Since she sees no validity in the claim of religion to settle moral conflicts by obedience, in the unproblematic application of fixed principles, or in Kant's appeal to the formal principle of autonomy, she chooses situations where the clash of principles is conspicuous and thus their application to the case at hand is vexed. However, she also chooses situations marked by the kind of heroic, violent action dear to Albert Camus, Jean-Paul Sartre, and later Frantz Fanon to illustrate what she takes concrete ("embodied," "engaged") actions to be. Her examples all involve armed revolt or the hope of revolt against armed oppression: partisans against Nazis, the colonized against colonizers, slaves against slave holders, workers against capitalists. Since she was writing in the shadow of World War II, her choice of violent conflict as the exemplar of "authentic action" was perhaps natural. But I think it was also an effect of the disenchantment with Hegelianism that she shared with many of her fellow philosophers.

Beauvoir contrasts the illusion of continuous and harmonious development associated with the "idealistic and verbose flabbiness" ("mollesse idéaliste et verbose") of Hegel with the "realistic toughness" ("dureté réaliste") of Marx, who sought the discontinuity of violent, material, embodied revolt (*Ethics* 84; *Pour une morale* 118–19). One can accept the status quo in bad faith or authentically reject it. This structural opposition leads Beauvoir in all her examples to associate action with violent acts of resistance (the clash of bodies) and speech with

https://doi.org/10.1632/pmla.2009.124.1.199 Published online by Cambridge University Press

ideology (the defense of frozen power structures). Speech preserves continuity; action precipitates revolt. Thus, she sketches a situation where a partisan is confronted by a sixteen-year-old Nazi, who is not old enough to realize he has been brainwashed and dies shouting "Heil Hitler!" The partisan cannot hold him responsible but to achieve the ends of liberation has to kill him; to avoid bad faith, the partisan must admit both his regret and his resolve. This is the antinomy of action that Beauvoir claims is universally known, and it is the source of the moral ambiguity that we must learn to face without evasion, for in the clash of two opposing bodies one must live and one must die.

The dispute between Hegelian idealism and Marxist materialism leaves Beauvoir with an impoverished account of human action. Although some of what we do and recount—in both everyday life and the long haul of history—involves mute bodies, speech is still the distinctive and most important kind of human action, and the only completely inexpressive human body is a corpse. Moreover, speech understood as action is performative, a claim to community, rational persuasion; we can only be effective if we manage to persuade others to join us. The dispute between Hegel and Marx also leads Beauvoir to miss the crucial middle ground between continuity and discontinuity in human affairs, which has recently been well described by Penelope Corfield in her study *Time and the Shape of History*. Corfield identifies three central and interlocking dimensions of history in time: continuity, gradual change, and abrupt or revolutionary change. In her chapter devoted to the middle term, gradual change, she writes, "In historical application, it is helpful to distinguish between, on the one hand, slow, adaptational 'micro-change,' summarized as evolution or gradualism and, on the other hand, rapid, drastic and fundamental 'macro-change,' summarized as revolution or structural discontinuity" (57). One of the great engines (though not the only one) of micro-change in human culture is effective speech.

Secondness

Beauvoir was retrospectively critical of *The Ethics of Ambiguity*; she complains about its abstractness in her memoir *The Force of Circumstance* and admits that it was a mistake to try to define an ethics outside any social context (67). Just after finishing *The Ethics of Ambiguity* in 1946, Beauvoir came face to face with an application for her existentialist ethics, as she sat in Deux Magots wondering what to write about next. It was herself. As soon as she started to think about writing philosophy as a woman, the strangeness of her position came home to her and with it the strangeness of women's status in general. At the beginning of *The Second Sex*, she observed:

> Now, what specifically defines the situation of woman is that, being autonomous and free like every other human being, she nevertheless discovers and chooses herself in a world where men compel her to assume the status of the Other. They propose to fix her as an object, and to doom her to immanence since her transcendence is forever to be transcended by another consciousness which is essential and sovereign. The drama of woman lies in this conflict between the fundamental claim of every subject that always posits itself as essential and the demands of a situation that constitutes her as inessential.[1]
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> Or, ce qui définit d'une manière singulière la situation de la femme, c'est que, étant comme tout être humain, une liberté autonome, elle se découvre et se choisit dans un monde où les hommes lui imposent de s'assumer [comme] l'Autre: on prétend la figer en objet, et la vouer à l'immanence puisque sa transcendance sera perpétuellement transcendée par une autre conscience essentielle et souveraine. Le drame de la femme, c'est ce conflit entre la revendication fondamentale de tout sujet qui se pose toujours comme l'essentiel et les exigences d'une situation qui la constitue comme inessentielle. (1:31)

Sartre's existentialism claims to be a universally correct description of human

https://doi.org/10.1632/pmla.2009.124.1.199 Published online by Cambridge University Press

nature. Moreover, it does not sort actions by their quality or content: any act whatsoever, no matter how conventionally evil, can be deemed positive if it is "assumed authentically," and likewise any act may be inauthentic if the agent intends it to affirm a frozen system of values as if they were given, not projected. Beauvoir however wanted to make an *ethics* of existentialism. In meditating on the status of women, she found a worldwide institutionalization of gender roles that denied transcendence to women, and this situation she could only condemn. She also discovered (without ever publicly admitting it) that existentialism did not apply to many women, since most women's lives were too cruelly constrained to allow for the exercise of Sartrean freedom; so existentialism was not universal after all, as many feminist philosophers have pointed out since.

