Feminism, Sex, and Gender

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# What is Sexism? What is Feminism?

In this section, we’ll be taking a short look at some work by contemporary feminist philosophers. In particular, we’ll look at **Anne Cudd** and **Leslie Jones’s** analysis of the various types of sexism and feminist responses to it[[1]](#footnote-1).

## Cudd and Jones on Types of Sexism

Cudd and Jones provide a useful introduction to different “types” of sexism that follows Kwame Appiah’s influential account of race.

**Intrinsic vs. Extrinsic Sexism.** An *extrinsic* sexist is a person who believes that women are inferior to men, but ONLY because they lack certain “extrinsic” qualities that everyone would agree are important (such as intelligence, kindness, or bravery) while an *intrinsic* sexist believes that women are inferior to men just in virtue of their being women (and nothing else). As is the case with racism, self-admitted “intrinsic” sexists are pretty rare. Cudd and Jones also introduce the idea of **individuated extrinsic sexism,** which occurs when a person denies that they are extrinsically sexist (“Of course women are equal to men!” they’ll say). However, in any *individual* case (e.g., when trying to decide whether a particular woman might be promoted over a particular man) they always behave and act just like the extrinsic sexists.

**Levels of Sexism.** The word “sexist” can be applied in a variety of different ways: to individual people and their beliefs, to the actions of people (even if they don’t “intend” to be sexist), and to social institutions or laws more generally. Cudd and Jones distinguish between several of these levels:

1. **Institutional Sexism.** Institutional sexism occurs when the rules or laws of various institutions discriminate against women and in favor of men. Clear historical examples from the law would be denying women the right to vote, to inherit property, or to hold public office. Cudd and Jones also offer the example of Catholic Church hierarchy where men are allowed to become priests or bishops but women are not. (Plenty of other religious institutions have similar rules). These rules or laws don’t have to be “intended” to be sexist to have this effect; instead, its enough if they put men “above” women on the status hierarchy.
2. **Interpersonal Sexism.** Interpersonal sexism occurs when individual people (who might be men or women!) discriminate against women and in favor of men in ways that are NOT related to sexist laws or policies. Cudd and Jones give the examples of the ways girls have often been treated differently by teachers, coaches, or even parents than are boys. For example, they might be called on less in class, steered away from mathematics, or discouraged from certain sports, etc. As with institutional sexism, this can be the result of explicit beliefs, but need not be.
3. **Unconscious Sexism.** Cudd and Jones suspect that, in contemporary society, there is a significant amount “unconscious” sexism, which is done by people *who don’t think of themselves as sexist.* Their argument for this is something like the following:
   1. Premise: Women are, objectively speaking, worse off than men in many respects (especially when it comes to measures like “annual salary” or “amount of time spent on housework” or “occupy positions of political/business power”).
   2. Premise: These differences can’t be explained by explicit institutional sexism (e.g., we don’t have laws *forbidding* women from making lots of money, becoming president, etc.) or by explicit, interpersonal sexism (there just aren’t that many people anymore who explicitly say “I’ll never vote for a woman president!”).
   3. Premise: We have plenty of evidence that unconscious motivations *exist,* and we know something about what sorts of situations are likely to trigger them (e.g., when we want to think “our group” is better and more deserving that “your group.”). Bias against women seems like a plausible thing that *could* be an unconscious motivation for at least some people.
   4. Conclusion: So, unconscious sexism exists, and plays a role in explaining women’s struggles in contemporary society.

## Two Versions of Feminism

Most contemporary feminist (and plenty of non-feminist) writers would agree that something like the above types of sexism exist. However, there is considerable disagreement on many details, as well as on what might be done to *fix* things. Two main schools of thought are as follows:

* **Equality feminists** hold that men and women are, in most relevant respects, pretty similar. They have similar abilities, want similar things, and so on. The fact that men and women *in our society* live such different sorts of live is because of different types of sexism (listed above). The solution is to focus on eliminating those forces (sexist laws and beliefs) that serve to divide men and women. In an ideal world, the law shouldn’t need to do things like “pick out” men or women for special treatment at all (even if it might need to do so in the short term, in order to correct past sexism).
* **Difference feminists** hold that men and women DO differ, in at least some important respects. In particular, women place a greater emphasis on *connection* or *care* where men place a greater value on things like *status* or *rule-following.* Both are important to a good society, but our society currently disvalues the sorts of lives that women want to lead (stay home parents don’t get paid at all, and many care workers are paid sub-living wages; women who take off work to care for children/elders often never recover in their careers). Difference feminists, unlike equality feminists, think our laws/practices WILL need to take account of the differences between men and women, and more specifically, make it so that women’s lives/interests are valued, even if they are different than men’s.

## Review Questions

1. Give an original example of each of the following. You can use real examples from history or the news, or make up ones:
   1. Intrinsic sexism
   2. Extrinsic sexism
   3. Individuated extrinsic sexism
   4. Institutional sexism regarding laws (e.g., a law that is exist)
   5. Institutional sexism NOT involving laws (but instead involving the rules of a business, religion, etc.).
   6. Interpersonal sexism
   7. Unconscious sexism
2. What do you think the best argument is in favor of “equality feminism”? In favor of “difference feminism”? Which of the two views (equality or difference) do you think is more accurate/useful? Why?

# What are Gender and Sex, Anyway?

*“One is not born, but rather becomes, a woman. No biological, psychological, or economic fate determines the figure that the human female presents in society; it is civilization as a whole that produces this creature.”* Simone de Beauvoir, *The Second Sex* (Vintage Books, 1989), 267.

This section will introduce some of the recent philosophical work concerning *sex, gender,* and the relations between these two concepts. Not only is this work interesting, it also provides a good example of what exactly contemporary philosophers *do,* and how this differs from the way that scholars in other disciplines (sociology, medicine, history, economics, etc.) might study these same topics. To begin with, it will help to get a rough idea of what idea we will be talking about. These aren’t precise “definitions,” but rather rough descriptions meant to help us get started[[2]](#endnote-1).

**Biological sex** categorizes organisms (in this case, humans) based on their reproductive biology. This involves such things such as chromosomes, anatomy (external and internal), and gamete production (egg vs. sperm). It includes the categories *male* and *female,* as well as (depending on the precise definition relevant to the domain of biology) one or more categories of *intersex* (e.g., in cases where there are some biological characteristics associated with males and others with females). We won’t be talking too much about definitions of biological sex, in large part because the details here tend to depend on the details of biological research or medical need (with different definitions of *sex* being useful for different scientific/medical purposes).

