

## BEAUVOIR'S ETHICS OF AMBIGUITY AND HUMAN RIGHTS

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*This paper focuses on Simone de Beauvoir's ethics. My aim is to discuss the intimate relation of freedom and rights in order to suggest that the ethical implications of her phenomenological-existentialist analysis of the human condition, developed mainly in *The ethics of ambiguity*, can make a valuable contribution to ethical value and corroboration of human rights, the conceptual grounding of which is sometimes received with intellectual skepticism. I argue that in Beauvoir's ethical theory, grounded on the will to freedom, not only do rights become more intelligible but their significance also becomes more communicable. By making freedom conditional upon willing not only that oneself be free but that everyone else may also be free, Beauvoir advances a universal demand for the most basic conditions necessary for individuals to realize themselves. Accordingly, Beauvoir's conception of genuine freedom, incorporating the value of freedom and the duty to act in recognition of this value, gives us the possibility to argue for the requisite freedoms as well as the necessity to substantiate these freedoms in human rights.*

### INTRODUCTION

In *The ethics of ambiguity* (1994), the existentialist thinker Simone de Beauvoir presents a highly inspiring moral theory where she argues that the human being who is almost unreservedly at liberty to fashion herself/himself as she/he chooses, that is to say, free in the existentialist sense, is also capable to choose to limit this freedom so as not to hinder the freedom of others. In arguing for a moral responsibility that emerges from freedom for the very sake of freedom, Beauvoir's ethics establishes this responsibility not only as a valuable choice but also as the *sine qua non* of genuine freedom. Moreover, genuine freedom, Beauvoir says, implies the recognition of all human beings' entitlement to live their freedom, and therefore their entitlement to self-realization. I believe that her ethics also gives us valuable insights into the human capacity to respect and promote the human demand for a dignified life. Constitutive of the existentialist spirit that Beauvoir shares with Jean-Paul Sartre, freedom is intrinsic to being human and therefore is primarily

ontological. However, as much as we need a social and political ground enabling us to exercise our freedom, there is also a practical dimension to it. As those who are hindered from exercising their ontological freedom are condemned to live lesser lives than they are entitled to as human beings, the practical aspect of freedom is equally important for Beauvoir.

I believe that Beauvoir's existentialist ethics and humanism based upon her theory of freedom are highly congruent with the moral grounds of human rights advocated in The Universal Declaration of Human Rights where rights are justified in terms of the value of "being human" or human dignity. Considering Beauvoir's critical stance vis-à-vis the discourse and rhetoric of human rights as well as the incongruence of some of the fundamental concepts of the traditional human rights discourse with the existentialist spirit, this may seem as a controversial claim. However, as I will try to make clear, a careful examination of Beauvoir's ethics where she argues for the intimate relationship between moral responsibility and the will to freedom reveals that it is highly congruent with the moral and political objectives behind human rights and the demand that the rights of others be recognized and respected. I believe that when Beauvoir criticizes the discourse of human rights, her main line of objection is less to its moral spirit than to the ineffectiveness of formal rights to bring about the requisite material preconditions for human beings to exercise their freedom and, hence, to realize themselves. Otherwise, just as the fulfillment of the material preconditions of rights for all human beings depends on acting with a sincere will not to harm any human being's dignity so that she/he can lead a life worthy of a human being, it is ethically and politically paramount for Beauvoir to create the conditions for human beings to live their freedom so that their life is not reduced to less than a human life.

Accordingly, the aim of this paper is to discuss a topic that seems to have received little attention in Beauvoir scholarship, namely, that there are many points of convergence between Beauvoir's ethics and the moral grounds of the discourse of human rights and that it is indeed possible to make sense of human rights from within Beauvoirian existentialist ethics.

## THE WILL TO FREEDOM AS THE WILL TO RIGHTS

The ethical dimension of human existence preoccupied both Beauvoir and Sartre, and they exchanged ideas on this subject as they did on others, throughout their lives. From one of her earliest works, *Pyrrhus and Cineas* (2004a), to the *Second sex* (2011), Beauvoir's ongoing concern to develop an existentialist ethics is inescapable. Jean-Paul Sartre, on the other hand, never published the work on ethics he heralded at the end of his masterpiece *Being and nothingness* (1956). His notes on ethics, where I believe Beauvoir's influence is apparent, were published posthumously in a voluminous book under the title *Notebooks for an ethics* (1992).<sup>1</sup> As the main objective of this paper is to argue that Beauvoir's account of practical freedom allows us to make sense of human rights from within existentialism, we shall begin with the discussion of the general framework of the existentialist thought shared by Beauvoir and Jean-Paul Sartre.

Being atheistic existentialists, Beauvoir and Sartre agree that for the human being "existence precedes essence." Explaining the meaning of this formula, Sartre (1987, 15)

writes, “first of all, man exists...and, only afterwards, defines himself. If man, as the existentialist conceives him, is indefinable, it is because at first he is nothing. Only afterward will he be something and he himself will have made what he will be.”<sup>2</sup> In an equally important passage, Sartre (1987, 23) says, “If existence really precedes essence, there is no explaining things away by reference to a fixed and given human nature. In other words, there is no determinism—man is free, man is freedom.” Moreover, the freedom of the human being is such that to be free implies that one is inescapably responsible for her/his own actions. We are condemned to be free precisely because “from the moment we are thrown into this world we are responsible for everything we do.”

