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THE METAPHYSICS OF GENDER

Ama is genderqueer. She is female, but identifies as neither a man nor a woman. People often say they are confused about whether Ama is a man or a woman. Ama uses the women's bathroom because it's easiest both in terms of not getting harassed and of menstruation needs.

Ben is a trans man. He has some characteristically female anatomy, but he's taken regular testosterone supplements for several years, and most people think he's male when they meet him. He uses the women's bathroom because his state recently passed a law requiring him to. When he does, people yell at him and tell him he's in the wrong place.

Chi-ah is a gender-nonconforming woman. She identifies as a butch lesbian and typically wears mens' clothing. People often mistake Chi-ah for a man, especially when she's with her wife. She uses the women's bathroom because she's always identified as a woman.

Deena is a feminine woman. She uses the women's bathroom because it has never occurred to her that she would use anything else. However, unbeknownst to her, she has XY sex chromosomes instead of XX sex chromosomes.

What does it mean to really be a woman (or a man, or a genderqueer person, etc.)? Is it a matter of how you think about yourself? Of how others treat you? Of your personality? Of what your body is like? People disagree about which of Ama, Ben, Chi-ah, and Deena are really women. And they disagree about which of them belong in women-only spaces like a woman's bathroom. But there's a lot of confusion about what we even mean when we ask whether someone is really a woman.

1. Sex and Gender

People often assume that the issue is pretty simple: you're a woman if you have XX chromosomes, and you're a man if you have XY chromosomes. But it turns out not to be that simple at all.

To start off, let's talk about sex. Your biological sex is determined by a special set of anatomical features—although the relationship between sex characteristics and sex classification is complicated, and not all human bodies can easily be classified into a particular sex category. Biological features that determine sex include chromosomes (XX or XY in typical cases, but there are also rare combinations like XXY), hormones (overall balance of testosterone, estrogen, progesterone, etc.), reproductive organs (ovaries, testes, uterus, vagina, penis), and more diffuse anatomical characteristics that often correlate with sex (e.g., prominent Adam's apple, body hair patterns, facial shape, etc.). A typical male has XY chromosomes, testes, and higher levels of testosterone; a typical female has XX chromosomes, a uterus and ovaries, and higher levels of estrogen and progesterone. But it's important to note that these characteristics can be combined in various different ways, which is part of why human bodies don't sort neatly into a sex binary of male and female—there's a lot of intersex variation between those two categories. Still, sexed characteristics are an important biological aspect of human bodies, especially because of the role they play in human reproduction.

So our anatomical sex characteristics are an important part of our bodies—but do they explain or determine our gender? Once we look closely, it seems pretty clear that they don't.

To begin with, someone can be a woman without clearly being female. Some women, like Deena for example, have a condition known as androgen insensitivity syndrome (AIS). AIS is one of many conditions that can result in bodies that don't easily fit our classifications of male or female. In some cases of AIS, for example, a person with XY chromosomes can develop all the external sex characteristics we associate with female bodies, but lack a uterus and have undescended testes (often in a location similar to that of the ovaries in most females.) This type of body is a classic example of the kinds of bodies we often call "intersex." But someone who has all the external physical characteristics we associate with being female will be treated as a woman and experience all the social norms and expectations we apply to people with female bodies. And many

people with AIS identify strongly as women, regardless of the biological complexity of their sex. Contra the proponents of various exclusionary “bathroom laws,” who often say that you’re a woman only if you have XX chromosomes, you can clearly be a woman in the ways that matter to us socially even if you’re not classifiable as female.