**Gender** categorizes humans (and perhaps highly social apes like chimps or bonobos) on the basis of *social* roles traditionally associated with biological sex. It involves the categories *men* and *women,* and perhaps others (more on this later). In most societies (at least historically), men and women engage in different occupations, associate with different people, dress differently, are granted different political/legal rights, and perhaps even talk/think differently. The concept of “gender” is meant to provide a way to talk about *these* aspects of our lives, which don’t seem to relate directly to reproductive biology, and which often vary radically across different places and times. Finally, it will be helpful to have the concept of **gender identity,** which involves an individual person’s experience of/expression of their gender. A person might be **cisgender** (if their assigned biological sex and gender match) or **transgender** (if these do not match).[[3]](#endnote-2)

## Four Ideas About Gender and Sex

There has been a lot that has been written about gender and sex (much more than can be covered in a single lesson!). Nevertheless, many of the views that have been proposed fall roughly into one of the following general types of views.

### Biological Determinism (or “Gender Essentialism”)

***The claim: A person’s gender is largely/entirely determined by their biology.***

According to **biological determinism,** the *reason* that men and women have (and *should* have) very different social roles is that their biological differences make them uniquely suited for such roles. This view has historically been very influential, and “big names” such as Aristotle, Confucius, Thomas Aquinas, and Fredrich Nietzsche all endorse some version of it. Many religions have adopted it, with different social-religious roles being reserved for different people on the basis of sex. In classic versions of this view, the biological differences between men and women are often compared to the biological differences between humans and animals, or between human adults and human children. On this view, the reason that women have a different (and almost always inferior) social role to men is that human female’s biological capacities for reason are akin to those of a child or an animal. If an individual woman was to attempt to fulfill a “man’s” role in society, she would simply find it impossible to do (and perhaps would collapse society around her in the process). It’s worth noting that gender essentialism doesn’t require a negative evaluation of women, and there have been some limited attempts (starting in the mid-20th century) to formulate structurally similar views that articulate a much more positive conception of women and their capacities (with a special focus on the capacity of caring). In comparison to other views, this is view is arguably simpler (or more **parsimonious)** since it promises to explain something that is confusing (gender) entirely in terms that we better understand (those of biology).

A Quote: *“What inspires respect for woman, and often enough even fear, is her nature, which is more “natural” than man’s, the genuine, cunning suppleness of a beast of prey, the tiger’s claw under the glove, the naiveté of her egoism, her uneducability and inner wildness, the incomprehensibility, scope, and movement of her desires and virtues.”* (F. Nietzsche, Beyond Good and Evil)

*Problems:* This view contradicts what modern biology and psychology tell us—the small statistical differences between “biological males” and “biological females” (especially with regards to brain development/structure) are nowhere near large enough to explain the large differences in social roles that men and women have had (and continue to have). For this reason, nearly all modern scholars agree that gender is, at least in part, **socially constructed** (i.e., the reason men and women behave differently, dress differently, are treated differently, etc. is in part because of the way their society is structured). This criticism of gender essentialism goes back at least to Plato, who envisioned a society with *radically* different gender roles than the ones he saw around him. Social construction doesn’t entail that gender differences aren’t “real” (lots of things that are socially constructed are real—computers, cars, the English language, the US Constitution, etc.) but it does mean that we shouldn’t expect to be able to explain/reduce everything interesting about gender to biology.

### Social Position Accounts of Gender

***The claim: Gender roles are largely/entirely determined by society.***

In contrast to defining gender exclusively with respect to biological sex, other accounts try to define it in virtue of people’s different roles in society. Basically the idea is that one’s gender is determined by how your society treats you—what rights you are given, what expectations people have of you, and so on. So, consider the example of a child who is intersex (and has some biological characteristics associated with male and female). Different societies have made different choices about how to raise these children. It seems plausible to say that whether they end up becoming an adult “woman” or adult “man” will depend in part on how they are raised, how they are classified by their legal system, and so on. Importantly, for these accounts, it is usually NOT the case that the genders are treated equally. Instead, in the vast majority of societies, the gender associated with female reproductive anatomy (“women”) has been seen as inferior or subordinate to men. One of the most influential contemporary “ameliorative” accounts of gender is provided by the MIT philosopher Sally Haslanger. She proposes that **women** are the gender that is:

*“systematically subordinated along some dimension (economic, political, legal, social, etc.), and S is “marked” as a target for this treatment by observed or imagined bodily features presumed to be evidence of a female’s biological role in reproduction.” (Haslanger 39)*

On her view, gender is related to biological sex (since it is other people’s perception of your biological sex that makes you the gender you are), but biological sex doesn’t determine gender (and so, for example, a transwoman counts unequivocally as a “woman” if that is what others see/treat her as).

*Problems:* Just as was the case with biological essentialism, these accounts allow for the possibility that you can be wrong about your gender. This can lead to some odd, counterintuitive results. So, for example, Haslanger argues that an essential part of being a woman is the negative aspects that come with this (e.g., of being treated worse than men in at least SOME contexts). However, there are arguably some females (such as the Queen of England) who are sufficiently privileged that they don’t ever experience this sort of gender-based “oppression.” Does this mean the Queen of England isn’t a woman? Especially for feminist scholars, another problem is the case of trans individuals who do NOT successfully “pass” (i.e., a transwoman who is generally seen/treated as a man, despite her preferences). Social position accounts don’t preclude the possibility that there might be some other sense of “woman” in which these individuals might count (i.e., if we focus on different aspects of the social structure than Haslanger does). However, it will nevertheless remain the case that, on these views, neither your biology nor your psychology determines which gender you are. In fact, its nothing “about you” at all. Instead, your gender is based on something that is entirely **extrinsic** to you. It is based on how others see and treat you.

### Identity/Expression Accounts of Gender

***The claim: Gender is largely/entirely determined by a person’s sense of self.***

A third view of gender ties it directly to a person’s sense of self-identity, and with what they feel themselves to be. So, for example, some **(“thick”)** versions of this view argue that one’s gender (in a particular context) is determined by one identifies more with the cluster of properties seen as “feminine” (such as being “caring” or “submissive”) in that context, or those seen as “masculine” (such being “stoic” or “competitive”). Other (**“thin”**) versions of this view argue that this self-identification can be much more minimal—i.e., it can just be the thought “I’m a (wo)man.”[[4]](#footnote-2) One version of thick view talks about a person’s gender being determined by their “internal map” of their self, the world around them, and how these relate:

*“S has a female gender identity iff S’s internal ‘map’ is formed to guide someone classed as a woman through the social or material realities that are, in that context, characteristic of women as a class.” (410)*

*Problems:* The thick versions of this view entail that, if you don’t identify with the sorts of social traits typically associated with that gender (you aren’t “manly” or “feminine” enough), you don’t count as that gender (even if you yourself still identify as that gender, or if it your biological sex!). The thin versions, by contrast, risk reducing deflating gender to the point where it doesn’t tell you anything of interest about the person at all. (Basically, it allows me to change my gender merely by uttering the sentence ‘Now I am a man/woman/something else.). Finally, both versions of the view risk excluding many people (including children, adults with cognitive disabilities, or even certain neuro-atypical people with conditions such as autism or schizophrenia.) from having a gender at all, if isn’t something they consciously reflect on. These all seem to be unwelcome consequences.

