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The Meaning of 'Woman' and the Political Turn in Philosophy of Language

Abstract: In this chapter, I review some arguments for contextualist theories of the meaning of 'woman' and discuss and defuse some recent objections against contextualism. I also show how contextualist views can help to show what is at stake in the debates between trans-inclusive views about the meaning of 'woman' and so-called gender critical views. Moreover, I argue that normative considerations are the contextual factors that contribute to fix the referent of 'woman' in different contexts, and that in many contexts, normative considerations favor a notion of gender identity or gender as a class, rather than a notion of womanhood as biological sex.

1 Introduction

What does the term 'woman' mean? This question has received growing interest in recent decades in analytic feminist philosophy. Here, the political turn in analytic philosophy is manifest in two ways: first, the very choice of the question is motivated by the political significance of the topic; and second, the reasons and motivations for defending one semantic theory over another about the meaning of this term can also include moral and political considerations, as we will see.

Why is this question important for feminism? The answer, in short, is that feminism is the movement (both theoretical and practical) that aims to explain and resist the oppression and discrimination of women, and in order to engage in this project, we need an account of *women*. Recently, Mari Mikkola (2016) has argued against this orthodox view, claiming (i) that feminism does not need to provide a substantive account of the meaning of 'woman' in order to describe and fight the oppression of women, and (ii) that feminism does not need to provide a substantive account of the meaning of 'woman' to normatively justify why the oppression of women is *wrong*. Regarding the second point, I am sympathetic to Mikkola's claim that, in order to show why the oppression of women is normatively unjust, it is not necessary to identify a social kind that is constituted by oppressive social practices and which can explain why the oppression of women is unjust, but rather, it is sufficient to appeal to a concept of dehumanization in order to explain why the oppression of women is wrong, as she does in her book. But regarding (i), it is not clear to me that we can properly describe and explain

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the oppression of women without a substantive account of the meaning of 'woman'. Mikkola argues that it is sufficient to appeal to our extensional intuitions about the application of the term 'woman', and this is enough to make sense of our claims about the oppression of women. Indeed, according to externalist accounts of meaning, we can be competent users of a term whose reference is determined by external factors, without knowing the criteria of application of the term, that is, without knowing necessary and sufficient conditions for something to fall under the term. This is true, but the problem in the case of 'woman' is that different speakers can have different intuitions about the extension of the term that yield different extensions, precisely with respect to politically significant cases.[1] For instance, some speakers may believe that all trans women fall under the concept, whereas others may believe that some trans women do not fall under the concept. It is not clear to me how appealing to mere extensional intuitions can settle this important debate. This does not mean that we should reject an externalist theory of meaning and search for something akin to a Fregean description associated with the term. Indeed, externalism about meaning can be of help here (see Haslanger 2006), but even if we assume externalism, we need to investigate which external factors determine the referent in order to give an answer to those politically significant debates about the extension of 'woman'. For this (tentative) reason, I will assume, following many feminists, that it is important to give a substantive account of the meaning of 'woman' in order to properly understand claims about the oppression of women.[2]

2 The Sex/Gender Distinction

There seem to be two views about the meaning of 'woman' that are most salient (see Saul 2012). According to the first view, woman works as a sex-term, that is, 'woman' refers to those individuals who are biologically female (and 'man' refers to those individuals who are biologically male). According to the second view, 'woman' works as a gender-term. Gender is a technical concept introduced by feminist scholars in order to capture the idea that many of the behavioral, social, and cultural differences we can observe between men and women are the product of social norms, social expectations, and acculturation, rather than being de-

1 See Jenkins (2018b) and Cull (2020).

2 As I said above, I agree with Mikkola that the account of woman does not have to make it constitutive of women that they are oppressed. What we do need is a set of criteria for the application of woman in order to be able to settle disagreements about the extension of woman.

termined by purely biological and anatomical differences (the classical source of this idea is Simone de Beauvoir's influential book, *The Second Sex*).[3] Hence, feminists conceive of gender as the different social positions that men and women occupy, due to those social norms and expectations dictating how men and women should behave. According to this idea, there are at least two genders, namely, men and women.[4] (It is standard to use the terms male and female to refer to the aforementioned biological sexes, and man and woman to refer to these different gender properties.) In this way, we could understand the gender category of woman as referring to those individuals who share the social position assigned to women.[5] A tentative characterization of this social position could be the following: those individuals who are more likely to be subject to norms of feminine appearance, receive more pressure to do most of the housework and most of the childcare, are more likely to be employed in low-pay jobs, are more likely to suffer sexual harassment and sexual assault, and so on.[6]

Many feminist philosophers have argued that these two views face serious problems. I will explain some of the main problems with each view in turn.

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3 Hence, I will assume that gender is a category introduced by feminist scholars, whereas 'man' and 'woman' are part of ordinary speech. According to externalism, many terms of ordinary speech are natural kind terms, that is, terms that aim to refer to the natural kind (or scientifically substantive property) underlying the paradigmatic instances of the kind that we competent speakers identify in virtue of their appearance properties, and whose nature can be revealed to us only empirically (as famously defended by Putnam 1975 and Kripke 1980.) In response to Kripke and Putnam, Dupré (1981) argues that there are many terms from ordinary speech, such as names for kinds of fruits, vegetables, animals, fish, and so on, that are not co-extensional with the scientific terms used by scientists to refer to the underlying biological properties shared by the paradigmatic instances. So, on this view, 'whale' as used by ordinary speakers and 'whale' as used by biologists would not have the same extension. Here I am assuming, though, a standard externalist framework, according to which an ordinary term such as 'woman' and a theoretical term such as 'woman' (qua gender) are co-extensional, and where feminist scholars can tell us what the real nature of the (social) kind is, to which we were referring all along.

4 Some feminists suggest that there might be more than two gender categories, such as being trans or being genderqueer (see, e.g. Witt 2011, pp. 41–42). As I will explain later, drawing on the insights of transfeminism (e.g. Bettcher 2017), I believe most trans women do belong to the same gender as cis women (in particular those who self-identify as women), and therefore they all belong to the gender category of woman, not a third one. On the other hand, it seems plausible to understand the category of genderqueer as an additional gender category (see Dembroff 2020 for a very interesting discussion of the category of genderqueer).

5 This is often understood as the social position assigned to those who are (perceived to be) biologically female, but more on this later.