Paraphrasing the Sartrean formula, “man is condemned to be free” as “there is no way for [man] not to be free,” Beauvoir (1994, 24) asks, “[does] not the presence of a so to speak natural freedom contradict the notion of ethical freedom? What meaning can there be in the words *to will oneself free*, since at the beginning *we are free*?” According to Beauvoir (1994, 24-25, 90), there is no contradiction, since “natural” or ontological freedom, “not being a quality naturally attached to a thing,” is to be “conquered” as moral freedom: “to will oneself free is to effect the transition from nature to morality by establishing a genuine freedom on the original upsurge of our existence.” Accordingly, the one who only wills her/his own freedom, while free in the ontological sense, is not genuinely free: “a freedom wills itself genuinely only by willing itself as an indefinite movement through the freedom of others.” For Beauvoir (1994, 86), genuinely free is the one for whom “the cause of freedom” is not that of others more than it is hers or his but is “universally human.” Hence, it seems that to choose to assume the moral responsibility to promote the freedom of others is to comprehend this responsibility as being a significant consequence flowing from freedom itself.<sup>3</sup> In other words, for Beauvoir (1994, 73), it is indeed as free beings that persons choose to take on the moral responsibility to be bounded by the limits of a universal moral principle of action, the formula of which is “to will oneself free is also to will others free.”

Beauvoir (1994, 23) asks, “Must we grant this curious paradox: that from the moment a man recognizes himself as free, he is prohibited from wishing for anything?” Her answer testifies that she rather thinks “the contrary” to be the case: “by turning toward this freedom, we are going to discover a principle of action whose range will be universal.” Hence, she (1994, 60) seems to propose a careful inquiry into “freedom,” one showing that to acknowledge and promote the freedom of others is a possible and indeed a valuable choice: the genuinely free human being, who wills the freedom of others as she/he wills her/his own freedom, is one who respects the freedom of others and helps them live their freedom.<sup>4</sup>

I believe that the appeal to make this choice one’s own aspires to comparable concerns about the rights of others. Therefore, I argue that Beauvoir’s universal moral demand to promote, or at least not to impair, the absolute value of the human being, i.e., freedom, is highly congruent with the moral conception of rights as mutual demands which must be fulfilled so that no human being is hindered from realizing oneself. In other words, the moral responsibility advanced both in this conception of rights and in Beauvoir’s “will to freedom” seem to promote a cause that is “universally human.” I think that Amartya Sen’s moral approach to human rights is especially helpful to substantiate the points of convergence between Beauvoir’s ethics and the moral grounds of human rights. In *The*

*idea of justice* (2010), Sen seems to refer to a comparable recognition of the cause of human rights (as universally human) when he (2010, 355) writes, “there is something very appealing in the idea that every person in the world, irrespective of citizenship, residence, race, class, caste or community, has some basic rights which others should respect.” This approach asks that the obligation to respect human rights be substantiated in the interdependency of rights and freedoms: rights are to be respected for all humans by virtue of their (rights’) being entitlements to freedoms, that is to say, entitlements to human capacities to pursue the life one values. Accordingly, for Sen (2010, 357),

...the force of the assertion for the existence of human rights lies in the recognition of some important freedoms that is claimed, should be respected, and correspondingly in the acceptance of obligations by the society, one way or another, to support and promote these freedoms.

While Beauvoir does not use the language of “obligation” or “duty,” she does promote the responsibility to respect and safeguard the practical freedom of others and argues for the concern for the freedom of others to be the condition of genuine freedom. According to Sen (2010, 228), “our ability to decide to live as we would like,” “to promote the ends we may want to advance,” and “our ability to achieve what we value” relate to the opportunity aspect of freedom. The opportunity aspect of freedom implying the substantive role of freedoms for one to lead the kind of life that one chooses is a major moral premise in the “capabilities approach” of both Amartya Sen and Martha Nussbaum.<sup>5</sup> Capabilities are “the substantive freedoms” in terms of which an individual is able “to lead the kind of life he or she has reason to value” (Sen 1999, 87). And in the sense of an entitlement, a person has “just by virtue of being human” rights “prior to capability” and hence serve as “a ground for the securing of a capability” (Nussbaum 1997, 293). I believe that the moral ground of the interdependency of freedoms and rights in terms of the capabilities approach has as a most crucial point of convergence with Beauvoir’s argument for the urgency of practical freedom: just as rights imply the duty to respect and promote substantial freedoms for one to lead a dignified human life,<sup>6</sup> Beauvoir (1994, 2004a) argues for the responsibility to promote the practical freedom of others or to “will others free” so that they can live a truly human life, i.e., a life where they can realize themselves as they choose. In order to appreciate the primacy of this responsibility substantiated in her existentialist ethics, we need to turn to Beauvoir’s analysis of the human condition.