### Gender Eliminativism

***The claim: While biological sex is fine/natural, gender is a harmful construct. It should be eliminated.***

A final group of thinkers argue that while *biological sex* may (or may not) be a natural kind, *gender* is most definitely not. Instead “gender” is simply the way that societies have unjustly discriminated against people with differing biological sexes, and forced them to lead different sorts of lives. Some people within this group see this eliminativism about gender as a long-term goal (and so, they think we still need to have the concept gender around for many years, while we work on making society better). A smaller subset of this group (sometimes called **gender-critical feminists** or **trans-exclusionary radical feminists)** argue that, as a matter of both personal morality and public policy, we should immediately work to reduce/eliminate the role that “gender” plays in our lives. Basically: if distinctions based on biological sex are needed (for example, men and women have some different medical needs) that’s fine, but we should NOT be making distinctions between people based on “gender”, or encouraging people (especially children) to embrace gender roles of any type (whether these be “woman”, “man” or “non-binary.”).

This version of the view has the consequence, for example, that “gender self-id” policies or laws (where people are allowed to choose which restroom to use, etc.) should be repealed. It also entails that, at least for many purposes, transwomen and transmen should be categorized according to their biological sex when it comes to public policy, whatever their preference may be[[5]](#footnote-3). One main argument for this view has been that the widespread talk of gender makes it more difficult to focus on the needs of *biological females* and the ways in which they have (both historically and up to the present) been harmed by *biological males* (e.g., males have traditionally held much more political power, are much more likely to violently attack females, and so on). Defenders of these views tend to oppose any moral/legal expectation that they do things such as “use a person’s preferred pronouns” or otherwise participate in what they see as gender-supporting discourse. In these respects, they tend to agree with (generally more conservative) defends of biological determinist views.

*Problems:* The strongest, gender-critical versions of this view seem to have political ramifications that their critics have argue are unacceptable (e.g., categorizing trans individuals in ways that don’t fit with their gender identity may put them at risk of harm in a variety of ways). There is also the worry that, in practice, abandoning the concept of gender may in effect lead to the institution of something close to the old, harmful versions of biological essentialism (where biological males and biological females are expected to behave in certain ways based on their sex). So, for example, getting rid of the concept of gender altogether might put at risk the *current* legal protections that women/men have against having their workplaces enforcing dress codes or standards of behavior based on biological sex.

## Mixed Views: It Depends on the situation

There are also a variety of mixed or context-sensitive views, which combine aspects of the above. On these views, “gender” doesn’t always mean the same thing, and there’s no deep metaphysical truth that will settle the matter. Instead, it depends on what you are doing. One analogy is with the idea of “adoptive parent.” In the vast majority of contexts, adoptive parents are simply parents and they can (and should) be thought of simply as “parents.” However, there may be some cases (e.g., in birthing classes, or in cases where we care about genetically transmitted diseases) in which “parent” means something more like “biological parent.” By comparison, we might say that, in many cases, we should simply identify a person’s gender as whatever they say it is, with the understanding that there are *some* contexts (e.g., in scientific research or medical treatment) where a different concept may be better. The problem for such mixed views is to make sure they have a *principled* way of making distinctions (it can’t just be “do whatever seems right to me at the moment”…).

## A Few Current Issues

In comparison to 10 years ago, there is quite a bit of philosophical research into gender/sex. Here are a few current issues:

**How many genders are there? Does everyone have a gender?** None of the above accounts of gender logically entail that there are just TWO genders. Instead, this will turn out to depend on biology, on the structure of society, and/or a person’s sense of gender identity. In recent years, an increasing number of people (though still a minority) have come to identify as **gender nonbinary, genderqueer,** or **agender.** Most (though not all) philosophers working on the metaphysics of gender have argued that, whatever our ultimate metaphysics of gender turns out to be, it should turn out to be that ordinary people’s claims about their own gender (or lack thereof) should turn out to be true (or at least, not turn out to be obviously false). However, the fact that people *disagree* about how many genders there are, whether you can lack a gender, etc. presents a significant challenge for this goal.

**Which definitions of gender/sex are best to use in which contexts?** Many of the most hotly contested issues involving gender/sex concern *which* definitions are appropriate to use in *which* contexts. So, for example, sporting organizations that differentiate by sex/gender (like the Olympic committee) have long struggled with issues involving intersex (e.g., in cases where sex hormones and chromosomes diverge, in which category should this person participate?). In recent years, these issues have become pronounced and widespread as trans people have argued for their right to participate in sports under the gender category with which they identify, while other argue that this (and in particular, trans-girls and women participating in women’s sports) risks minimizing the chance that cis-girls and women have to succeed. Notably, Rachel McKinnon, a prominent philosopher working on these issues, is a transwoman and elite bicyclist, and has been the center of some controversy[[6]](#footnote-4). Another issue concerns the criminal justice system, and in particular the classification of transwomen. Should they be placed in men’s prisons, in women’s prisons, or someplace else?

**What can philosophy contribute to the study of gender and sex? What are its shortcomings?** In 2017, philosophical debates about sex/gender made the national/international news, when a young feminist scholar, Rebecca Tuvel, published an article called “In Defense of Transracialism”[[7]](#footnote-5) in a leading feminist philosophy journal. In this article, she argued that, insofar as we have reason to accept trans individuals claims about their gender identities (as both social position and identity-expression accounts allow), we might also have good reason to accept the legitimacy of some claims to “transracialism” (for example, where a person who is born/raised white comes to identify as black). This article provoked a huge controversy, with many scholars (especially, though not exclusively, from areas outside of philosophy) calling for the article to be retracted, with others (including many philosophers) arguing that the article followed general philosophical norms for research/argumentation and so, even if one disagreed with the conclusion, it should not be retracted (especially since it had already undergone peer review). This has since led to a number of conversations about the way that philosophy differs from other ways of talking about gender/sex. So, for example, it seems likely that Tuvel’s article (or any other article with a similar conclusion) would have been rejected if she has attempted to publish in a sociology, gender studies, or even medical journal. However, philosophers disagree (rather vehemently) on whether this “openness to different ideas, so long as there is an argument behind them” is a good/bad thing about philosophy.

## Questions for Reflection

1. How would you describe your own experience of “gender” (which focuses on the *social*)? How has this related to your experience of “biological sex”?
2. Nearly everyone agrees that “gendered” differences between men and women are probably at least partially biological and partially due to society. However, people disagree vehemently on which factor—biology or society—is more important. To what extent do you think that the behavioral/psychological (“gender”) difference between men and women are the result of biological differences between men and women?
3. Which philosophical account of gender, if any, do you find most appealing? Which do you find least appealing? Why?
4. A major ethical debate in recent years has been over whether “women’s only spaces” (such as restrooms, women’s prisons, sports, even dating apps, etc.) should include transwomen, as well as cis-women. What do you think?