6 See Mikkola (2019) and Hay (2020) for useful surveys of feminist work about the sex-gender distinction.

First, regarding the view that 'woman' works as a sex-term, many feminist philosophers have argued that this view cannot capture our use of the term woman. As Jennifer Saul (2012) has argued, it is not clear how the sex-based view would classify intersex people. Intersex individuals are those that have some biological or anatomical features corresponding to the male biological sex, and some features corresponding to the female sex. For instance, an intersex person might have XY chromosomes, but due to insensitivity to male hormones, they might develop female genitalia and female secondary sex characteristics such as breasts and very little facial hair. If the sex-based view assumes that the term 'woman' refers to those who have all or most of those biological and anatomical features associated with the female biological sex, and the term 'man' refers to those who have all or most of those biological and anatomical features associated with the male biological sex, then this intersex person would count as neither a man nor a woman. This result seems problematic, for two reasons. First, from a descriptive point of view, one might argue that this is not how we use the ordinary concept of woman. Indeed, many competent users of the term 'woman' would be disposed to apply the term to an intersex individual who was assigned female at birth and has female genitalia and female secondary sex characteristics, even if she has XY chromosomes and does not have a uterus. So, this analysis does not give the intuitive result in this case. Second, from an ameliorative point of view, one could argue that this is not how we *should* use the concept of woman: arguably, there are normative considerations, including moral and political considerations, in favor of the claim that we should use the term 'woman' in our linguistic community so that it includes intersex people who have been raised as women and who identify as women in its extension.[7]

There is an additional worry: if the term 'woman' works as a sex-term, then trans people would also be incorrectly classified. (Trans people are those individuals who do not identify with the gender assigned at birth.) Again, we can understand this point in terms of either a descriptive or an ameliorative consideration. One could argue that, given how we use the ordinary concept of woman, that is, given what we mean by it, the ordinary usage does apply to many trans women, but this sex-based view would yield the result that many trans women are not women, since they do not have all or even most of the traits associated with the female biological sex. Here we should be careful, since it is not clear exactly how we should understand the phrase "having *most* of the traits associated with

7 See Haslanger (2006) for a useful distinction between descriptive and ameliorative projects in philosophical analysis.

the female biological sex." Indeed, there are reasonable interpretations of this phrase according to which many trans women who have had sex-reassignment treatments do count as women, even on this sex-based view, since they have *most* of the traits (being flexible about how many are necessary), but many other trans women would not count, if they have not had sex-reassignment treatment. This gives rise to the question of how we should understand biological sex.

In my view, the most useful understanding of biological sex is in terms of a *cluster* of biological and anatomical features that are associated ether with the female biological sex or with the male biological sex. This cluster of features would include chromosomes, hormonal levels, internal sex organs (i.e. uterus, ovaries, prostate, etc.), external genitalia (i.e. having a penis or a vagina), and secondary sex characteristics (e.g. having breasts, or having a beard). Many of these features are not *discrete*, that is, all or nothing features, but rather a matter of a spectrum, like hormonal level. As we suggested above, these traits tend to be co-instantiated (that is, individuals who have XX chromosomes tend to have all the other traits of the female cluster, whereas individuals who have XY chromosomes tend to have all the other traits of the male cluster), but they are not always co-instantiated, like in the case of intersex individuals (who represent at least 1.7% of the general population). It is important to realize that the existence of this cluster of features, many of which are a matter of a scale (e.g. hormonal levels), implies that there are *different* ways of classifying individuals as male or female, and opting for one system of classification over another is a matter of theoretical choice.[8] Even features that might seem to be discrete, such as having a penis or a clitoris, are rather a matter of a spectrum since there are individuals who have what could be classified both as a micro-penis or a macro-clitoris. How to characterize a 'functional' penis is a theoretical question that admits of several answers, and it is not clear that there is a characterization that carves nature at its joints here. Given all these considerations, whether trans women who have had sex-reassignment treatment fall under the term 'woman' on the sex-based view is a question that depends on what theoretical choices we make, with respect to the notion of biological sex that we choose (that is, how many traits of the cluster are necessary, and to what extent). And one could argue that there are normative considerations to include at least some trans women under the notion of 'biologically female.' In any case, those trans women who have not had sex-reassignment treatment will not count as women on the sex-based view.

8 See Stein (1999) and Fausto-Sterling (2000) for very useful elaborations of this idea.

This is a problematic result for a theory about the meaning of 'woman', again for two reasons. From a descriptive point of view, one could also argue that this result is in tension with how the term is used in some linguistic communities. Many competent users would be disposed to apply the term 'woman' to trans women. As we have seen, this is clearly the case with respect to trans women who have had genital surgery. Maybe some competent users would hesitate with respect to the case of trans women who have not had sex-reassignment treatment, but here it is useful to draw on the work of Talia Bettcher (2013). She argues that there exist different linguistic communities with different uses. There is a dominant usage of the term 'woman' who would perhaps not apply the term to trans women who have not had sex-reassignment treatment, but there is also a resistant usage of the term according to which trans women who identify as women do fall under the term regardless of whether they have had sex-reassignment treatment or not. The crucial idea here is that we can understand this point as being relevant to the descriptive project: Bettcher argues that the resistant usage is also part of how people in fact use the term, and that it would be methodologically biased to focus only on patterns of use by speakers that belong to the dominant group. So, to sum up this point, the idea is that there are descriptive considerations to understand the term 'woman' as including all trans women who identify as women, regardless of whether they have had sex-reassignment treatment or not. And if so, then the sex-based view of the meaning of 'woman 'is clearly wrong.

Furthermore, from an ameliorative point of view, even if one is doubtful about these descriptive considerations, one could argue that there are normative considerations in support of the view that we should use the term 'woman' so as to include all trans women in its extension. If so, then we can conclude that the sex-based view is incompatible with our best normative considerations.