#### THE “TRAGIC” HUMAN CONDITION AND PRACTICAL FREEDOM

The existentialist spirit has it that although “not to be free” is the only respect in which one is not free, everyone’s willing herself/himself free is not warranted: “It would be deliberately contradictory to will oneself not free. But one can choose not to will himself free” (Beauvoir 1994, 25). This point is crucial, since having to live among those who may choose not to will themselves free is what brings the element of the “tragic” into the “genuine” conditions of our life (Beauvoir 1994, 9). Those who choose “not to will

themselves free” are living in the spirit of “seriousness,” an attitude Beauvoir (1994, 45-52) discusses extensively in *The ethics of ambiguity*. Not to will oneself free is to refuse to assume responsibility for the consequences of one’s own acts by hiding behind absolute ideals, principles, and values: “there is the serious from the moment that freedom denies itself to the advantage of ends which one claims are absolute” (Beauvoir 1994, 46). Moreover, Beauvoir finds seriousness or “bad faith” to be dangerous for others since in making her/his own will subordinate to predetermined ends and hence evading the responsibility of assuming her/his freedom, neither does the “serious” realize that her/his acts give rise to oppression and evil:<sup>7</sup>

...the serious man puts nothing in question. For the military man, the army is useful; for the colonial administrator, the highway; for the serious revolutionary, the revolution—army, highway, revolution, productions becoming inhuman idols to which one would not hesitate to sacrifice man himself. Therefore, the serious man is dangerous. (Beauvoir 1994, 49)

In *The ethics of ambiguity*, Beauvoir (1994, 9-10) writes:

...from the very beginning, existentialism defined itself as a philosophy of ambiguity.... It is by ambiguity that...Sartre, in *Being and Nothingness*, defined man, that being whose being is not to be, that subjectivity which realizes itself only as a presence in the world, that engaged freedom, that surging of the for-itself which is immediately given for others.

Agreeing with Sartre, Beauvoir (1994, 9) urges us to assume our fundamental ambiguity because it is from there that we ought to “draw our strength to live and our reason for acting.”

Very much influenced by Edmund Husserl’s (1990) phenomenology,<sup>8</sup> the starting point of Beauvoir’s analysis of the human condition is the lived experience. Accordingly, her phenomenological existential ethics<sup>9</sup> is grounded on the reflective observation of human experience that is necessarily marked by intentionality; in other words, by the relational bond that human consciousness has with everything else in the world including other human beings. However, the relational bond with fellow human beings is fundamentally different from that with nonhuman reality, where there is only a subject-object relation: the intersubjective domain is marked by the “irreducible truth” that there exists a mutual concern between subjectivities (Beauvoir 1994, 72). The ambiguity of the human condition is “tragic” since human beings are both subjects striving to realize themselves through their projects, i.e., live their freedom, and “objects” for others (Beauvoir 1994, 7). Along the same lines, Sartre (1992, 327) defines the “tragic” as “the affirmation of freedom amidst the total failure of freedom.” Evidently, for Beauvoir (1994, 9 and 24) this condition from which it is not possible for us to “flee” is where we need to account for moral action (or the lack thereof): “there is ethics if only ethical action is not present.”

It seems that, according to Beauvoir (1994, 83), ethical action follows from the awareness that the cause of freedom is universally human. As to live one’s own freedom depends on the existence of others who determine themselves to act in terms of the

requirements of such awareness, in its absence human life is at best reduced to maintaining itself. In such a life, she argues, “living is only not dying, and human existence is indistinguishable from an absurd vegetation.” This brings to mind a relevant episode from Beauvoir’s autobiographical work, *The prime of life*, where she recalls a conversation with Sartre on the relation of “situation” to freedom. She (1962, 434) writes:

I maintained that, from the angle of freedom as Sartre defined it...not every situation was equally valid: what sort of transcendence could a woman shut up in a harem achieve? Sartre replied that even such a cloistered existence could be lived in several quite different ways. I stuck to my point for a long time and in the end made only a token submission. Basically, I was right. But to defend my attitude, I should have had to abandon the plane of individualist, therefore idealistic, morality on which we had set ourselves.

Apparently, Beauvoir and Sartre disagree on some issues related to freedom. While for Sartre, as far as the infinity of freedom is concerned, all situations are equal, Beauvoir (2004a, 86), making a distinction between practical freedom and ontological freedom, thinks that practical freedom or *power* “is finite”—that is to say, unlike ontological freedom that “remains infinite” regardless of a particular situation, power can be “augmented” or “limited” from without. Hence, although one’s ontological freedom is not affected by the acts of others and cannot be taken away, her/his practical freedom depends on others who can be for or against them. In other words, while others can recognize us as free beings and promote or augment our freedom, they can also disregard or limit our freedom. Hence the relevance of her example regarding women in the harem: while it is true that these women are as ontologically free as any other human being, the field of action where they are to exercise their ontological freedom has been limited in their being shut up in the harem. Siding with Maurice Merleau-Ponty (1965) and “abandoning the plane of individualist, therefore idealistic, morality” that she initially shared with Sartre, Beauvoir argues that the subject is always already a situated embodied subject among others and that how one lives her/his freedom is socially conditioned.<sup>10</sup> Accordingly, Beauvoir seems to think that “freedom as Sartre defined it,” one that is impervious to the force of situations, needs to be rethought taking into account that, although ontologically free, human beings are always situated embodied subjects and freedoms are interdependent.<sup>11</sup> In her article, “Beauvoir: The weight of situation,” Sonia Kruks (1998, 62) makes a most important remark:

If we compare Beauvoir’s account of women’s situation with Sartre’s discussion of situation in *Being and Nothingness*, we are struck by several divergences. Most obviously, situation has become in Beauvoir’s analysis above all *condition*, external force.