# Reading: Why be Nonbinary? (by Robin Dembroff)[[8]](#footnote-6)

**[Brendan: There are two readings in this chapter. One argues is Robin Dembroff, who argues that people can/should choose gender identities outside those that expected of them (based on biology/society). The second is from the “gender-critical” philosopher Rebecca Reilly Cooper, who argues that this sort of view doesn’t make sense, and can in fact harm movements for women’s rights.]**

Recently, I found myself at London Stansted Airport, travelling back to the United States. I’m a frequent flyer, so I’m familiar with the airport ritual: shoes, laptop, body scanner. But for myself and many others, the final instalment of this liturgy tends to become a social test. As usual, I braced myself and stepped into the scanner.

‘Arms like this… Anything in your pockets? Stand still.’ As the security agent stepped back to the controller, she looked up. Gender panic rose in her face. Her eyes desperately tried to undress me: female or male? Pink or blue button? (Yes, pink or blue.) ‘Female,’ I sighed, but the Plexiglas muffled my voice. ‘Female!’ I yelled. ‘The pink button!’ Other travellers froze, expecting a scene, but the agent’s face lit up. ‘I *thought* you were a woman!’ she announced triumphantly. She jabbed the button featuring a pink stick figure: vagina; female; woman.

As someone who is gender nonbinary, I’ve gathered hundreds of these stories. Some are funny, others vicious. Despite a widespread assumption that everyone fits into neat gender categories, I’ve always been treated as a gender question mark. My social interactions since childhood have been filled with wildly vacillating gender expectations. These days, though, I identify as nonbinary not because I am androgynous. Rather, I do so because experiencing life as an androgynous person has made me acutely aware of how gendered expectations and assumptions saturate our lives.

Unreflective critics like to accuse people like me of being ‘obsessed’ with gender. But far from being obsessed, many of us are just plain *tired* of it. I am tired of living in a society where everyone forces each other into a blue or a pink box. The ferocity with which these gender boxes are maintained – and the Hail Mary attempts to justify them with science – is truly staggering. Anyone who dares to challenge these boxes is met with distortion and ridicule. I don’t want to put up with it any longer: my identity is a petition for an escape hatch.

Top of Form

Bottom of Form

Most people assume that gender is tied to biological sex. For the majority, this means that gender is *identical to* sex, where sex is taken to be determined by one’s reproductive features. Call this the ‘identity’ view of gender. For others, following Simone de Beauvoir, gender is the *social meaning* of sex. Call this the ‘social position’ view of gender.

On either the identity or the social-position view, your gender is constrained by whether your body is sexed as male or as female. According to the identity view, your gender *just is* your sexed body. And, according to the social view, your gender is unavoidably indexed to your sexed body, because society imposes social roles onto you on the basis of your biology. On either view, then, it would seem that nonbinary genders do not – *cannot* – exist. But this is mistaken.

**[Brendan: Before reading further: what do you think? Are there genders besides “male” and “female”? Why?]**

Consider first those who hold to a strict identity relation between gender and sex. On this view, nonbinary gender cannot exist because – it is assumed – everyone has either a male or a female body. This view proliferates on countless blogs, forums and news sources, where one finds wildly distorted discussions of what it means to be nonbinary. Nearly all conclude that nonbinary gender is a biological impossibility. The more vitriolic commenters add to this that anyone who says they are nonbinary is deranged.

It seems, then, that when I say: ‘I am nonbinary’, a staggering number of people take this to mean: ‘I don’t have female or male reproductive features’, and so dismiss my claim as absurd. But this is a conversational failure. Maybe even a bald-faced lie. We are nowhere near the end of militant insistence that nonbinary genders are a ‘biological’ impossibility. But the insistence is a façade hiding a bad argument. Let’s take the reasoning at face value:

* Premise 1: Someone’s gender is identical to their set of reproductive features.
* Premise 2: There are only two possible sets of reproductive features.
* Conclusion: So it is impossible for someone to have a nonbinary gender.

An initial thing to notice is that the second premise is demonstrably false. The science journalist Claire Ainsworth, writing for the journal *Nature* in 2015*,* points out that this ‘simple scenario’ is distant from reality:

According to the simple scenario, the presence or absence of a Y chromosome is what counts: with it, you are male, and without it, you are female. But doctors have long known that some people straddle the boundary – their sex chromosomes say one thing, but their gonads (ovaries or testes) or sexual anatomy say another … What’s more, new technologies in DNA sequencing and cell biology are revealing that almost everyone is, to varying degrees, a patchwork of genetically distinct cells, some with a sex that might not match that of the rest of their body.

In other words, it’s uncontroversial among doctors, biologists and geneticists that it would be difficult, if not impossible, to find a line in nature that cleanly divides people into males and females. So, even granting the first premise, the argument fails: reproductive features do not neatly fall into binary categories. The biological world is far messier than XX and XY chromosomes.

**[Brendan: It’s worth noting that many/most biological categories are “messy” in this way. For example, Darwin famously argued that “species” like this. Determining which “species” a particular organism belongs to will depend partly on the facts about the organism, but partly on what biologists are trying to do.]**

Making this point and walking away would be hasty. True, intersex people – those whose biological features combine male- and female-coded reproductive features – exist. But it doesn’t further our understanding of nonbinary identities, because having an intersex condition is neither sufficient nor necessary for being nonbinary. The majority of nonbinary individuals do not have an intersex condition, nor do they take themselves to.

The argument is meant to conclude that nonbinary genders – not intersex conditions – are impossible. But if it indeed does, a vital error surfaces within the argument. The term ‘gender’, as it is used in the first premise, refers to sets of reproductive features. But the term ‘gender’, as it is used in the conclusion, must refer to social identifications and not biological classifications. In short, the argument equivocates, and so fails.

Many discussions about nonbinary identities suffer from a lack of basic terminological agreement. Without it, we are engaged in what philosophers call *metalinguistic negotiation*: an argument over what a word should mean, and not an argument about what the world is like. Suppose the US Vice President Mike Pence tells me, after the legal success of marriage equality in the United States, that: ‘I believe marriage is only between a man and a woman.’ I respond by brushing him off as delusional: ‘Just because you say something about the law doesn’t make it so!’ Anyone paying attention would identify my response as missing the mark. Clearly, whatever Pence means by the word ‘marriage’ – something based on certain Biblical precepts, no doubt – is not what I mean by it.

Similarly, even a brief glance inside the communities that developed and regularly use terms such as ‘nonbinary’, ‘agender’, ‘genderqueer’ and so on reveals that these terms certainly *don’t* mean something about one’s reproductive features. Consider just one example, borrowed from a 2017 qualitative study of transgender (increasingly known simply as ‘trans’) individuals:

‘My gender changes. Sometimes I am female, sometimes I am a boy, sometimes I am both, and sometimes I am neither.’