What about gender-based views? According to this view, 'woman' refers to those individuals who occupy the social roles assigned to women. A first worry has to do with the problem of intersectionality. This term was introduced by black feminists (Crenshaw 1989) in order to explain the idea that it is not possible to separate the discrimination suffered by women from that suffered, say, by racialized people, or disabled people, or non-heterosexual people, etc. That is, we cannot explain the discrimination of black women just in terms of the addition of the discrimination of white women and the discrimination of black men, since the discrimination of black women is sui generis and cannot be figured out just by examining the social positions of white women and black men. We need to study the discrimination of black women themselves in order to be able to understand their discrimination. This idea implies that it is not possible to identify the social role that all women share, since women instantiate very dif-

ferent social positions depending on other social identities such as race, class, age, nationality, disability, sexual orientation, and so on.[9] Therefore, this challenges the claim that the term woman refers to the social role that all women share. Feminist philosophers have tried to answer this challenge in different ways. One especially prominent strategy is that carried out by Sally Haslanger (2000), who aims to identify some abstract social patterns that all women share in virtue of being oppressed. Haslanger (2000) offers a characterization of gender according to which to belong to a gendered group is a matter of occupying a social position of either privilege or subordination along some axis, such as economic, political, legal, or cultural axes of discrimination or privilege. In this way, women who differ with respect to other social identities, such as race, class, nationality, sexual orientation, etc., will differ with respect to the axes of discrimination that they suffer (for instance, white middle-class women will tend to be wealthier than, say, working class immigrant women of color), but they all have in common the fact that they are discriminated under some axis of oppression, with respect to men. Within this framework, Haslanger suggests that we can define 'woman' as the social position of discrimination along some axis (political, legal, economic, or cultural), in virtue of being perceived to play a female role in biological reproduction.[10] This is one way in which feminist philosophers defend the idea that 'woman' refers to a social position, compatible with the phenomenon of intersectionality.

However, there are problems still lurking. First, there is some debate about whether Haslanger's account of woman could correspond to either the *descriptive* concept of woman that we actually have, or the *ameliorative* concept of woman that we should associate with the term. Regarding the first question, Haslanger (2006) has argued that there is space for that option,[11] although Ron Mallon (2017) and others have presented serious objections.[12] Regarding the second question, Jenkins (2016) and others have raised important objections. For all these reasons, there is no consensus within feminist philosophy about how to understand the claim that 'woman' works as a gender-term.

Moreover, N. G. Laskowski (2020) has suggested that accounts of the meaning of 'woman' should satisfy what he calls the *usage constraint*, that is, the fact that there seem to be different patterns of usage of the term 'woman', including

9 See Spelman (1988). See also Mikkola (2006) for a response.

10 See Haslanger (2000, pp. 39–43) for a more elaborated account.

11 See Díaz-León (2012) and (2020) for further discussion of the claim that 'woman' refers to something like the Haslangerian social property characterized above, as a matter of a descriptive inquiry.

12 See Díaz-León (2019) for a response to Mallon's (2017) challenge.

mainstream uses of the term according to which it seems to refer to those who are biologically female, and non-mainstream uses of the term according to which it seems to refer to other features such as social role or self-identification.[13] If this is correct, then this suggests that the term 'woman' could sometimes work as a sex-term and sometimes as a gender-term (perhaps with further different meanings within each option). There is a theory of the meaning of a term that can capture this variation very well, namely, contextualism.

3 Contextualism

Contextualism about an expression claims that the meaning of that expression changes form context to context. Some expressions that are clearly context-sensitive include pronouns such as I, you, we, and they. For instance, the term I refers to me, Esa Díaz-León, when I utter the sentence "I am tall," but it refers to Kamala Harris when she utters the sentence "I am tall." The term I is an indexical expression that refers to whoever is the utterer of that very expression. That is, the referent of the term is determined by a certain factor of the context, namely, who is the utterer of the term. Content-sensitive expressions are said to have two dimensions of meaning, one called *character*, which has to do with the conventional rules that tell us which factors of the context fix the referent, and how; and another called *content*, which corresponds to the referent that the term has in each context.[14] In this way, the term I has a character that corresponds to the rule "I refers in a context C to the utterer of this expression in C" and the content will be the referent in each context (that is, either me, or Kamala Harris, or whoever).

13 This claim is similar to Saul's appeal to a "collection of ordinary usage data" (Saul 2012, p. 200), and also to Bettcher's (2013) proposal that there are both dominant and resistant patterns of usage of the term woman, which have different extensions. Bettcher (2013) argued that the resistant usage of the term is the correct one since it involves a worldview that is more accurate. Laskowski's suggestion seems to be that, from a descriptive point of view, a theory of what the term "woman" means should account for the different patterns of use in a community. This is compatible, of course, with the claim that some of these patterns of usage are problematic. In addition, Laskowski argues, drawing again on Saul (2012), that theories of the meaning of "woman" should satisfy not only the "usage constraint" but also the "communicative constraint", that is, the idea that communication among these different communities is possible. He argues that a polysemy account can better satisfy these two criteria than a contextualist view.

14 See Kaplan (1989) and Mount (2012) for elaboration of the distinction between character and content.

Jennifer Saul (2012) develops a contextualist proposal about the term 'woman', although she does not endorse it. Motivated by the problems of both the sex-based view and the gender-based view about the meaning of 'woman' that I summarized above, Saul suggests that it might be worth exploring the prospects of a contextualist view, since this might perhaps do justice to the different intuitions at play. However, as we will see, she ultimately argues that the view should be rejected since it does not do justice to all the aims that we should take into consideration when theorizing about the meaning of 'woman'. In section 4, I will briefly summarize my response to Saul in previous work,[15] where I argue that a modification of the contextualist view can overcome Saul's objections. Moreover, in the remainder of the chapter, I show that there are additional reasons to motivate this view. First, in section 5, I argue that contextualism of the sort I advocate can help to explain what is at issue in the heated debate between trans-inclusive accounts of the meaning of 'woman' and trans-exclusive accounts and can help to move the debate forward. Second, in section 6, I respond to some recent objections to my formulation of contextualism, according to which my version of contextualism would collapse into invariantism,[16] and conclude that these objections are not lethal to my account.

As we have seen, contextualism about 'woman' claims that the term changes the referent from context to context. The crucial question that a contextualist view about 'woman' should answer is what are the factors of each context that determine the different referents. That is, a contextualist view needs to offer an account of the character of the expression. Saul (2012) does precisely this. Her proposal (which she will later reject) is as follows:

> (CP): "*X is a woman* is true in a context C iff X is human and relevantly similar (according to the standards at work in C) to most of those possessing all of the biological markers of female sex." (Saul 2012, p. 201)

According to this view, a sentence of the form "*X* is a woman," for any individual *X*, would have the following truth conditions. Such a sentence will be true if and only if *X* is human and *X* is relevantly similar to a certain group of people (always the same), with respect to some criteria of similarity (which vary from context to context). In particular, *X* has to be relevantly similar to most individuals of the following group: the class of individuals who possess all of the biological markers of female sex that we mentioned in the previous section. (In what follows, I will sometimes just say "individuals who are biologically female," to abbreviate.)