Kruks (1998, 62) also explains that situation as external force makes it possible to “talk of a situation as *general*, as being an objective reality which is experienced in similar ways by the members of a certain category of human beings.” I believe this point to be crucial to justify the need for group rights—such as women’s, children’s and minorities’—

as here a crucial aspect of the interdependency of freedoms is revealed, one where the particularity of the situation is due to a specific group identity.

In *The second sex*, Beauvoir not only elaborates on how women have been constructed as men's subordinates—or the “Other”—historically and culturally, but also explains in detail the lives and experiences of women as an oppressed group. From a global perspective, her account is still highly relevant considering the present predicament of women in the greater part of the world. While in *The second sex*, referring to the then recently promulgated Universal Declaration of Human Rights, Beauvoir (2011, 15-16) says that women are “fortunate to have had all the privileges of the human being restored to them” and so have “more or less won the game,” she also warns against being disillusioned to think that these formal rights spontaneously ensure women the capacity to exercise their freedom effectively. An account early in the book showing that formal rights are not sufficient to guarantee effective freedom regards the respective situations of women in ancient Greece and Rome. Upon comparison, Beauvoir (2011, 103) argues that although “legally more enslaved” than Greek women, women in Rome had more concrete freedom, thanks to their economic situation. Drawing attention to differences among the situations of women and the corresponding nature of their oppression due to factors such as social and economic class and culture, Beauvoir (2011, 537-84) also elaborates at length in *The second sex* on reproductive rights and maternity to further argue that formal rights, the effectiveness of which can be enhanced or limited by concrete situations, are not by themselves sufficient to bring about the emancipation of women. However, this does not mean that Beauvoir dismisses rights as irrelevant to improving women's situation, that is to say, their situation as the “oppressed” or the “Other.” That Beauvoir believes particular problems to indeed call for human rights advocacy<sup>12</sup> is salient in her answer to an interview question about female genital mutilation practice in Africa: asserting this problem to be a “human rights question,” Beauvoir (see Wenzel 1986, 15) finds the Western feminists' negligence to effectively intervene and fight against this human rights violation to constitute “a kind of racism.” Hence, I argue that the moral spirit of human rights is not actually foreign to the conceptual framework of Beauvoir's existentialist ethics and can be shown to be implicated in her “individualistic” but “not solipsistic” ethics.

### AN INDIVIDUALISTIC BUT NOT SOLIPSISTIC ETHICS

In the concluding section of *The ethics of ambiguity*, referring to her own ethics, Beauvoir (1994, 156) asks, “[i]s this kind of ethics individualistic or not?” And says that it is, “if one means by that it accords to the individual an absolute value and that it recognizes in him alone the power of laying the foundations of his own existence.” But she says that it is not solipsistic, “since the individual is defined only by his relationship to the world and to the other individuals...and his freedom can be achieved only through the freedom of others.”

In this passage it becomes evident what Beauvoir means by “abandoning the plane of individualist morality,” as she makes it clear that “individualist” does not mean “solipsistic”: on the one hand, freedom is an absolute value since, being defined as freedom, the human being is nothing but what she/he makes of herself/himself, but, on the other hand, freedoms are interdependent and freedom for one can only be achieved through

the freedom of others. Moreover, due to the interdependency of freedoms, a “dignified” human existence for human beings—that is to say, one where they are able to achieve freedom and realize themselves as they choose—is possible only if they assume the moral responsibility to help others exist as human, which is implied by the acknowledgment that freedom is universally human. This is indeed an existential choice which, by its very enactment, creates the moral “good” characterizing this acknowledgment. I believe that the approach to human freedom advanced in this distinction is highly congruent with the origin of the demand expressed in the universal human rights, as well as the significance and viability of the positive response to this demand. To explain, considering that at the ethical core of human rights lies the demand for the recognition of the value of human self-realization, the cause of human rights can be said to be universal since this ethical demand implies the acknowledgment of each human being’s “individualistic” claim to freedom in the existentialist sense. Moreover, this demand can be fulfilled only if the addressees—that is to say, other human beings—comprehend it to entail a responsibility on their part, namely, that the self-realization of any individual is possible on the condition that it is willed by others. That existentialism may imply a sense of responsibility close to the Kantian “duty” or “obligation” may raise eyebrows on the part of those versed in existentialist philosophy where the denial of the existence of pre-given ethical precepts as well as a predetermining human nature, either good or evil, is well documented. I believe that the insight provided by Iris Marion Young’s (2011, 143) distinction between responsibility and duty can help us here:

When we have a duty, moral rules specify what it is that we are supposed to do: for example, “Honor thy father and thy mother.” Responsibility, however, while no less obligatory, is more open as to what actions it calls for. One has the responsibility to whatever it takes to bring about specific ends and purposes.

I find Young’s analysis of responsibility to be very informative to account for responsibility in the Beauvoirian sense: just as for Young (2011, 143), it is “up to the agents” to decide on the actions to “discharge” responsibility “within the limits of other moral considerations,” for Beauvoir, it is the moral responsibility of the agent to evaluate the particular conditions of the situation and decide on the appropriate course of action that will help maximize the effective freedom of all, including oneself. Referring to the French resistance movement during the Nazi occupation, Beauvoir (2004b, 188) writes, “they had to choose freely, and through their practical choice of action they defined the values that made this choice necessary.” Hence, for Beauvoir, morality concerns not abstract principles and norms but choices. And Beauvoir argues that choices indeed depend on the will of the agent: while the person with a “good will,” taking the cause of freedom to be “universally human,” would strive to expend the freedom of others, the person with an “evil will” would be insensitive to their freedom and will not even hesitate to sacrifice man himself as we have seen in Beauvoir’s account of the “serious man.”