But perhaps more important, there’s a lot that we pack in to our idea of what it is to be a woman—of what it is to be a real woman—or of what it is to be a man, a genderqueer person, and so forth, that goes beyond basic anatomy. There are lots of ways that your body can be. You can have brown eyes or green eyes, you can be 5’5” or 6’, you can have straight hair or curly hair, and so on. But some ways your body can be are more socially significant than others. If people perceive you as a person with brown eyes, they don’t typically make immediate assumptions about your personality, your interests, or your skills. We don’t think brown-eyed people are all the same or that brown-eyed people share deeply meaningful traits that green-eyed people lack. But if you’re perceived as someone who is female, people will often make significant assumptions about what you’re like based on this perception. And even more important, they’ll often make significant assumptions about what you should be like. Maybe people will think that you’re likely to be nurturing, or likely to talk a lot, or likely to be emotional, or likely to be particularly good at organizing but not that great at abstract reasoning and innovation, and so forth. The particular assumptions can vary a lot from place to place and time to time. The main point is just that people’s perceptions of your sex characteristics are deeply socially significant, in a way that people’s perceptions of your eye color or shoe size aren’t. If you’re perceived as someone with breasts and a vagina, people will tend to think this is something that matters a very great deal to what kind of person you are. They’ll think you probably have some significant things in common with other people perceived to have breasts and vaginas, and they’ll perhaps think there are some things you should do and some ways you should behave because you’re perceived as being female.

This kind of deep social significance doesn’t look like it can be explained just by the biological differences between males and females. Our cultural stereotypes tell us things like “men are from Mars, women are from Venus”—they tell us that men and women are radically different, perhaps so different that they can never understand each other. Our current scientific evidence, though, seems to suggest that while there are biological differences between sexes that might influence personality and behavior, these differences typically aren’t very dramatic, and there’s a lot of commonality as well. Height is a good example of this—on average, males are taller than females, but the differences often aren’t very substantial (it’s not like the height difference between adults and children), and plenty of individual females are taller than individual males. Similar things hold true for a lot of the biological sex characteristics that might influence some of our behavior or personality—yes, there are differences that might influence behavior to some degree, but probably not the kind of vast differences that could explain “men are from Mars, women are from Venus” understanding of gender.

We often do try to give biological explanations for our gender stereotypes, though, so it’s important to realize that what’s considered stereotypical or normal for men and women can change fairly drastically from place to place and time to time. So many of the things we currently consider feminine—shopping, the color pink, makeup, fashion—have in other times and places been considered masculine. Consider the

difference between our current gender stereotypes and those prevalent in eighteenth and early nineteenth-century England. At that time and place, the greatest heights of emotionality were thought to be the preserve of men—women, it was thought, weren't capable of the same depths of feeling as men, to the extent that the declaration that “women feel just as much as men feel” in the novel *Jane Eyre* was considered genuinely shocking. Jobs we now think of as characteristically feminine, such as secretary, were typically thought of as men's work. Much factory work, in contrast, was thought of as work primarily for women and children. What a culture associates as stereotypically masculine or feminine can and does vary greatly, even though differences between anatomical sex characteristics remain fairly stable.

There's a specific way in which gender and sexed anatomy can come apart that has recently come under the political spotlight: trans gender. The term “trans” refers to people who identify as a gender other than the one they were assigned at birth (and typically other than the one people assume they ought to identify as based on their anatomy). Some people, like Ama, identify strongly as genderqueer, or nonbinary; that is, they think of themselves as neither a man nor a woman, regardless of their sex anatomy. Likewise, some people who are assigned a particular gender at birth based on their sex characteristics—woman, for example, if they have a vulva and vagina—might later decide that this gender assignment isn't right for them and that a different gender category is correct. A trans man like Ben, for example, is a man who was assigned a different gender category (typically woman) when he was young.

Some people argue that trans and nonbinary people are not really the gender they identify as. When people say this, it typically implies a strong connection between gender and sex—so you are not really a man unless you have the right kind of anatomical characteristics, and if you have those anatomical characteristics you are really a man even if you say you're some other gender. But as we've seen, it isn't true that you have to have a specific set of biological characteristics (such as the correct chromosomes) to be a particular gender. People also sometimes seem to mean that that you can't really be a man unless you were raised with the “right” kind of social experiences and social expectations—but as we've seen, the social expectations and experiences we associate with men can vary pretty drastically from place to place and time to time. So when people say that trans men like Ben aren't really men, the claim is confusing and possibly inconsistent with other things they think. It's not even clear what it means to really be a man (or a woman, or a genderqueer person), especially if being a man doesn't neatly correlate to being male, and if the social significance of being a man isn't fully explained by male sex characteristics.