15 See Díaz-León (2016).

16 See Bettcher (2017), Laskowski (2020), and Zeman (2020).

So, *X* has to be similar to most of the individuals in this group (not similar to all of them, only similar to most of them). But similar with respect to what criteria? For any two entities, they are always similar with respect to some criterion. So, the account has to specify the *criteria* of similarity. And this is what changes from context to context. That is, *X* has to be similar to most individuals in the comparison group, with respect to some criteria of similarity. That is, it must be the case that most individuals in the target group have property *P* and *X* also has property *P*. What this property *P* amounts to is what changes from context to context. To clarify: property *P* is not a property that all members of this comparison group need to share, only most of them. And *X* does not need to belong to the comparison group (although she might): the account only requires that *X* shares property *P* with most of the individuals in the comparison group, for some *P* that is determined by the context.

This will become clearer with an example. We can imagine the context of a feminist conference where the organizers want to keep a register of how many women have registered at the conference, for equality purposes. So, at the registration desk, they ask people to fill in a registration form where people have to indicate their gender. Lena is a trans woman who has not had genital surgery, and she completes her registration form. One of the organizers says to another, putting the form in a folder:

(1) "Lena is a woman."

In this context, we can assume, the relevant criterion of similarity is whether people sincerely self-identify as women. Indeed, this is the criterion that the conference organizers take into consideration. So, according to (CP) above, this utterance of (1) would turn out as true since Lena is similar to most individuals who are biologically female with respect to the relevant criterion of similarity in this context, namely, identifying as a woman. (As we can see, most, but not all, individuals who are biologically female self-identify as a woman, and Lena also does, so they are similar in this respect. Whether Lena herself belongs to the comparison group in this case depends on how we characterize the notion of biologically female, as we saw above. But this does not matter for this view, since someone can fall under the extension of the term 'woman' regardless of this, according to CP.)

Let us compare this case with the following example, drawn from Saul. We can imagine the context of a clinic that has received a notice from health authorities to test all women over 45 years old for vaginal diseases. In this context, let us imagine a nurse who is going through patients' files and utters (1): "Lena is a woman." Saul's claim is that, on contextualist view (CP), this utterance of (1)

would turn out to be false in this context, since the criterion of similarity that seems salient in that context is having a vagina, and Lena has not had genital surgery. (We can imagine another nurse quickly correcting the first, and uttering (2): "no, Lena is not a woman," which would turn out to be true in the context of figuring out which patients should receive calls in order to make an appointment for the test, but would be false in other contexts—for instance, if Lena intends to use the women's toilet—since in this context the relevant criterion of similarity would amount to self-identifying as a woman.)[17]

So far, the contextualist view seems to yield intuitively plausible results. But Saul argues that the view also faces serious objections and, because of these, she ultimately rejects the view. The main worry is as follows. Contextualism is indeed very flexible, and this can render true the claims of the advocates of trans women (as seen in the feminist conference example above), but it can also render true the claims of the opponents of trans women. For this reason, the view is unsatisfactory. We can better understand the problem with an example given by Saul. We can imagine the context of a transphobic community where most people believe that what matters in order to use women's toilets is having female genitalia.[18] In this context, if someone utters (1), this will turn out to be false, since Lena does not have female genitalia. Indeed, if someone utters (2) in this context, this will turn out to be true. Saul claims that contextualism cannot avoid this consequence and therefore we should reject it. She also suggests that the only way to do justice to our moral and political considerations regarding the use of the term 'woman' is engage in what Haslanger (2000 and 2006) calls the ameliorative project, and ask not what our ordinary concept of woman is, but what it should be.

In previous work (Díaz-León 2016), I have argued that the contextualist view can be modified so that it can overcome this problem. I also argued that moral and political considerations are relevant with regard to the project of what 'woman' *actually* means, not only with regard to what it *should* mean. In this

17 The issue of how to use terms such as man and woman in medical contexts is complex, and I cannot do it justice here. My initial claim is that it seems intuitively plausible to interpret these utterances by the nurses as involving a sex-based reading. Below I will further discuss some moral and political considerations regarding how we should use gendered terms in medical contexts. See Freeman & Ayala-López (2018) for further discussion of ethical considerations regarding this question.

18 Unfortunately, this context is not far from reality. In North Carolina, a bill restricting the use of bathrooms according to the sex assigned at birth was approved in 2016. Fortunately, this bill was rescinded in 2017, but similar legislations are enforced or under discussion in other parts of the world.

way, I believe, the political turn in philosophy of language is more wide-ranging that it might seem at first sight. In the remainder of this chapter, I will briefly rehearse my response to Saul on behalf of contextualism, and I will examine some recent critiques to my modified version of contextualism. I will also explain how my version of contextualism can help to make sense of what is at issue in the debate between trans-inclusive and trans-exclusive accounts of the meaning of 'woman', and how to make progress in this debate.

4 A New Version of Contextualism

My response to Saul's objection is as follows. Saul characterizes the relevant criteria of similarity in each context in terms of the criteria that speakers have in mind. That is to say, the advocates of trans women would have in mind criteria of similarity that are inclusive of trans women (such as self-identifying as a woman), whereas opponents of trans women would have in mind criteria of similarity that are not so inclusive (such as having a vagina, which some but not all trans women do). But in response, and drawing from the literature on contextualism about knowledge, I argue there is another way of characterizing the relevant factors of the context, namely, in terms of the features that are relevant given the situation of the subject of the utterance, that is, the subject that the utterance of the form "*X* is a woman" (or similar utterances) is about.[19] In particular, I defend a contextualist view, according to which the relevant criteria of similarity in each context are determined by the best moral and political considerations involving the subject of the utterance.

19 In making this distinction, I drew from work in contextualism about knowledge, where a distinction between so-called *attributor*-contextualism and *subject*-contextualism has been made. According to this distinction, attributor contextualism has it that the standards that determine the different extensions of the term 'knowledge' depend on features of the speaker, namely, what the speaker has in mind, whereas subject contextualism has it that the standards that determine the different extensions of the term depend on features of the subject that is predicated to know (or not to know), that is to say, the environmental features of the subject. For instance, according to attributor contextualism, my utterance "Luisa knows that there is a zebra in front of her" would be false if someone near me has raised the possibility that those zebras might be mules disguised as zebras, regardless of whether there were mules disguised as zebras in the zoo Luisa was visiting, whereas according to subject contextualism, what determines the standards of justification has to do with whether there were really mules disguised as zebras in Luisa's vicinity, not whether that possibility has been raised to the speaker. See DeRose (2009) for further discussion of the distinction and its significance.