For Beauvoir, a philosophical approach which cannot account for the evil will or dismisses it as nonexistent, cannot produce an ethical theory either. She (1994, 33) writes, “It is precisely because an evil will is possible that the words ‘to will oneself free’ have a



meaning.” Accordingly, not only does she (1994, 33-34) assert that the existentialist doctrine permits the elaboration of an ethics, but also believes that it is “the only philosophy in which an ethics has its place.” Criticizing Kantian ethics, Beauvoir writes, “[a]s the choice of his character which the subject makes is achieved in the intelligible world by a purely rational will, one cannot understand how the latter expressly rejects the law which it gives to itself.” Therefore, the reason why Kant cannot account for the evil will—that is to say, the nonrational will that refuses to give the moral law to itself as a duty or an obligation<sup>13</sup>—is because he defines the human being “as pure positivity,” with no other possibility than to “coincide with” herself/himself. However, for Beauvoir (1994, 12), the evil will can only be accounted for if we conceive the human being as a lack of being or “negativity”: “man makes himself lack of being *in order that* there might be being.” Beauvoir further explains that “the term *in order that* indicates an intentionality” whereby “being is disclosed.” The moral aspect inherent to this dynamic process is such that, in disclosing the world in terms of her/his projects, one also acts as a “lawmaker” who, in Sartre’s (1987, 18) words, “is at the same time, choosing all mankind as well as himself.” Hence, contra Kant, morality is not about acting “rationally” in accordance with the universal moral law but making choices with the awareness that “the full responsibility of existence” rests on oneself: “creating the man that we want to be, there is not a single one of our acts which at the same time creates an image of man as we think he ought to be” (Sartre 1987, 16-17). Moreover, as neither for Beauvoir nor for Sartre is there any antecedent moral law—such as the Kantian categorical imperative—determining our choice of actions, it is never guaranteed that we will act morally. As the source of all value, freedom is again where we need to turn in order to comprehend the value of the moral act. As Beauvoir (1994, 156) powerfully asserts in the conclusion to *The ethics of ambiguity*, “...man is free; but he finds his law in his very freedom...by reconquering freedom on the contingent facticity of existence, that is, of taking the given, which, at the start, *is there* without any reason, as something willed by man.” Accordingly, the ethical action is not one that conforms to a duty to act in terms of certain predetermining principles, but is the action wherein values are created by the choices of the genuinely free human being.

However, as according to the main claim of existentialism, the human being is free to realize oneself as she/he chooses, a question may arise as to how congruent “absolute freedom” is with the idea that the choices having a positive moral value are the ones willed by genuinely free individuals. In other words, just like in cases where different rights come into conflict making it hard to judge which right is to be prioritized to protect human dignity, diverse ways to actualize freedom, in the existential sense, may also involve conflicts having implications for the absolute value of freedom. A relevant and contemporary case to address such conflicts is the “veil issue”<sup>14</sup> much debated especially in Europe where some legal sanctions are imposed against the veil.<sup>15</sup> Though mainly addressed in terms of multiculturalism within the European context, the “veil issue” also involves questions regarding the freedom of conscience and of expression as well as the oppression and discrimination of women.<sup>16</sup> While the latter concerns are mostly expressed by scholars, Muslim women who are faced with the immediate consequences of the pressure on the veil, react to the bans and restrictions on the account that their religious freedom, in other words, their right to lead their lives in accordance with the Islamic canon is being violated.

In terms of the subject matter of the article, the question that interests us here is

whether Beauvoir would consider veiling as an expression of “freedom” or denounce it as part of an oppressive structure condemning women to imminence.<sup>17</sup> I believe that Beauvoir’s analysis of the situation of the slave in *The ethics of ambiguity* can help us evaluate the case at hand. The situation of the slave is especially relevant since as Beauvoir (2011, 159) explains in *The second sex*, women’s condition is akin to serfdom. According to Beauvoir, the freedom of women cannot be accounted for outside of the oppressive structures women are made to live in. In other words, the ethical framework in which to discuss the ban on veiling requires an account of the oppression women are subjected to as a group that here manifests itself under the terms of religiosity. For Beauvoir (1994, 85), “the slave is submissive” when she/he is mystified to the point where she/he does not realize that her/his situation is imposed upon her/him by others. The slave rather thinks that her/his situation is “immediately given by nature, by gods, by powers against whom revolt has no meaning.” Hence, the slave, not being able to interpret her/his situation as caused by others, can neither realize that she/he is made to live under oppression. From an existentialist perspective, the case of veiled women seems to be similar to the slaves, especially in terms of their inability to critically evaluate their predicament. Besides, to reduce veiling to a dress code commended by piety would be to look at the issue from a narrow perspective with the risk of rendering it vulnerable to uses and abuses, especially in politics.<sup>18</sup> Veiling is indeed part of a system that also imposes other restrictions on women as social, political and legal agents. Hence, for Beauvoir as the philosopher of “the Other,” to see veiling as “freedom” would be highly problematic, especially since freedom is about opening up further possibilities for human beings and not limiting them.