In a sense, Beauvoir's existentialism drove her out of existentialism, and indeed delivered a death blow to that philosophical project. Prizing freedom above all else and committed to the importance of "situation" in the determination of human action, Beauvoir took a long detour from philosophy into sociology, psychology, anthropology, and history in volume 1 of *The Second Sex*. She showed how reason may be tied closely to a certain specific context without becoming irrational, as she filled in the details of her own strange situation and that of women in mid-twentieth-century France. Further generalization she left to her readers, and they accordingly generalized, in such great numbers that *The Second Sex* turned out to be the most politically potent book of the last century.

To be effective, Beauvoir realized, philosophers cannot present their reflections as timeless theory but must bring thought into relation with the records of science and history. Moreover, they must listen to the voices of those whom they describe and those to whom they address themselves. Thus, Beauvoir filled volume 2 of *The Second Sex*, which explores the stages of women's lives, with words directly quoted from the pages of George Sand, Emily Brontë, Anna de Noailles, Virginia Woolf, Violette Leduc, and Colette, as well as the words of women who simply allowed their stories to be recorded. There we can read the romantic revulsion against life in a Yorkshire parsonage written by a woman of genius, who sang in her chains like the sea, alongside plain stories of trafficking and slavery offered by girls who worked behind the train station of Saint-Lazare. At the beginning of the chapter on prostitution, Beauvoir quotes Antonio Marro, an Italian doctor famous for his book on puberty: "Between those who are sold into prostitution and those who are sold into marriage, the only difference consists in the price and duration of the contract" ("Entre celles qui se vendent par la prostitution et celles qui se vendent par la mariage, la seule différence consiste dans le prix et la durée du contrat"; 2: 430).

Throughout *The Second Sex,* we read Beauvoir's patient analysis, searching for the conditions of intelligibility of this global strangeness, which might explain why normal human beings could treat their daughters as chattel, why politicians encouraged prostitution, or why adult women in France only received the right to vote, almost by accident, at the end of World War II. At the beginning of the introduction to *The Second Sex*, Beauvoir announces simultaneously her womanhood and her authorship. Like Ida B. Wells-Barnett, she sets out a wealth of thoughtfully organized empirical material. Like John Stuart Mill, she quotes her antagonists at length and replies pointedly to their objections. Her arguments do not bully, terrify, belittle, or close off, like Lenin's arguments in *What Is to Be Done?*, that most sophistic of philosophy books. She presents her evidence, derives her rules from the situation of the people she discusses, acknowledges and answers her opponents, and leaves a series of questions open for further debate.

https://doi.org/10.1632/pmla.2009.124.1.199 Published online by Cambridge University Press

In his recent book *For the Sake of Argument: Practical Reasoning, Character, and the Ethics of Belief*, Eugene Garver takes as his central example *Brown v. Board of Education*, the Supreme Court case that set the stage for the civil rights movement; the judgments that preceded it; and those that followed. Closely examining the judges and lawyers who made the arguments and their legal, legislative and civic audiences, as well as the ampliative (never strictly deductive) sequence of their unfolding arguments, Garver defends a threefold claim. He argues, first, that the heart of rhetoric qua art of persuasion is reasoning. There are however more relations between people and propositions in an ethical argument than affirmation or denial; we must choose the propositions we want our audience to entertain, and our choice reveals much about our character. Mere assertion without argument, deduction without tact or sympathy, straw man arguments, flattery, and threats also reveal character; we trust those who give reasons to the best of their ability and who take responsibility for their arguments. Thus, Garver shows, second, that ethos or character is the most authoritative source of belief and, third, that ethos or character derives its authority in part from reasoning itself. How we argue reveals and helps create character. In the course of *The Second Sex*, bringing her readers to see the untenable contradiction in the estate of women, Beauvoir proves her own dual authority.

Here, clearly, philosophical writing is not the vehicle of ideology bound to maintain a frozen social order, for Beauvoir's declared intention is to challenge, to warm, to move: it is the thaw of microchange. The feminist (r)evolution is different from all others in that, pairwise, women live with men and generally speaking love them and are loved by them. The grievances of women against men are more terrible than those of any other human group against another, and more widespread and older; yet the position of women in the world must be changed by words, not armed rebellion. In the erotic clash of bodies, both parties end up alive and (for the most part) more disposed than ever to talk to each other. Thus, the material conditions for feminist rethinking lend themselves to practical deliberation, and the striking changes brought about by feminism in the last half century are the best example we have of constructive pacific conflict, social change without tanks, guns, or bombs, effected only by quiet diplomacy. One inverse measure of the strangeness of patriarchy is how little ink has been expended on analyzing how this deliberate, radical, successful (r)evolution can be reproduced in other settings.