For example, in the case of the transphobic community described above, my version of contextualism would yield different results. When a transphobic speaker utters (2): "No, Lena is not a woman," this utterance would turn out to be false, because Lena is similar (to most of those who are biologically female) with respect to the criterion of similarity that is morally and politically relevant in this context (where transphobic speakers are discussing whether trans women should be allowed into women's toilets, and they conclude that only those who have a vagina are allowed), namely, the criterion of self-identifying as a woman, not the criterion of having a vagina. Why? Because what determines the salient criterion of similarity is a matter of the moral and political considerations that result from our best moral reasoning, not the criteria that the transphobic speakers have in mind.[20]

Therefore, my proposed version of contextualism also follows Saul's (CP) schema. The only but crucial difference is how to understand the phrase "relevantly similar (according to the standards at work in *C*)." On my view, the best way of interpreting these is in terms of the best (the most relevant) moral and political reasoning involving the situation of the subject of the utterance. As we have seen, if we are discussing who should be allowed into women's toilets, our best moral reasoning will establish that all individuals who sincerely self-identify as women should have access to women's toilets. Another way of formulating my proposal (which I did not think of in my (2016) article but has since been suggested to me) is that the concept of woman is indeed a *thick* concept.[21] Or, in other words, the schema (CP) is in part descriptive, in part evaluative. This seems plausible, since the phrases "*X* is human" and "most of those possessing all the markers of female biological sex" are supposed to be *descriptive*, whereas "relevantly similar" is *evaluative*, in my view. Since this is an evaluative term, it is no surprise that we need to appeal to our best moral reasoning concerning the situation of the subject that the utterance is about, and what criteria of similarity are relevant in the context of the subject.

So, how would my version of contextualism deal with the other examples mentioned above? On the one hand, in the case of the feminist conference, it is clear that the best moral and political considerations would yield the result that the relevant criterion of similarity is self-identifying as a woman (so uttering (1) in this context would turn out true). On the other hand, in the case of the clinic that plans to test all individuals with vaginas over 45 years old for vaginal diseases, it seems okay to me to assume that the relevant criterion of similarity is

20 See Kapusta (2016) for a very compelling argument about the harms of misgendering.

21 See Roberts (2013) for an excellent discussion of this notion.

having a vagina (at least when we examine a conversation between two nurses going through the patients' files in order to figure out who to call for an appointment), so uttering (1) in this context would turn out false.[22]

5 A Contextualist Response to Gender-Critical Views

Questions about the extension of the term 'woman' in different contexts have raised heated debates in recent years. In several countries, proposals for new legislation concerning legal recognition of gender identities different from those assigned at birth have received strong opposition both by far-right parties and by some feminist organizations.[23] Within feminist philosophy, views according to which the term 'woman' does not in fact include all trans women are becoming more prominent and have attracted a lot of debate. These debates have also translated to the political arena and the social media, causing a lot of polarization. In what follows, I will describe some of the arguments for the trans-exclusive position about the meaning of 'woman', and I argue that my modified version of contextualism can help us see how the trans-inclusive position can respond to the arguments by the trans-exclusive camp.

In a detailed blog post, a group of so-called "gender-critical" academic philosophers attempt to explain their position and their arguments as clearly as possible. I would like to quote a longish passage from this blog post, since I believe it clearly summarizes their view:

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22 As I said above in n. 17, this question is complex. Given my version of contextualism, the moral and political considerations involving the case are brought to the front. One might argue that, according to the best moral reasoning, it would not be appropriate for the nurses to use the term 'woman' in this context, and they should instead use a term such as 'individuals with vaginas,' since they want to test all people with vaginas (over 45) for vaginal diseases. I am sympathetic to this suggestion, but I also believe that using the term 'woman' to refer to humans with vaginas in this very specific context could have some utility. The crucial question is how to weigh all these different considerations.

23 For instance, in the UK, LGBT associations have lobbied for a reform of the Gender Recognition Act (which was last voted in 2017), but so far the government has not committed to make all the changes solicited by LGBT associations. In Spain, LGBT associations have similarly supported a new "trans bill," and a new proposal for a law reform has been made by the Equality ministry, but this is still pending discussion in parliament, as I finish this chapter in March 2021. This proposal for a new Spanish trans bill has received support from some left-wing political parties and many feminist associations, but it has also received a lot of criticism from other feminist associations, right-wing parties, and even some segments of the socialist party.

> We're a group of gender-critical and radical feminist academic philosophers. In our work, some of us argue that women, by definition, are adult human females. On this view, since no trans woman is an adult human female, no trans woman is correctly categorized as a woman. The rest of us are currently agnostic between i) exclusively taking the former position, and ii) also taking a position that says that there is an additional, meaningful sense of 'woman', understood as applying to those who occupy a certain feminine social role, on the basis of perceived membership of the female sex category. Unlike i), ii) entails that a limited number of trans women count as women, in at least one sense. Still, ii) entails that many trans women aren't correctly categorized as women, since many trans women don't occupy a feminine social role on the basis of perceived membership of the female sex category. Either way, we are all skeptical of the political value of accounts of womanhood that identify it as essentially involving possession of a feminine 'gender identity'. We also all insist that it's politically essential to retain a clear conceptual differentiation between males and females, in order to continue to be able to name and refer to sex based patterns of oppression, and harmful sociocultural stereotypes about the 'right' ways for males and females respectively to be. (Stock et al. 2019, para. 1)

In my view, this excerpt makes vividly clear what is at issue in the debate between gender-critical views and trans-inclusive views about the extension of 'woman'. For example, one of the claims made by gender-critical philosophers is that the notion of a feminine gender identity (or in our terms, self-identifying as a woman) has little political value. In addition, they claim that it is *politically essential* to appeal to the notion of biological sex, and the distinction between those who are biologically female and those who are biologically male, in order to be able to explain sex-based patterns of oppression. That is to say, those philosophers are appealing to claims about the *political* value of some notions over others, in order to defend a claim about the meaning of 'woman'. As we can see, in that passage they say that some of them hold a view according to which the term 'woman' means something like "adult human who is biologically female," and the rest are agnostic between this view, and another view according to which 'woman' means something similar to the Haslangerian social property that we characterized above, that is, the class of individuals occupying the social position of subordination in virtue of being perceived to be biologically female. As they say, the term 'woman' leaves out some trans women, on either of these views. What I am interested in is the kind of considerations that are put forward in defense of the gender-critical position. They do not make explicit whether this view is intended as a descriptive or an ameliorative inquiry, but since they say that "women, by definition, are . . . ," it seems plausible to interpret this as a claim within the *descriptive* project. If so, then these philosophers are using moral and political considerations in order to argue for a claim about the descriptive meaning of the term 'woman'.