However, I believe that Beauvoir (1994, 85-86) would also be reluctant to give full support to the bans on veiling. Just as she argues for the slaves, to throw women “under the pretext of liberation” into a new world “on which they have no grip,” would be “awakening them to unhappiness.” Hence, it is not a question of forcing veiled women to open up “in spite of themselves,” but to “furnish” them with the means to transcend their situation by not only making them aware of the absolute value of freedom but also by helping them get over their economic and social dependency. Indeed, helping others achieve freedom is a responsibility for any human being with a “good will.”

For Beauvoir (1994, 82), the human will can be “hostile” but also “allied.” While a hostile (or evil) will can turn others into objects<sup>19</sup> and destine them to facticity, an allied (or good) will participates in the making of a common future for all human beings by allowing the other to participate in this constructive movement. As human beings realize themselves by transcending the facticity they find themselves in, they at the same time give meaning to the world and life, neither of which has an intrinsic value or significance. She (2004c, 325) contends that it is as free beings that human beings are able to “snatch the world from the darkness of absurdity, clothe it in significations, and project valid goals into it.” Hence, it is thanks to the projects and achievements which come into being in terms of this will to freedom that the world and life acquire meaning for humans. Moreover, this will to freedom as the will to fashion the world implies another equally important aspect of moral responsibility, one that arises with the awareness that the meanings one engenders and the goals one projects will affect the others by creating the very conditions—i.e., the facticity—in which they are to pursue their own goals and exercise their freedoms.<sup>20</sup> Expressing the irreducible fact of the interdependency of freedoms, Beauvoir (1994, 126)

says, "I am the facticity of his situation. The other is free based on that, totally free based only on that.... The fate that weighs on the other is always us." Accordingly, practical freedom—that is to say, the freedom to actually act, hence live in accordance with one's own existential choices—can be said to depend on the others. In so far as one can conceive rights to be about the acknowledgment of everyone's entitlement to freedom, I therefore suggest that Beauvoir's formula, "to will oneself free is also to will the others free," can be read as conveying the idea that the responsibility to recognize the basic ontological freedom of human beings is congruent with the ethical responsibility to recognize, respect, and promote human rights.

In her article, "Beauvoir, ontology and women's human rights,"<sup>21</sup> Gail Linsenbard (1999, 146) suggests that "an ontological investigation must be done *prior* to any discussion and promotion of human rights." Agreeing with Linsenbard on this point, I also think that it is crucial first to accept that human beings are ontologically free to be able to argue for rights as entitlements to promote their practical freedom. However, I believe that "the sharp distinction" between the ontological and practical freedom that Linsenbard (1999, 146 and 148) takes to be crucial to defend "the promotion and protection of human rights"—which for her is the same with "the promotion and protection of practical freedom"—on the "basis of persons' ontological freedom," is questionable. If my reading of Beauvoir is accurate, while the distinctive ontological mode of "being human" is characterized by the capacity for freedom, this capacity can be realized as practical or effective freedom only when ontological freedom is "reconquered as moral freedom" through the will of those who will the others' freedom as they will their own. In this interpretation, practical freedom, rather than being "sharply distinct" from the ontological, is indeed ontological freedom made "concrete" through the will of genuinely free persons who chose to assume their ontological freedom as indistinguishable from moral freedom. Therefore, even though Linsenbard (1999, 152) rightfully asserts that "the promotion and protection of human rights is inextricably connected to one's lived experience" through which a certain worth and dignity is conferred upon her/him by "communal and political existence," by not taking into account that for Beauvoir, moral freedom is indeed ontological freedom "reconquered," she seems to fail to see that ontological and practical freedom are not as distinct as she takes them to be.

Moreover, I do not agree with Linsenbard (1999, 156) that the claim Sonia Kruks uses "too strong" a language when she suggests that "ontological freedom can be absent in the midst of oppression." I also understand Beauvoir to imply that women under oppression are indeed "cut off from the possibility of transcendence" (Kruks 1995, 87). To go back to an earlier example, we argued that the ontological freedom of "women in the harem" depended on the "good will" of others (here, men) who would comprehend their own ontological freedom to entail the moral responsibility to contribute to, or at least, not to hinder the freedom of women. This is also why I believe Beauvoir (2011, 17) says in *The second sex* that her perspective in the book is one of "existentialist morality." Therefore, although "persons are ontologically free, even though their practical freedom may be so severely constrained as to be absent," they may hardly be contradicted within the existentialist framework, the priority of ontological freedom is not sufficient to "defend universal human rights and to justify moral action against human rights abuses" (Linsenbard 1999, 145 and 153). The reason being that unless ontological freedom is

understood to simultaneously be implicated as moral freedom, it risks being seen as the abstract ground of an “essentialist conception of human nature” that Linsenbard (1999, 152) correctly asserts to be contradictory to Beauvoirian existentialism. Therefore, my account of the relation of Beauvoir’s freedom to human rights significantly differs from Linsenbard’s in that, unlike her, I argue that we can make sense of human rights from within Beauvoir’s ethics by showing the intimate connection of ontological and practical freedom grounded on an investigation of “the will to freedom,” that is to say, through the account of “good will” implying the moral account of ontological freedom.