2. Social Construction

So if gender isn't biology, what is it? As it turns out, that's a really tough question. It's tempting to say that gender is just a matter of our current social norms. We currently have norms for lots of things—what's cool, what's fashionable, what's polite, and so forth.

And you can make conscious choices about how to interact with those norms—you can be nice or rude, stylish or intentionally counterculture, and so on. Maybe gender is just another set of norms—whatever we currently think of as masculine and feminine. You can then express your own gender by making conscious choices about how gender conforming or nonconforming you want to be, and in what way.

The trouble with this picture of gender, though, is that it has difficulty accounting for the ways in which gendered social systems—and gender oppression—have been systematic across strikingly different cultures and times. Although specific norms about gender can vary a lot, it appears to be a very stable feature of human society that we divide people into genders. Indeed, the way in which societies sort people into gender categories is strikingly more stable than the way in which societies sort people into other social categories. While plenty of cultures haven't had social categories that play the role of racial categories, and plenty haven't had social categories that play the role of sexual orientation categories, our current knowledge suggests that nearly all (possibly all) cultures divide people into categories that play the role of gender; that is, which assign significant social meaning to (real or perceived) anatomical sex characteristics. And while not all cultures have understood gender as an exhaustive man/woman binary, nearly all ways of understanding gender have included categories that roughly correspond to our understanding of the binary categories man and woman. What norms and behaviors we associate as masculine or feminine varies dramatically. But it is virtually universal that we associate some significant norms and behaviors as being the kinds of things that apply to those with bodies we perceive as female, and some significant norms and behaviors as being the kinds of things that apply to those with bodies we perceive as male. Moreover, very often our social justification for why these norms and behaviors are appropriate is rooted in our understanding of differing roles in reproduction (and especially, the characteristic female role in reproduction). And very often, this type of systematic gender categorization leads to the systematic oppression of women.

Given how systematic gender is across so many different cultural contexts, it makes sense to think that gender is something more than just how we think and speak and behave in particular contexts. Gender appears to be a very real part of the social world—something that isn't just explained by the particular beliefs that particular people have, but which explains why sometimes those beliefs are so entrenched and hard to change (in a way that beliefs about what is cool or what is fashionable are not.)

But if we think that gender is a real part of the world—not just a projection of our collective beliefs—we're faced with the question of what in the world gender could be. Here we can divide philosophers into two main camps: those who say that your gender is determined primarily by how other people react to you, and those who say that your gender is determined primarily by your own internal sense of yourself. Let's call the former externalists (since they think your gender is primarily determined by things external to you) about gender and the latter internalists about gender (since they think your gender is determined primarily by things internal to you).

Gender externalists want to understand gender—and what the members of a particular gender have in common with each other—in terms of commonalities of social

experience. Most especially, gender externalists have often argued that what women have in common with each other is their social experience of sex-based oppression. What unifies all the individual women into a social kind is the disadvantage they experience because of the expectations and norms we have about how people with female bodies should behave and what they should do.

Gender realists have to tread carefully here, though, because in attempting to talk about what social experiences women have in common with each other, it is very easy to overlook the dramatic differences between different women's social experience of gender. Intersectionality, very simply, is the idea that no one ever has a social feature like gender in isolation from other social features: different social categories intersect with each other, and that affects what it's like to experience each of them. You're never just a woman—you're a woman with a particular race, class, sexual orientation, disability status, nationality, and so on. Your experience of gender will be different if, for example, you're an upper-middle-class Latina woman than it would be if you were a working-class Asian woman. Gender externalists thus tend to focus more on the structural features that our treatment of different genders have in common.