Therefore, the methodology they appeal to is compatible with my version of contextualism, since according to my contextualist view, what determines the criteria of similarity that are relevant in different contexts, in order to determine the extension of 'woman', amounts to moral and political considerations involving the situations that the subjects of the utterance are in. This methodology seems to correspond pretty well with the reasoning behind the passage above. In this section, I will argue that, if we focus on the relevant moral and political considerations involving the cases that they discuss, I believe that we have good reasons to deny both of the semantic views that they suggest, namely, that 'woman' always refers to biological sex, or that 'woman' sometimes refers to biological sex and sometimes to a Haslangerian social position (but never to gender identity). One of the main political goals that they discuss is which notion of woman is more useful in order to explain sex-based patterns of oppression. I will argue that, with respect to this aim, the semantic position that they put forward fails, precisely because it has *less* political value than some alternatives.

I understand the aim of explaining sex-based patterns of oppression in terms of the generalizations that are useful in order to explain and predict the oppression suffered by women, including generalizations such as the following:

(3) Women are more likely to be subject to sexual assault and domestic violence than men.
(4) Women are more likely to be subject to demanding norms of beauty than men.
(5) Women are more likely to be employed in low-pay jobs than men.

Many feminists would agree that these are true and useful generalizations. That is, these claims are explanatorily useful in part because they involve useful kinds. So, what are the explanatorily useful kinds that will render these politically useful generalizations true? This is the question that seems to be at issue in the passage above. That is to say, the question is about what kinds are more relevant, from a moral and political point of view, for the situation that the subjects of these utterances are in, that is, the situation of oppression that these very claims try to explain. Well, what are these kinds?

I first want to argue that the notion of biological sex is a non-starter. Biological sex is not the kind that is the most explanatorily useful with respect to those generalizations. As Haslanger (2016) argues, the relevant kind of explanation, in order to explain the oppression of women, is structural explanation. What explains the patterns of oppression that women suffer is a matter of complex social structures, constituted by social practices and social schemas (as Haslanger (2016) helpfully explains). Another way to put this point is this: biological sex

in itself cannot explain why women are more likely to suffer domestic violence or be employed in low paid jobs because we can easily imagine possible worlds where men and women are biologically identical to the actual world but there is no domestic violence against women and there is no salary gap between men and women. This is clearly *conceivable*, and it also seems *nomically possible* (at least this is the aim of feminism, the world that we fight for). This shows that an explanation of oppression in terms of biological sex is incomplete. It might be true, statistically speaking, that those individuals who are biologically female are more likely to suffer domestic violence and be employed in low-pay jobs.[24] This might be true *statistically* speaking but this is not a *complete* explanation. If what we want is the best explanation of these patterns of oppression, we need to appeal to social structures of the sort Haslanger talks about, because these social structures are more explanatorily relevant than biological sex.[25] Thus, it is clear that our best moral and political considerations do not support the claim that the term 'women' in utterances (3), (4), and (5) refers to the class of biologically female individuals.

Given this reasoning, so far we get the preliminary result that the term 'women' in utterances (3–5) can refer to something like a Haslangerian social property, since this is the kind that seems more explanatorily useful. But, as the passage above suggests, this semantic view would leave some trans women out. Jenkins (2016) also argues that Haslanger's (2000) characterization of woman in terms of a social position of subordination in virtue of being perceived as being biologically female (or more precisely, to have a female role in

24 We should be careful here: if we are making generalizations about those who are biologically female and those who are biologically male, some trans women and intersex women might count as biologically male, but their patterns of domestic violence and salary are more similar to cis women than to cis men (indeed, the rate of violence and the rate of unemployment suffered by trans women are much greater than that of cis women). However, it might be the case that these statistical generalizations about biological sex still come out as true, if we assume that intersex people are about 1.7% and trans people are about 2% of the general population. My main point, though, as I explain later, is that these generalizations involving biological sex might be true but are not *explanatorily relevant*.

25 Another way of putting this point is the following. Sentences (3–5) are put in terms of probability ("more likely to be subject to . . .") but they could also be put in terms of 'because' sentences, since they express explanations. For example: "Women are more likely to be employed in low-pay jobs *because* they are biologically female" is clearly false, or inaccurate, as an explanation, given the semantics of because statements. The following sentence expresses a much more accurate explanation: "Women are more likely to be employed in low-pay jobs *because* they occupy positions of social subordination within a social structure that marks those who are perceived to be biologically female as being aptly positioned in that social role of subordination." See Haslanger (2016) for further discussion of structural explanations.

biological reproduction) would leave out some women, namely, those who are not perceived to be biologically female (do not "pass" as cis women). A first response to this point is that, given the possibility of contextualism, it might be the case that the term 'woman' in those utterances refers to a Haslangerian social position, but that the term 'woman' refers to other kinds in other contexts. (As I will argue below, I believe there are contexts where the term 'woman' clearly refers to those who self-identify as a woman, and other contexts where it can refer to biological sex, among other options.) So the fact that 'women' in those utterances leaves some trans women out does not imply that it always leaves some trans women out, precisely because the possibility that 'woman' is context-sensitive is an open possibility.

But I think there is another possible line of response against this objection. Indeed, I believe that, when focusing on sentences about explanations of the patterns of oppression of women, the most explanatorily useful notion might be trans-inclusive after all. Let me explain. Let us focus on the example of generalizations about women being employed in low-pay jobs. The salary gap between men and women is an important generalization that is well documented. The question at issue here is: what is the notion of woman that is involved in these generalizations? According to my version of contextualism, this is determined by the moral and political considerations in the vicinity, that is, the notion of woman (or in other words, the criterion of similarity) that is more explanatorily useful in the context of these generalizations. This is also the method that the advocates of gender-critical views quoted above put forward: they invoke considerations about the political value of different notions with respect to the project of explaining the oppression of women. Well, it seems clear that the notion of biological sex is not the most explanatorily useful, for the reasons I gave above. The remaining notion that could do the job here seems to be the notion of social position *à la* Haslanger. It seems plausible to say that the Haslangerian notion of social position of privilege or subordination in virtue of being perceived to be biologically female is very explanatorily useful. In my view, this notion is explanatorily useful, but there is another notion in the vicinity that is even more explanatorily useful, or so I will argue.