Legislation

Simone de Beauvoir in 1949 occupied a highly visible place in the public sphere; *The Second Sex* was published to wide acclaim and opprobrium (selling twenty thousand copies in the first week in France) and then translated into over a dozen foreign languages. The English translation, despite its many flaws, sold well over a million copies in the last half of the twentieth century, directly helping precipitate "second-wave feminism" in the United States. However, discussion in the public sphere is not enough for social change. Because it helps determine what people consider to be issues, discussion is a harbinger, but the issues brought to prominence must move into the legislature and the law courts if they are to become durably articulated and enacted. Thus, we see Beauvoir in the last fifteen years of her life involved in the framing and introduction of legislation that at last galvanized feminism in France.

This aspect of performative utterance is not dealt with adequately in the rhetorical tradition of Cambridge and Harvard, which tends to be more literary, but is taken up in a deep and thoroughgoing way by the Chicago school, perhaps because many of its exponents have legal as well as philosophical

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training. In his *Introduction to Legal Reasoning*, Edward Levi argues that what legal rules mean is never clear. A system of known rules provides for the participation of the community in resolving the ambiguity that must always characterize the gap between constant or slowly evolving but abstract laws and the messy reality of everyday conflict. It allows all parties to take the first steps toward resolution, by arguing which present facts and which precedents will be considered pertinent and how pertinent cases will be sorted, using contested terms to determine similarity or difference. He writes:

> The law forum is the most explicit demonstration of the mechanism required for a moving classification system. . . . It requires the presentation of competing examples. The forum protects the parties and the community by making sure that the competing analogies are before the court. The rule which will be created arises out of a process in which if different things are to be treated as similar, at least the differences have been urged. (4–5)

Because we do not know what the law means ahead of time and because legal reasoning is not deduction, our legal system can accommodate people who do not agree completely. Of course, to engage in this kind of world-making practical deliberation, women must be welcome in legislatures and law courts.

On 5 April 1971 the "Manifesto of 343" was published in *Le nouvel observateur*, signed by a wide range of women who admitted to having had an abortion; Beauvoir was among them. By signing the manifesto, they all risked imprisonment since abortion was illegal; the movement Choisir was created by Gisèle Halimi, a Tunisian practicing as a lawyer in Paris, to defend those women in case they were prosecuted, and Beauvoir was elected its first president. In 1972 Choisir became involved in the "Bobigny affair," when Halimi—backed by the Women's Liberation Movement in Paris—decided to defend a young woman who had been raped and subsequently undergone an abortion. (She was a minor; moreover, the man who raped her turned her in to the police.)

Halimi decided to make this case a cause célèbre and, instead of requesting pardon for the girl, attacked the law of 31 July 1920, which criminalized abortion; she argued that the law punished the poor disproportionately, because rich women had only to cross the English Channel to obtain a legal and safe abortion. Supporters of Choisir organized demonstrations and addressed themselves to the general public. In the end, it was ruled that the law of 1920 did not apply to the young woman because she was a minor, but the woman who performed the abortion was sentenced to a year in prison. Just after the trial, Gallimard published a paperback book, *Avortement. Une loi en procès. L'affaire de Bobigny*, written by Halimi and with a preface by Beauvoir; it sold thirty-thousand copies in the first few weeks. Hundreds of articles (including essays by and interviews with Beauvoir) and discussions on television and radio were also devoted to the trial, and the turn in public sentiment led the French Parliament to introduce law 75–17 in 1975, which legalized the interruption of pregnancy under certain conditions. This law was at first provisional, but a definitive version, law 79–1204, was passed on New Year's Eve 1979.

Michèle Le Doeuff, recalling what it was like to teach *The Second Sex* to women students in France in the late 1970s, observed that her students couldn't relate to the passages in the book where in 1949 Simone de Beauvoir had sadly written, "The action of women has always been merely symbolic agitation; they won only what men felt like conceding to them; they didn't take anything, they received it" ("L'action des femmes n'a jamais été qu'une agitation symbolique; elles n'ont gagné que ce les hommes ont bien voulu leur concéder; elles n'ont rien pris: elles ont reçu!"; Le Doeuff 23; Beauvoir, *Deuxième sexe*

https://doi.org/10.1632/pmla.2009.124.1.199 Published online by Cambridge University Press

1: 19). Le Doeuff's students had been brought up in the midst of successful political action. In 1949 the right to vote had come to French women not because they had organized and agitated for it but because the Allies pressured de Gaulle into granting it to them. Thirty years after the publication of *The Second Sex*, Beauvoir had the great pleasure of seeing the status of women transformed by herself, her colleagues, the government, and the French public. The "natural rights of man" declared by the French Revolution were subject to a revised and unprecedented interpretation when applied to the reproductive rights of women who had at last claimed full citizenship.

Note

1. All unattributed translations are mine.

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https://doi.org/10.1632/pmla.2009.124.1.199 Published online by Cambridge University Press