Sally Haslanger's theory of gender is a paradigm example of this kind of view. According to Haslanger, a person, S, is a woman iff:

- (i) S is regularly and for the most part observed or imagined to have certain bodily features presumed to be evidence of a female's biological role in reproduction;
- (ii) That S has these features marks S within the dominant ideology of S's society as someone who ought to occupy certain kinds of social position that are in fact subordinate (and so motivates and justifies S's occupying such a position); and
- (iii) The fact that S satisfies (i) and (ii) plays a role in S's systematic subordination; i.e., *along some dimension*, S's social position is oppressive, and S's satisfying (i) and (ii) plays a role in that dimension of subordination.¹

Let's unpack this a little. On this view, whether you are a woman is a matter of both how other people perceive your sexed anatomy and of the social position you are expected to occupy based on that perception. In almost every culture, there are strong norms about women's work, women's behavior, women's roles—the kinds of things it is appropriate for you to do or which you ought to do because of your (perceived) sex characteristics. What we think of as women's work or women's roles or women's behavior can and does vary dramatically. What stays strikingly constant across so many different cultures and times, however, is that whatever we in fact consider to be women's work or women's roles or women's behavior is something we then think of as less valuable. When men were thought of as more emotional than women, that was taken to be a mark of their superiority—a sign that they were capable of more depth and more insight than women. When women are thought of as more emotional

1. See pages 565–66 of this anthology.

than men, it is often taken as a subtle mark of their inferiority—a sign that they are somewhat less rational or less reliable or less sensible than men.

What all the women have in common with each other, in Haslanger's view, is that they are expected to occupy social roles that are, within the context they are expected to occupy them, considered less valuable than the roles that men are expected to occupy. And the justification for why they are expected to occupy these roles is rooted in beliefs about their sex characteristics. Of course, it doesn't follow that all women are disadvantaged relative to all men. Middle-class women are typically economically disadvantaged compared to middle-class men, for example, but they aren't economically disadvantaged compared to working-class men. We still have to keep our eye on intersectionality. But Haslanger's idea is that all women will experience disadvantage along some dimension based on the roles they are expected to occupy because of their perceived sex characteristics. And for Haslanger, gender is just this system (or "social structure") that disadvantages people based on perceptions of female sex and a female's role in reproduction.

A worry for Haslanger's theory of gender, though, is that it doesn't give an adequate account of what it is to be a woman because it misclassifies some women as men (and some not-women as women). For example, a woman like Chi-ah wouldn't reliably meet condition (i) of Haslanger's definition—she isn't regularly and for the most part perceived as having the anatomical features associated with a female's role in reproduction. But it seems wrong to say that Chi-ah is not a woman just because people are confused by masculine-appearing women. If we explain what it is to be a woman simply in terms of how people respond to you, then we risk saying that if people are confused enough by your gender, that's enough to make you not really a woman. And that seems wrong.

The view also has some interesting hypothetical consequences. We typically think of myths about Amazons as myths about a race of powerful women.² But Haslanger's view has the curious result that these stories aren't really stories about women, since in the stories Amazons are not oppressed and do not occupy disadvantaged social roles.

Gender internalists often use these kinds of worries to argue for their favored view of gender. An internalist view of gender will be more adequate and inclusive, the thought goes, because it will respect people's gender self-identification, and thus avoid misgendering. If we say that gender is determined (at least in part) by gender identity, then we can say that you are a woman if you identify as a woman, you are a man if you identify as a man, you are genderqueer if you identify as genderqueer, and so on.

But what is gender identity, in this sense? Importantly, it's not quite the same thing that psychologists mean when they talk about gender identity. That sense of gender identity typically develops in very early childhood, whereas if you're genderqueer you might not think of yourself in those terms until you're older. For the most part, when philosophers talk about gender identity, they mean your internally felt sense of your relationship to the gender norms and categories that are common within our

2. In Greek mythology, the Amazons were a race of female warriors.

society. So if you identify as a woman, this typically means that the norms we have about women are appropriately applied to you. Importantly, this does not mean that you think those norms are themselves correct or appropriate. You may think that most of our norms and stereotypes about what women are like are wrong—you just think that people aren't making a categorical mistake when they classify you with other women and apply those norms to you as a result. If you identify as a woman, you can think it's completely obnoxious that people expect you to behave in stereotypically feminine ways because you're a woman. You can agree that you're a woman but reject the assumptions that people make about you because you're a woman. But that's a very different thing from thinking that people are making a mistake when they label you as a woman, which is how many genderqueer people who are often misgendered as women describe their experience.