The notion of being perceived to be biologically female depends on the notion of gender expression, since gender expression is the fallible guide that is commonly used to ascertain biological sex (and therefore, we are marked as aptly being positioned in the social role of women in terms of our gender expression, which is a property that can be easily ascertained just in virtue of appearance). Therefore, there will be a strong (but not perfect) correlation between gender expression and the Haslangerian social position. For this reason, gender expression will be a good predictive factor in order to explain salary differences.

Gender expression is clearly different from biological sex. In my view, gender expression is an explanatorily useful kind that can appear in useful generalizations. As Mallon (2003) argues, these robust social kinds are explanatorily independent of biological facts. For this reason, even if the Haslangerian social property that we have been appealing to is characterized in part in terms of the social position of subordination occupied by those who are *perceived* to be biologically female, the social property that is constituted by these social practices (that is, discriminating those who are perceived to be biologically female) turns out to be a stable, robust social kind that is explanatorily useful independently of the explanatory efficacy of the notion of biological sex (and, I want to add, independently of the notion of being perceived to be biologically female). What is doing the explanatory job is the social structure, not the biological sex. And once this stable social kind is created, it acquires a life of its own, and it can be explanatorily useful on its own. That is to say, we can characterize another social kind that is strongly correlated to the Haslangerian social property, but can be conceptually distinguished from it, namely, the property of occupying a social position of subordination in virtue of having a feminine gender expression.[26] One can argue that this social property is more trans-inclusive than the Haslangerian social property, precisely because it does not require that the subjects are perceived to be biologically female, so trans women who do not pass as cis women but have a feminine gender expression will fall under the concept. For this reason, it seems to me that there can be trans women who do not pass as cis women but still share enough of this social position, so as to say that the notion of woman that is the most explanatorily useful in the contexts of utterances like (3–5) is actually trans-inclusive, and does not leave trans women who do not pass as cis women out, contra what the advocates of gender-critical views argue.

Another claim made by gender-critical philosophers is that the notion of gender identity has little political value. I disagree. I believe that there are some contexts where the most relevant notion in the vicinity involves gender identity. That is to say, there are contexts where people make utterances involving the term 'woman', and in those contexts, given the most pressing moral and political considerations involving the situation that the subjects of the utterances are in, the criteria of similarity that are relevant in order to determine the extension of 'woman' amount to self-identifying as a woman. A clear example is posed by statements describing psychological dimensions of the oppression of women.

26 This notion is different from the notion of self-identifying as a woman, which I discuss in the following paragraph.

I will focus on the case of descriptions of hermeneutical injustice.[27] This form of injustice consists in the existence of gaps or lacunas in our collective conceptual repertoires regarding concepts or representational devices that would be useful in order to conceptualize the experiences of members of subordinated groups that are in their interest to render intelligible, but are missing. My claim, then, is that, with respect to statements describing cases of hermeneutical injustice concerning experiences of women that are difficult to communicate due to androcentric bias in the introduction and dissemination of concepts, the most explanatorily useful notion of woman is a notion of gender identity in terms of self-identifying as a woman. In my view, it is clear that all trans women can suffer from hermeneutical injustice with respect to their experiences concerning their self-identification as women, including trans women who are not out as trans women yet and may have a masculine gender expression and thus still occupy a social position similar to cis men, or perhaps they are out as trans and have a feminine gender expression but do not pass as cis women and thus are not perceived as being biologically female.[28] But all these trans women can suffer from hermeneutical injustice regarding, for example, the difficulties in conceptualizing and communicating their experiences of identifying with feminine social norms and expectations, such as their experiences of being subject to norms of feminine appearance. That is to say, there might be trans women who identify as women but do not pass as cis women and do not share some of the traits of the social position of women who are perceived to be biologically female. However, all these women do have something in common, namely, the fact of suffering hermeneutical injustice regarding their experiences of identifying as women, for example, the experience of dealing with norms of feminine appearance (be it by means of embracing or rejecting them), regardless of whether these norms of feminine appearance are in fact *enforced* onto them or not.[29] Therefore, there can

27 See Fricker (2007) for a characterization of the notion of hermeneutical injustice.

28 Jenkins (2016) convincingly argues that those trans women who do not pass as cis women would not share the Haslangerian social property that Haslanger uses to characterize woman, so this characterization of woman would leave some trans women out, which is problematic. In the paragraph above, I mentioned a related social kind that can include those trans women that have a feminine gender expression but do not pass as cis women. However, there may also be trans women who identify as women but as not out as trans yet due to transphobia in their environments and therefore cannot be said to have a feminine gender expression. In my view, the notion of woman in terms of gender identity (or self-identifying as a woman) that I am advocating for in this paragraph would be fully inclusive for this purpose. See Jenkins (2018a) for a very compelling characterization of gender identity.

29 See Jenkins (2016) for a very useful discussion of the distinction between being subject to norms of feminine appearance and *identifying* with those norms.

be generalizations about the hermeneutical injustice suffered by women that apply both to cis and trans women, so the relevant explanatorily kind in this context amounts to the property of self-identifying as a woman (not the property of sharing a social role *à la* Haslanger, let alone the property of being biologically female). Hence, this is the notion that the term 'woman' refers to in the generalizations about hermeneutical injustice suffered by women, contra what gender-critical philosophers say.

6 Does Contextualism Collapse into Invariantism?

Some philosophers, including Bettcher (2017), Laskowski (2020), and Zeman (2020), have recently argued that my modified version of contextualism might overcome Saul's objection only by paying a big price, namely, collapsing into invariantism. Invariantism is a theory about the meaning of a term that has it that the term has the same meaning in all contexts. For instance, terms such as 'triangle' and 'table' might have invariant meanings. Bettcher, Laskowski, and Zeman independently argue that my version of contextualism might collapse into invariantism precisely because the extension at each context is determined by the most relevant moral and political considerations involving the situation that the subjects of the utterance are in. But if the most pressing moral and political considerations involving the subjects that our utterances about women are about are similar enough, then these similar moral considerations will determine similar referents, so it is not clear that the meaning of 'woman' will change from context to context as I claim. In particular, these philosophers suggest that the most pressing moral considerations will give greater moral weight to self-identifying as a woman. In fact, Laskowski (2020) and Zeman (2020) suggest that my treatment of Saul's example about the transphobic community seems to imply such a view: if the most pressing moral and political considerations involving who should be allowed to access ladies' toilets have the result that self-identifying is the factor with greatest moral weight, then it is not clear why in other contexts we would get the result that some utterances of 'woman' have a different extension, if self-identification as a woman is the factor with greatest moral weight.