According to Beauvoir (1994, 73), the person with a good will sees “concrete and difficult problems” arising in her/his relations with others. These problems emerge because those with an evil will, consciously or not, deny freedom to others. It seems that what Beauvoir (1994, 96) means to express by “reconquering freedom” requires a peculiar kind of contemplation on the “demands of one’s own freedom,” one that gives rise to an “awareness” with the potential to make even the oppressed to “denounce oppression.” In other words, this awareness would make the oppressor realize that “treating man as a means is...contradicting his absolute value,” which Beauvoir (2004a, 190) says is “the sole foundation for an action.” Therefore, as the fundamental value of the human being is freedom, an action is ethically justified only if it aims at promoting this value. Beauvoir (1994, 15) writes, “It is human existence which makes values spring up in the world on the basis of which it will be able to judge the enterprise in which it will be engaged.” In other words, it is through the values which we engender as free beings that we judge whether to pursue a particular goal. Hence, to be aware of the demands of one’s own freedom is also to recognize the responsibility towards others’ freedom as such a demand. Accordingly, it is in recognizing the value of freedom that one makes a choice to act as a “genuinely” moral person. I believe this approach to be in line with the ethical approach to rights as the ethical guideline to act so as to promote, or at least not to impair, the absolute value of the human being. Therefore, the demand implied in the Beauvoirian responsibility seems to be guided by a similar ethical aspiration as the one substantiating the ethical validity of human rights in general and the rights of oppressed groups in particular.

It is indeed in oppression<sup>22</sup> and discrimination that the critical value of rights becomes most perceptible. Even though, according to Beauvoir, formal rights do not by themselves ensure effective freedom, the objective of eliminating all forms of oppression and discrimination substantiated in the corroboration of rights implicates similar aspirations with Beauvoir’s universal moral principle grounded on the will to promote the freedom of others so that their life is not consumed away in oppression and discrimination. Therefore, we need to seriously consider others’ freedom and help them achieve it—hence will others free—because they can exist as human only when they achieve freedom by participating in the constructive movement of fashioning the world. For Beauvoir (1994, 80-81), this movement is “concrete” in the sense that “discoveries, inventions, industries, culture, paintings, books people the world and open concrete possibilities” to human beings. These “constructive activities” from which all humanity benefits emerge as a function of the disclosure of the world as human beings extend their freedom and are able to realize their goals. This also clearly reveals the sense in which the cause of freedom is said to be universally human. Thence comes the universality of the will to freedom. In other words, it is in grasping the cause of freedom

to be universal that one also comprehends genuine freedom to consist of “reconquering” freedom in one single act whereby one wills freedom for oneself and for all humanity. In *Pyrrhus and Cineas*, Beauvoir (2004a, 137) writes, “I ask health, knowledge, well-being, and leisure for men so that their freedom is not consumed in fighting sickness, ignorance and misery.” It would not be wrong to interpret this quote as being about the moral ground of human rights as political ideals and their vital significance for effective freedom. Reflecting on this passage, I suggest that there is a fundamental precariousness of the conditions of a dignified human life. As this precariousness is due to the ambiguity of the human condition, the possibility of a dignified human existence is conditional upon the awareness that freedoms are interdependent.

## CONCLUSION

In conclusion, I argue that this interdependency of freedoms is the reason why “the cause of freedom” is seen by Beauvoir as “universally human.” The same interdependency also implicates the practical relevance of human rights—in the sense of entitlements to substantial freedoms—for effective freedom. Therefore, to the extent that the recognition of ontological freedom share similar ethical grounds with the universal demand behind human rights, I claim that we can make sense of human rights from within Beauvoir’s existentialist ethics if we conceived them primarily as ethical pronouncements of the values engendered by genuinely free human beings through their acts.

Although Beauvoir cannot be said to be a human rights thinker, her phenomenological analysis of the ambiguity of human existence is a cogent and convincing justification of the existence as well of the urgency of freedoms and rights.

## NOTES

1. For a detailed analysis of the *Notebooks*, see Linsenbard (2000).

2. The reader will notice that the language in most quotes from Beauvoir’s and Sartre’s works include what we now consider to be “sexist-language.” Notwithstanding the fact that the sustained concern about gender-neutral language is a relatively recent phenomenon, it is surprising to see that even Beauvoir, as a most prominent feminist philosopher and writer, was not observant of the vital significance of nonsexist language. While I tried to paraphrase as much as I could to avoid sexist-language, I left as is those quotes where the meaning or the argument would be better conveyed or followed when used in the original English translation. Otherwise, the text thoroughly conforms to the established standards of gender-neutral and nonsexist language.

3. In the *Notebooks*, Sartre (1956, 553-54) says that responsibility, i.e., “consciousness (of) being the incontestable author of an event or of an object” is “the logical requirement of the consequences of our freedom.” Since for Beauvoir (1994, 24), “to will oneself free” is not only “to will the others free” but also “to will oneself moral.” I believe she conceives the moral responsibility towards the freedom of others as such a logical requirement.

4. Beauvoir cites Thomas E. Lawrence (1922), famously known in the movie expresses her admiration for him as follows: “Lawrence...was so concerned about the

*Lawrence of Arabia*, as a fine example of a genuinely free individual. She (1994, 61) expresses her admiration for him as follows: “Lawrence...was so concerned about the lives of his companions and the freedom of others, so tormented by the human problems which all action raises. One is then in the presence of a genuinely free man.

5. See for instance (Nussbaum and Sen 1993; Sen 1984, 1999, 2010; and Nussbaum 1997, 2000). For Nussbaum’s account of the differences between her own and Sen’s take on the capabilities approach, see especially Nussbaum 1997.