But things get tricky once we delve into to the details of what, exactly, this sense of gender identity is, and how it determines gender categories. For example, there are many—increasingly many—terms used to describe gender identities. Is there a unique gender identity—a unique internally felt sense of one's relationship to dominant gender norms—that corresponds to each gender term? If gender identities are the substantial social facts that determine gender, we're left with the perplexing question of what, if anything, the difference is between identifying as genderqueer, nonbinary, gender fluid, pan-gender, agender, androgyne, and so on.³

And these questions bring up a larger skeptical worry for internalist accounts. What gender you are, on such views, is inherently private—it is a matter of how you feel about yourself and how you relate to society's sex-based norms and expectations. It's also crucially separable from any public behavior. You can identify as a man even if this is something you keep secret and even if you present publicly in ways we think of as stereotypically feminine. (That is, you can identify as a man but socially “pass” as a woman.) So whether you are really a woman (or a man, or genderqueer, etc.) on such views is a matter of whether you have a particular internally felt response to being classified as a woman (or man, etc.). But here's the problem: How do you know whether what you experience in response to gender norms is the same or similar to what other people experience? If Chi-ah says “I identify as a woman” and Deena says “I identify as a woman,” do we have reason to think that this internally felt experience is the same or similar, given how different their gender expression and social experience of gender seem to be? Maybe what Chi-ah means by this is something very, very different from what Deena means by it. And this would be hard to find out, given that any of the ways we might explain what gender identity means to us are invariably personal and will probably be different for different people. Even if we both identify as women, I might explain my internally felt sense of gender by talking about how I feel about my relationship to other women, but you

3. “Genderqueer,” “nonbinary”: having a gender identity other than the usual two “binary” ones (although there are subtle differences between the two terms); “gender fluid”: not identifying with a single gender; “pan-gender”: identifying with many genders; “agender”: not identifying with any gender; “androgyne”: identifying, in varying degrees, with both binary genders.

might explain it by talking about how you feel about yourself. So it's not clear how we'd tell if we have some internal state in common. Again, intersectionality is very important to think about—your internally felt sense of gender might be very different from mine, or something you explain very differently if your social position is very different from mine. The worry is that we don't really know whether internally felt sense of gender can unify or explain what it is to be a woman, or what women have in common with each other.

Perhaps more significant, though, internalist accounts also face problems with misgendering—they just face different problems. For example, many cognitively disabled women plausibly don't experience anything like an internally felt sense of their relationship to sex-based social norms. So whatever it is to identify as a woman, these women probably aren't in that internal state. And yet it seems utterly wrong to say that cognitively disabled women are not women. Cognitively disabled women are often treated in specific ways and experience specific forms of oppression because of social perception and norms about their sexed bodies. We need to be able to talk about their gender to talk about this oppression. And think about what it would mean to say that cognitively disabled women are not women because they lack the right kind of self-identification: we would, in effect, be saying that because of their disabilities cognitively disabled women are not really women, they are merely female. This is similar to the way we say that non-human animals cannot be women, they can merely be female.

3. Conclusion

Let's take stock. In trying to understand what gender is, we need to distinguish between gender and anatomical sex characteristics. We also, plausibly, need an account of gender that allows us to say that gender isn't determined or fully explained by sex characteristics. That leads us to views which say that gender is "socially constructed." But granting that gender is something social, it's still extraordinarily difficult to say what kind of social thing it is. If we say it's just norms and beliefs in a particular context, it's hard to make sense of the systematicity of gender and gender oppression. If we say that gender is social role, it's hard to adequately explain the experience of people whose gender seems to come apart from their public social role. If we say that gender is gender identity, it's both hard to specify what we mean by gender identity and hard to adequately explain how people who experience self-identity differently than most people do can still have genders. What we're left with is a lot of confusion. It's both philosophically and politically important that we understand what gender is. But the project of understanding gender is very hard—we're pulled in many different directions, and there are many different, sometimes conflicting, aims for our theories. As it stands, it doesn't seem like there's any one theory of gender that explains everything we want a theory of gender to explain.