I agree that this is a serious objection. In response, my conjecture is that although sincere self-identification always provides a pro tanto reason for determining the referent of 'woman' along these lines, in every context, it is not clear that self-identification always trumps other considerations. That is to say,

it is not clear that every utterance of 'woman', in any context for any purpose, is such that the moral and political considerations regarding the subject matter of those utterances always gives greatest moral weight to sincere self-identification. And the reason is that we use the term 'woman' in many contexts and for many different purposes. Of course, the referent of these utterances is not determined by the criteria that the speakers have in mind, but rather by the moral and political considerations involving the subject matter and the situation they are in. But there can be contexts such that what is more pressing for the subjects the utterance is about, given the purpose of the utterance, is not just a matter of how people self-identify.

Let us consider some examples that will make this point clearer. Saul offers some examples where she has no problem in saying that the notion of 'woman' at issue could be the notion of individuals who are biologically female. One example is similar to the case of the clinic aiming to test for vaginal diseases I explained above. Two other cases are the following (see Saul 2012, p. 200):

(6) This bone belonged to a woman (uttered in a forensic context, after analyzing some human remains).
(7) Scientists testing COVID-19 vaccines should conduct studies that include women too.

What is the relevant notion of woman involved in utterance (6)? In my view, it is okay to say that the relevant notion here is the notion of biological sex (and in particular chromosome sex). This case seems unproblematic, because the subject the utterance is about is long dead. What are the moral and political considerations that are relevant in this case, then? I believe the relevant moral and political considerations are those involving the aims and purposes of forensic sciences.

What about utterance (7)? This utterance is motivated by the fact that some scientific studies to test the efficacy of certain drugs leave women out (and other subordinated groups such as people of color).[30] What is the relevant notion of woman here? One issue is which notion of woman would make this claim true. Another question is which notion of woman is the most explanatorily useful here. In my view, all the notions of woman that we have mentioned so far, including biological sex, social position *à la* Haslanger, and self-identification

30 See Criado-Pérez (2019) for an excellent discussion of many scientific studies that are biased in this way. Another example of bias in science is Lloyd's (2006) excellent discussion of androcentric bias in evolutionary explanations of female orgasm.

as a woman, would make (7) true, since (7) is a scientific generalization that does not have to be true for *all* instances, only for *most* of them. And these different notions of woman are co-extensional for a large part (even if not perfectly co-extensional, of course). In any case, I do believe that the notion that seems more explanatorily useful here corresponds with biological sex, since there can be biological and anatomical differences that make a difference regarding the efficacy of the drug that is being tested. This is not obvious though, since as many philosophers of gender and race have argued, when it comes to the explanation of differences regarding the efficacy of some medical treatments, or the rates of some diseases or medical conditions, the explanation could also appeal to social factors. For example, white people and black people in the US have important differences regarding their access to healthcare, the effects of pollution, access to clean water, safe conditions at work, and so on. All these social factors can also affect their health conditions, or even the efficacy of certain drugs.[31] Likewise, there can be biological and anatomical differences between men and women that are in turn caused by social factors.[32] So, it could be that a notion of social position *à la* Haslanger is actually the most explanatorily useful in this regard, rather than biological sex. Thus, about this specific case, perhaps it makes sense to be agnostic about biological sex or a social property *à la* Haslanger (but only in the context of explanations like (7) and similar ones). Hence, it seems that the most explanatorily useful notion in this specific context is not self-identification.

Cases (3 – 5) and (7) all involve examples of generalizations trying to explain some patterns of oppression. I have focused on these cases because this is part of the argument used by gender-critical advocates in order to defend a trans-exclusive account of the meaning of woman. I have argued, in response, that the view that generalizations (3 – 5) involve a notion of biological sex is not defendable. In my view, in these contexts the notion that is the most explanatorily useful is often a notion of woman in terms of a social position *à la* Haslanger (or in terms of a related social kind correlated with gender expression). But recall that in these cases, we are searching for the most explanatorily useful kind, precisely because these generalizations are in the business of *explaining* patterns of oppression. But of course, the term 'woman' appears in many other contexts that have nothing to do with explanation.

31 See Hardimon (2013) for further discussion of these social factors and what this implies for the notion of race.

32 See Haslanger (2003) for further discussion of possible social causes of biological and anatomical differences between men and women.

Some advocates of gender-critical views often use cases such as (7) to argue that 'woman' always refers to individuals who are biologically female. The possibility that the term 'woman' is context-sensitive makes clear that this does not follow: even if 'woman' in (7) refers to biological sex, it does not follow that it refers to biological sex in (3–5). Likewise, the fact that the term 'woman' in utterances (1) and (2) above refers to those who sincerely identify as a woman (for instance in the context of the feminist conference), does not imply that 'woman' always has this reference. Even if we assume my version of contextualism, according to which the referent in each context is determined by the most pressing moral and political considerations, from the fact that in (1) and (2) (uttered in the feminist conference) the most pressing consideration involves sincere self-identification, it does not follow that the same will apply to (3–7). In fact, I have given some reasons to believe that in cases (3–5), the notion that maters the most from a moral point of view amounts to the notion of social position *à la* Haslanger (or perhaps a correlated social position involving gender expression), and in cases (6–7) the most explanatorily relevant kind seems to correspond to biological sex (with the reservations I expressed regarding 7).

But this discussion is a *moral* discussion. It has to do with what are the relevant moral and political considerations in each context. My version of contextualism is a *semantic* theory that claims that the character of the term 'woman' is something along the lines of (CP), appealing to the most relevant moral and political considerations of each context. But what are the most pressing moral and political considerations in each context is a matter of moral deliberation. Someone could agree with my semantic theory but disagree with my moral views regarding each case. I believe that my view can be called contextualism even if, contra what I tend to believe, self-identification was the factor with greatest moral weight in all cases. In some sense, this view still deserves to be called contextualism because there is a difference between the *character* and the *content* of the term woman. An analogy: imagine the meaning of the term I in a possible world where Robinson Crusoe is the only inhabitant. We would still say that I is a context-sensitive term, even if it always yields the same referent.

However, I believe there are good reasons to say that the moral and political considerations that have the most weight can change from context to context. As we have seen, it is plausible to say that in (6–7), 'woman' refers to biological sex. It seems clear that in (3–5), the term does not refer to biological sex, but rather to something like a social position of subordination *à la* Haslanger. And in (1–2) (uttered in the feminist conference, or in a debate about who should be allowed to use women's toilets), it seems that self-identification has

the greatest moral weight. Hence, my version of contextualism does not collapse into invariantism.[33]

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