If we substitute ‘have a vagina’ for ‘am female’, and ‘have a penis’ for ‘am a boy’, the result is nonsensical. Yet for the doubters’ argument to be valid, it would need to be the case that ‘gender’ *must* refer to one’s set of reproductive features. The main problem with this suggestion – other than violating any plausible theory of semantics – is that no one believes it. For all the huffing about how gender is just body parts, no one *in practice* holds the identity view of gender. If gender is just reproductive features and *nothing more*, it makes no more sense to insist that people must look, love or act in particular ways on the basis of gender than it would to demand that people modify their behaviour on the basis of eye colour or height.

**[Brendan: How would you describe Dembroff’s argument in this section in your own words? Do you think it works?]**

Even if reproductive traits are correlated to personality, physical capabilities or social interests, such correlations don’t equate to norms. As David Hume has taught us, *is* doesn’t make *ought*. Having feet is correlated with walking, but I can walk on my hands if I want to. Having a tongue is correlated with experiencing taste, but who cares if I decide to drink Soylent every day? Once we recognise that gender categories mark how one *ought* to be, and not only how one’s body *is*, the identity view unravels. To build in the ‘oughts’ is to admit that gender is more than just body parts.

The idea that gender is more than body parts is old news to feminists. A distinction between sex and gender, in which genders are the social positions forced upon certain sexed bodies, has long circulated among feminist theorists and activists. And, no doubt, this way of thinking about gender has helped to debunk ideas about how female persons ‘naturally’ should be and reveal widespread social discriminations against these persons.

But while the social-position view distinguishes between bodily features and gender, and takes gender to be a fundamentally social phenomenon, this view still welds gender to assigned sex. For example, on this theory, someone is a woman if they are (or were from birth) socially marked as female. And, since many nonbinary persons are (and were) marked as male or female, they are in fact men or women on the social-position view. They do not have a nonbinary gender.

Here we run again into linguistic mismatch: most nonbinary persons do not claim they are (or were) not marked with a binary sex, or socialised according to that assigned sex. Whatever these persons mean by claiming nonbinary identities, it is not a lack of gendered socialisation. So what *does* it mean to be nonbinary then?

One popular idea is that being nonbinary simply means being gender-nonconforming, or being androgynous. Terms such as ‘androgynous’, ‘gender fluid’ and ‘nonbinary’ are often used interchangeably in marketing campaigns and social media. But this won’t do either: many nonbinary persons are not androgynous, and many androgynous persons would not claim nonbinary identities. True, nonbinary persons are *often* androgynous. But, in many cases, androgyny simply is the catalyst for realising how thoroughly arbitrary and suffocating gender is: it cannot remain invisible to someone whose ability to fit within its structures is perpetually scrutinised.

Take what happened to me a few months ago. I came out of a women’s restroom to find a very angry man and (I presume) his girlfriend. ‘What the fuck were you doing in the women’s bathroom?’ he yelled in my face. ‘I should beat the shit out of you.’ I’m not sure what I said, but I replied, with my female-coded voice. His demeanour shifted completely. He stammered: ‘I thought… You look…’ Then he ran away.

Such experiences have taught me – even if in a muted sense – how much our perceived gender constrains how we move through the world. In his poem *The Waste Land* (1922)*,* T S Eliot was right to describe Tiresias, a mythological prophet who was transformed into a woman, as someone who ‘though blind … can see’. The best way to see gendered reality is to be a Tiresias, throbbing between overlapping but radically segregated worlds. Some prefer to live in those worlds: nonbinary persons seek an alternative.

I consider nonbinary identity to be an unabashedly political identity. It is for anyone who wishes to wield self-understanding in service of dismantling a mandatory, self-reproducing gender system that strictly controls what we can do and be. As the philosopher Kate Manne puts it in her book *Down Girl* (2017), this system rewards and valorises those who conform to binary gender expectations, and punishes and polices those who do not. To be nonbinary is to set one’s existence in opposition to this system at its conceptual core.

As a result, nonbinary identity cannot be based on having androgynous reproductive features or aesthetic expression. Androgyny itself is defined with reference to binary gender concepts. But gendered conformity – even conformity to nonconformity – cannot be a requirement of nonbinary identity. It cannot be defined in a way that upholds the very concepts it seeks to unravel. Unlike womanhood or manhood, nonbinary identity is open to anyone and forced upon no one. It is radically anti-essentialist. It is opt-in only.

**[Brendan: What does it mean to say that a non-binary identity is “opt-in” only? How does this differ from “traditional identities?]**

‘I don’t want to be a girl wearing boy’s clothes, nor do I want to be a girl who presents as a boy,’ said the nonbinary teenager Kelsey Beckham in an interview with *The Washington Post* in 2014. ‘*I’m just a person wearing people clothes* (my emphasis).’ Beckham’s claim gets at the heart of nonbinary identity. Beckham does not deny that they have female- or male-coded sex characteristics. They do not deny having a gendered social position. They do not insist that they have an androgynous aesthetic. In my view, Beckham’s claim is best interpreted as a challenge: *Why do you insist on perceiving me through binary gender concepts?* Their statement illuminates, if only for a moment, our constant and unthinking habit of using binary gender categories as a lens through which to view and evaluate nearly everything about a person – their relationships, occupation, clothes, heights, athletic ability, intelligence, personality, and on and on, ad nauseum.

What justifies this habit? Why do we continue to do it? Nonbinary individuals, by refusing to comply with binary categories, raise these questions and – with their very existence – refuse to put them down. While other feminisms question the unequal value placed on femininity and masculinity, highlighting the resulting gender inequalities, the nonbinary movement questions why we insist on these categories *at all.*

To reduce the world to pink and blue buttons, we’ve relied on an ability to designate and maintain rigid groupings of physical features, aesthetic expressions, sexualities, personalities and social dispositions. These groupings are maintained by normed conformity: anyone who fails to conform *should* conform on pain of being ‘gender trash’, to borrow a term from the activist Riki Wilchins. A slew of terms existed to denigrate those who are gender trash: ‘dyke’, ‘fairy’, ‘tranny’, ‘sissy’, ‘queer’. In reclaiming these and other terms, people have started to embrace being gender trash. Nonbinary individuals go a step further: they challenge the categories that allow persons to be marked as gender trash in the first place.

**[Brendan: In your experience, how have people with “non-traditional” gender roles been treated. Has this changed over your life?]**

Policing masculinity and femininity requires that there be men and women. Challenging these categories, in part by revealing the false but pervasive assumption that everyone fits within them, threatens those who wish to preserve social control over sexed bodies – especially control that systematically favours males who conform to dominant masculine norms. If people embrace an ontological space outside the gender binary, it undermines this ideology. Its perpetuation relies on the myth that gender – understood as sets of reproductive features that make us apt for certain social roles – is *binary*, *universal* and *natural*. Claims to nonbinary gender, unlike the social-position view of gender, open up a fissure between reproductive features and social possibility. They question the ontological basis of gender as well as its political justification.