6. It is a main argument of this paper that “a dignified human life” is both a standard of human rights and a measure for Beauvoir’s practical freedom. A person may be said to lead “a dignified life” when her/his entitlement to develop her/his human capacities—being one and the same with realizing herself/himself—is not obstructed by others. Following Nussbaum (2000, 222-23), the idea of a dignified human life is “an intuitive idea of a life” the worthy of which is informed by human capabilities, i.e., “what people are actually able to do and to be.”

7. Beauvoir’s account of the spirit of seriousness and the resulting oppression and evil brings to mind Hannah Arendt’s account of “the banality of evil” in *Eichmann in Jerusalem*. Arendt (2006, 287) says that when she speaks of “the banality of evil” she did so “only on the strictly factual matter... which stared one in the face at the trial. Following orders without questioning, Eichmann “*never...realized what he was doing.*” In his final statement to the court, Eichmann justified his acts as being the “reevaluation of values prescribed by the [Nazi] government.”

8. In *The prime of life*, she (1962, 201) narrates her feeling upon reading Edmund Husserl’s *On the phenomenology of the consciousness of internal time* as follows: “the novelty and richness of phenomenology filled me with enthusiasm: I felt I had never come so close to the real truth.”

9. See Wendy O’Brien and Embree Lester (2001), especially Chapters 1, 5, and 10, for an account of the influence of phenomenology on Beauvoir’s ethical theory.

10. See Beauvoir’s (2004d) “A review of *The phenomenology of perception* by Maurice Merleau-Ponty” and also Monika Langer (2003, 87-106).

11. For comparative accounts of Sartre’s and Beauvoir’s views on freedom, see for example, Kruks (1995, 79-96), Kristiana Arp (2001), and Suzanne Moser (2008).

12. Beauvoir (2007) was very active in the feminist movement for reproductive rights. She is also the author of the text of the *Manifesto of 343*, the declaration signed by 343 women including herself, who admitted to have had an abortion which was illegal at that time. The manifesto “demanding the free access to birth control and freedom to have an abortion,” has contributed to the legalization of abortion in 1975. For the full original text, see “Le ‘Manifeste des 343 salopes’ paru dans le *Nouvel Obs* en 1971” (2007).

13. For Immanuel Kant (2002), since the human being is essentially rational, the world willed by the person is nothing less than the moral world and to be free is one and the same thing as having a good will. Moreover, the will by which one determines oneself to action is conceived of in terms of an obligation or a duty given by rationality itself: “the will is a species of causality of living beings, insofar as they are rational” and freedom Kant (2002, 63) describes as, “that quality of this causality by which it can be effective independently of alien causes determining it....” However, for both

Beauvoir and Sartre (1992, 255), freedom thus defined is “to choose an already chosen end”—one that is chosen by rationality—hence not freedom but rather ‘nonfreedom’.”

14. The “Muslim veil” comes in many forms from the headscarf that covers only the hair to the *burqua* that hides the whole body including the face.

15. For a comprehensive account of the situation in Europe, see “The Islamic veil across Europe” (2014). Also, as this paper was being prepared for publication, the latest from France was the ban on “burkinis”—the full-body swimsuits of the orthodox Muslim women—on the beaches of Cannes. Besides Europe, the “headscarf issue” also continues to be a topic of contestation in Turkey, a secular country with a predominantly Muslim population. The veil, especially the headscarf, has always been a common traditional practice among women in the rural parts of Turkey with no implication of antisecularism. However, with the rise of political Islam around the early 1980s, the “headscarf” or the “turban” gradually became part of the Islamic discourse against the modern and secular ideals of the Republic.

16. The question on oppression and discrimination cuts both ways. While from the perspective of the Europeans, Islamic practices such as veiling denote conservatism and backwardness and is contested as antithetical to the enlightenment ideals of the West, scholars like Saba Mahmood (2011) and Lila Abu-Lughod (2013) are very critical of this view and think that it is a sort of imperialism and elitism to represent pious women as victimized by Islam.

17. The only reference I could find about Beauvoir’s take on the issue of veiling is in *Foucault and the Iranian revolution: Gender and the seductions of Islamism*, where the authors cite Beauvoir’s negative reaction and opposition to the “re-veiling of Iranian women” as unfavorably mentioned by Edward Said (see Afary and Anderson 2005, 117).

18. For instance, the conservative parties in Turkey used “the headscarf” as a bait to attract voters but having no sincere concern for gender equality or women’s emancipation, turned a blind eye to issues such as child brides, the education of girls, forced marriage, and honor crimes.

19. For Beauvoir (2011, 17), condemning the other to imminence is an “absolute evil.”

20. In the same vein, Sartre (1992, 279) writes:

The only *authentic* form of willing consists in wanting the end to be realized by the other. And wanting here consists in engaging oneself in the operation. But not to do it oneself, but rather to modify the situation so that the other can do it.... I contribute to *its happening* (or in some cases, I turn away from my own ends so as not to prevent its happening).

21. To the best of my knowledge, Linsenbard’s article is the only other academic article exclusively discussing human rights in terms of Beauvoir’s philosophy, Sonia Kruks (2009, 148-51) article “Simone de Beauvoir” being an encyclopedia entry.

22. See Schott (2003, 228-47) for a comprehensive account of the problem of evil in the *Ethics of ambiguity*, especially concerning the evils of oppression and injustice that the ambiguity of the human condition engenders.

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