None of this is to deny the many means of gender resistance *within* the binary. It is powerful to insist that women and men should be able to look, act and simply *be* any way they want. Countless people identify as men or women while simultaneously bucking gender norms. For many of them, being understood as a man or a woman is important for describing how they were socialised as children, how others interpret their bodies, or how they feel about their own bodies. This is wonderful: the more sledgehammers we take to gender categories, the better. Some prefer to make these categories gooey on the inside; I prefer to torch them. There’s enough room for all at the barbecue.

Rather than insist that men and women can be and can do anything, I and other nonbinary persons question why we categorise people as women and men at all. Questions about what categories should guide our social lives cannot be answered by simply describing the world, because they ask how we *should* describe the world. They are inherently normative questions. Philosophers have long discussed reasons why some categories are better to use than others. In the sciences, for example, it seems clear that considerations of simplicity and explanatory power are significant when determining how best to categorise reality. Nonbinary identities force us to place binary gender categories under similar scrutiny, but with greater attention to moral and political considerations. We must ask not only what these categories are, but also why and whether we should continue to use them.

Are we nearing the end of gender as we know it? As it has been imposed upon us since birth? On more optimistic days, especially after interacting with my students, I feel hopeful. At other times, I read that the US Department of Justice is dismantling trans rights by ordering that workplace discrimination laws do not apply to discrimination based on gender identity. Or that the Trump administration is attempting to legally erase trans persons’ existence by defining gender based on a person’s genitalia at birth. Or that Ciara Minaj Frazier, a 31-year-old black trans woman, has become the 22nd trans person known to have been murdered in the US in 2018 alone. On these days, I’m not as sure.

What I do know is that our gender systems are not only broken, but that they never worked. For binary and nonbinary folks alike, they damage mental and physical health, promote economic inequality, and fuel sexual and other gendered violence. For my gender trash kin, and especially persons of colour, they make life into a tightrope where one misstep or just bad luck ends in unemployment, harassment, rape, beatings or even death. We must continue to question a culture that mandates infants’ genitals be coded according to a binary that determines much of their lives. ‘Gender obsessed’ indeed.

**[Brendan: How would you describe Dembroff’s conclusion? What is your reaction?]**

# Reading: Gender is Not a Spectrum (by Rebecca Reilly Cooper)[[9]](#footnote-7)

What is gender? This is a question that cuts to the very heart of feminist theory and practice, and is pivotal to current debates in social justice activism about class, identity and privilege. In everyday conversation, the word ‘gender’ is a synonym for what would more accurately be referred to as ‘sex’. Perhaps due to a vague squeamishness about uttering a word that also describes sexual intercourse, the word ‘gender’ is now euphemistically used to refer to the biological fact of whether a person is female or male, saving us all the mild embarrassment of having to invoke, however indirectly, the bodily organs and processes that this bifurcation entails.

The word ‘gender’ originally had a purely grammatical meaning in languages that classify their nouns as masculine, feminine or neuter. But since at least the 1960s, the word has taken on another meaning, allowing us to make a distinction between sex and gender. For feminists, this distinction has been important, because it enables us to acknowledge that some of the differences between women and men are traceable to biology, while others have their roots in environment, culture, upbringing and education – what feminists call ‘gendered socialisation’.

At least, that is the role that the word gender traditionally performed in feminist theory. It used to be a basic, fundamental feminist idea that while sex referred to what is biological, and so perhaps in some sense ‘natural’, gender referred to what is socially constructed. On this view, which for simplicity we can call the radical feminist view, gender refers to the externally imposed set of norms that prescribe and proscribe desirable behaviour to individuals in accordance with morally arbitrary characteristics.

**[Brendan: Note that Cooper adopts a social-position view of gender. On her view, it is \*society\* that determines your gender.]**

Not only are these norms external to the individual and coercively imposed, but they also represent a binary caste system or hierarchy, a value system with two positions: maleness above femaleness, manhood above womanhood, masculinity above femininity. Individuals are born with the potential to perform one of two reproductive roles, determined at birth, or even before, by the external genitals that the infant possesses. From then on, they will be inculcated into one of two classes in the hierarchy: the superior class if their genitals are convex, the inferior one if their genitals are concave.

From birth, and the identification of sex-class membership that happens at that moment, most female people are raised to be passive, submissive, weak and nurturing, while most male people are raised to be active, dominant, strong and aggressive. This value system, and the process of socialising and inculcating individuals into it, is what a radical feminist means by the word ‘gender’. Understood like this, it’s not difficult to see what is objectionable and oppressive about gender, since it constrains the potential of both male and female people alike, and asserts the superiority of males over females. So, for the radical feminist, the aim is to abolish gender altogether: to stop putting people into pink and blue boxes, and to allow the development of individuals’ personalities and preferences without the coercive influence of this socially enacted value system.

This view of the nature of gender sits uneasily with those who experience gender as in some sense internal and innate, rather than as entirely socially constructed and externally imposed. Such people not only dispute that gender is entirely constructed, but also reject the radical feminist analysis that it is inherently hierarchical with two positions. On this view, which for ease I will call the queer feminist view of gender, what makes the operation of gender oppressive is not that it is socially constructed and coercively imposed: rather, the problem is the prevalence of the belief that there are only two genders.

**[Brendan: Cooper has set up two views to compare: the “radical feminist” view of gender and the “queer feminist” view of gender. What are the differences between these?]**

Humans of both sexes would be liberated if we recognised that while gender is indeed an internal, innate, essential facet of our identities, there are more genders than just ‘woman’ or ‘man’ to choose from. And the next step on the path to liberation is the recognition of a new range of gender identities: so we now have people referring to themselves as ‘genderqueer’ or ‘non-binary’ or ‘pangender’ or ‘polygender’ or ‘agender’ or ‘demiboy’ or ‘demigirl’ or ‘neutrois’ or ‘aporagender’ or ‘lunagender’ or ‘quantumgender’… I could go on. An oft-repeated mantra among proponents of this view is that ‘gender is not a binary; it’s a spectrum’. What follows from this view is not that we need to tear down the pink and the blue boxes; rather, we simply need to recognise that there are many more boxes than just these two.

At first blush this seems an appealing idea, but there are numerous problems with it, problems that render it internally incoherent and politically unattractive.

Top of Form

Bottom of Form

Many proponents of the queer view of gender describe their own gender identity as ‘non-binary’, and present this in opposition to the vast majority of people whose gender identity is presumed to be binary. On the face of it, there seems to be an immediate tension between the claim that gender is not a binary but a spectrum, and the claim that only a small proportion of individuals can be described as having a non-binary gender identity. If gender really is a spectrum, doesn’t this mean that every individual alive is non-binary, by definition? If so, then the label ‘non-binary’ to describe a specific gender identity would become redundant, because it would fail to pick out a special category of people.

To avoid this, the proponent of the spectrum model must in fact be assuming that gender is *both* a binary *and* a spectrum. It is entirely possible for a property to be described in both continuous and binary ways. One example is height: clearly height is a continuum, and individuals can fall anywhere along that continuum; but we also have the binary labels Tall and Short. Might gender operate in a similar way?

The thing to notice about the Tall/Short binary is that when these concepts are invoked to refer to people, they are relative or comparative descriptions. Since height is a spectrum or a continuum, no individual is absolutely tall or absolutely short; we are all of us taller than some people and shorter than some others. When we refer to people as tall, what we mean is that they are taller than the average person in some group whose height we are interested in examining. A boy could simultaneously be tall for a six-year-old, and yet short by comparison with all male people. So ascriptions of the binary labels Tall and Short must be comparative, and make reference to the average. Perhaps individuals who cluster around that average might have some claim to refer to themselves as of ‘non-binary height’.

However, it seems unlikely that this interpretation of the spectrum model will satisfy those who describe themselves as non-binary gendered. If gender, like height, is to be understood as comparative or relative, this would fly in the face of the insistence that individuals are the sole arbiters of their gender. Your gender would be defined by reference to the distribution of gender identities present in the group in which you find yourself, and not by your own individual self-determination. It would thus not be up to me to decide that I am non-binary. This could be determined only by comparing my gender identity to the spread of other people’s, and seeing where I fall. And although I might think of myself as a woman, someone else might be further down the spectrum towards womanhood than I am, and thus ‘more of a woman’ than me.

Further, when we observe the analogy with height we can see that, when observing the entire population, only a small minority of people would be accurately described as Tall or Short. Given that height really is a spectrum, and the binary labels are ascribed comparatively, only the handful of people at either end of the spectrum can be meaningfully labelled Tall or Short. The rest of us, falling along all the points in between, are the non-binary height people, and we are typical. In fact, it is the binary Tall and Short people who are rare and unusual. And if we extend the analogy to gender, we see that being non-binary gendered is actually the norm, not the exception.

**[Brendan: In your own words, what “point” is Cooper trying to make with the Tall/Short analogy? Why does she think it raises problems for non-binary views?]**

If gender is a spectrum, that means it’s a continuum between two extremes, and everyone is located somewhere along that continuum. I assume the two ends of the spectrum are masculinity and femininity. Is there anything else that they could possibly be? Once we realise this, it becomes clear that everybody is non-binary, because absolutely nobody is pure masculinity or pure femininity. Of course, some people will be closer to one end of the spectrum, while others will be more ambiguous and float around the centre. But even the most conventionally feminine person will demonstrate some characteristics that we associate with masculinity, and vice versa.

I would be happy with this implication, because despite possessing female biology and calling myself a woman, I do not consider myself a two-dimensional gender stereotype. I am not an ideal manifestation of the essence of womanhood, and so I am non-binary. Just like everybody else. However, those who describe themselves as non-binary are unlikely to be satisfied with this conclusion, as their identity as ‘non-binary person’ depends upon the existence of a much larger group of so-called binary ‘cisgender’ people, people who are incapable of being outside the arbitrary masculine/feminine genders dictated by society.

And here we have an irony about some people insisting that they and a handful of their fellow gender revolutionaries are non-binary: in doing so, they create a false binary between those who conform to the gender norms associated with their sex, and those who do not. In reality, everybody is non-binary. We all actively participate in some gender norms, passively acquiesce with others, and positively rail against others still. So to call oneself non-binary is in fact to create a new false binary. It also often seems to involve, at least implicitly, placing oneself on the more complex and interesting side of that binary, enabling the non-binary person to claim to be both misunderstood and politically oppressed by the binary cisgender people.

If you identify as pangender, is the claim that you represent every possible point on the spectrum? All at the same time? How might that be possible, given that the extremes necessarily represent incompatible opposites of one another? Pure femininity is passivity, weakness and submission, while pure masculinity is aggression, strength and dominance. It is simply impossible to be all of these things at the same time. If you disagree with these definitions of masculinity and femininity, and do not accept that masculinity should be defined in terms of dominance while femininity should be described in terms of submission, you are welcome to propose other definitions. But whatever you come up with, they are going to represent opposites of one another.

A handful of individuals are apparently permitted to opt out of the spectrum altogether by declaring themselves ‘agender’, saying that they feel neither masculine nor feminine, and don’t have any internal experience of gender. We are not given any explanation as to why some people are able to refuse to define their personality in gendered terms while others are not, but one thing that is clear about the self-designation as ‘agender’: we cannot all do it, for the same reasons we cannot all call ourselves non-binary. If we were all to deny that we have an innate, essential gender identity, then the label ‘agender’ would become redundant, as lacking in gender would be a universal trait. Agender can be defined only against gender. Those who define themselves and their identity by their lack of gender must therefore be committed to the view that most people do have an innate, essential gender but that, for some reason, they do not.

Once we assert that the problem with gender is that we currently recognise only two of them, the obvious question to ask is: how many genders would we have to recognise in order not to be oppressive? Just how many possible gender identities are there?

The only consistent answer to this is: 7 billion, give or take. There are as many possible gender identities as there are humans on the planet. According to Nonbinary.org, one of the main internet reference sites for information about non-binary genders, your gender can be frost or the Sun or music or the sea or Jupiter or pure darkness. Your gender can be pizza.

**[Brendan: Cooper argues that IF we allow genders besides male/female, THEN we are committed to there being a distinct gender for (almost) every person. What’s her argument for thinking this?]**

But if this is so, it’s not clear how it makes sense or adds anything to our understanding to call any of this stuff ‘gender’, as opposed to just ‘human personality’ or ‘stuff I like’. The word gender is not just a fancy word for your personality or your tastes or preferences. It is not just a label to adopt so that you now have a unique way to describe just how large and multitudinous and interesting you are. Gender is the value system that ties desirable (and sometimes undesirable?) behaviours and characteristics to reproductive function. Once we’ve decoupled those behaviours and characteristics from reproductive function – which we should – and once we’ve rejected the idea that there are just two types of personality and that one is superior to the other – which we should – what can it possibly mean to continue to call this stuff ‘gender’? What meaning does the word ‘gender’ have here, that the word ‘personality’ cannot capture?

On Nonbinary.org, your gender can apparently be:

**(Name)gender:** ‘A gender that is best described by one’s name, good for those who aren’t sure what they identify as yet but definitely know that they aren’t cis … it can be used as a catch-all term or a specific identifier, eg, johngender, janegender, (your name here)gender, etc.’

The example of ‘(name)gender’ perfectly demonstrates how non-binary gender identities operate, and the function they perform. They are for people who aren’t sure what they identify as, but know that they aren’t cisgender. Presumably because they are far too interesting and revolutionary and transgressive for something as ordinary and conventional as cis.

This desire not to be cis is rational and makes perfect sense, especially if you are female. I too believe my thoughts, feelings, aptitudes and dispositions are far too interesting, well-rounded and complex to simply be a ‘cis woman’. I, too, would like to transcend socially constructed stereotypes about my female body and the assumptions others make about me as a result of it. I, too, would like to be seen as more than just a mother/domestic servant/object of sexual gratification. I, too, would like to be viewed as a human being, a person with a rich and deep inner life of my own, with the potential to be more than what our society currently views as possible for women.

The solution to that, however, is not to call myself agender, to try to slip through the bars of the cage while leaving the rest of the cage intact, and the rest of womankind trapped within it. This is especially so given that you can’t slip through the bars. No amount of calling myself ‘agender’ will stop the world seeing me as a woman, and treating me accordingly. I can introduce myself as agender and insist upon my own set of neo-pronouns when I apply for a job, but it won’t stop the interviewer seeing a potential baby-maker, and giving the position to the less qualified but less encumbered by reproduction male candidate.

Here we arrive at the crucial tension at the heart of gender identity politics, and one that most of its proponents either haven’t noticed, or choose to ignore because it can only be resolved by rejecting some of the key tenets of the doctrine.

Many people justifiably assume that the word ‘transgender’ is synonymous with ‘transsexual’, and means something like: having dysphoria and distress about your sexed body, and having a desire to alter that body to make it more closely resemble the body of the opposite sex. But according to the current terminology of gender identity politics, being transgender has nothing to do with a desire to change your sexed body. What it means to be transgender is that your innate gender identity does not match the gender you were assigned at birth. This might be the case even if you are perfectly happy and content in the body you possess. You are transgender simply if you identify as one gender, but socially have been perceived as another.

It is a key tenet of the doctrine that the vast majority of people can be described as ‘cisgender’, which means that our innate gender identity matches the one we were assigned at birth. But as we have seen, if gender identity is a spectrum, then we are all non-binary, because none of us inhabits the points represented by the ends of that spectrum. Every single one of us will exist at some unique point along that spectrum, determined by the individual and idiosyncratic nature of our own particular identity, and our own subjective experience of gender. Given that, it’s not clear how anybody ever could be cisgender. None of us was assigned our correct gender identity at birth, for how could we possibly have been? At the moment of my birth, how could anyone have known that I would later go on to discover that my gender identity is ‘frostgender’, a gender which is apparently ‘very cold and snowy’?

Once we recognise that the number of gender identities is potentially infinite, we are forced to concede that nobody is deep down cisgender, because nobody is assigned the correct gender identity at birth. In fact, none of us was assigned a gender identity at birth at all. We were placed into one of two sex classes on the basis of our potential reproductive function, determined by our external genitals. We were then raised in accordance with the socially prescribed gender norms for people of that sex. We are all educated and inculcated into one of two roles, long before we are able to express our beliefs about our innate gender identity, or to determine for ourselves the precise point at which we fall on the gender continuum. So defining transgender people as those who at birth were not assigned the correct place on the gender spectrum has the implication that every single one of us is transgender; there are no cisgender people.

**[Brendan: Cooper here argues that one influential definition of “transgender”—a person who was not assigned the correct gender at birth—is incorrect. Why does she think this? Do you agree?]**

The logical conclusion of all this is: if gender is a spectrum, not a binary, then everyone is trans. Or alternatively, there are no trans people. Either way, this a profoundly unsatisfactory conclusion, and one that serves both to obscure the reality of female oppression, as well as to erase and invalidate the experiences of transsexual people.

The way to avoid this conclusion is to realise that gender is not a spectrum. It’s not a spectrum, because it’s not an innate, internal essence or property. Gender is not a fact about persons that we must take as fixed and essential, and then build our social institutions around that fact. Gender is socially constructed all the way through, an externally imposed hierarchy, with two classes, occupying two value positions: male over female, man over woman, masculinity over femininity.

The truth of the spectrum analogy lies in the fact that conformity to one’s place in the hierarchy, and to the roles it assigns to people, will vary from person to person. Some people will find it relatively easier and more painless to conform to the gender norms associated with their sex, while others find the gender roles associated with their sex so oppressive and limiting that they cannot tolerably live under them, and choose to transition to live in accordance with the opposite gender role.

Fortunately, what *is* a spectrum is human personality, in all its variety and complexity. (Actually that’s not a single spectrum either, because it is not simply one continuum between two extremes. It’s more like a big ball of wibbly-wobbly, humany-wumany stuff.) Gender is the value system that says there are two types of personality, determined by the reproductive organs you were born with. One of the first steps to liberating people from the cage that is gender is to challenge established gender norms, and to play with and explore your gender expression and presentation. Nobody, and certainly no radical feminist, wants to stop anyone from defining themselves in ways that make sense to them, or from expressing their personality in ways they find enjoyable and liberating.

So if you want to call yourself a genderqueer femme presenting demigirl, you go for it. Express that identity however you like. Have fun with it. A problem emerges only when you start making political claims on the basis of that label – when you start demanding that others call themselves cisgender, because you require there to be a bunch of conventional binary cis people for you to define yourself against; and when you insist that these cis people have structural advantage and political privilege over you, because they are socially read as the conformist binary people, while nobody really understands just how complex and luminous and multifaceted and unique your gender identity is. To call yourself non-binary or genderfluid while demanding that others call themselves cisgender is to insist that the vast majority of humans must stay in their boxes, because you identify as boxless.

**[Brendan: Cooper objects to the idea that she is morally required to think of herself as (or identify herself) as “cisgender.” Why does she think this?]**

The solution is not to reify gender by insisting on ever more gender categories that define the complexity of human personality in rigid and essentialist ways. The solution is to abolish gender altogether. We do not need gender. We would be better off without it. Gender as a hierarchy with two positions operates to naturalise and perpetuate the subordination of female people to male people, and constrains the development of individuals of both sexes. Reconceiving of gender as an identity spectrum represents no improvement.

You do not need to have a deep, internal, essential experience of gender to be free to dress how you like, behave how you like, work how you like, love who you like. You do not need to show that your personality is feminine for it to be acceptable for you to enjoy cosmetics, cookery and crafting. You do not need to be genderqueer to queer gender. The solution to an oppressive system that puts people into pink and blue boxes is not to create more and more boxes that are any colour but blue or pink. The solution is to tear down the boxes altogether.

**[Brendan: Dembroff and Cooper provide *very* different takes on gender. Whose view, if either, do you find more persuasive? Are there any alternative/intermediate views that are possible?]**

# Case Study: Gender and Sex in School

**[Brendan: This case study is a bit dated—it is from 2013—but debates about “bathroom bills” have continued up to the present day.]**

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*Rolling Stone[[10]](#footnote-8)*recently featured an article detailing the life and experience of Coy Mathis, a transgender child growing up in Colorado. When Coy was born, everyone thought he was a boy. By the time he was a toddler, Coy exhibited a love of pink, and insisted on wearing dresses and pinning up his hair. At first, his parents thought this was just a phase. As time went on, however, it became clear that Coy’s preferences were deeper and more permanent: Coy wondered when he would get his “girl parts” and refused to leave the house wearing boy’s clothing. Eventually Coy’s parents realized that despite his anatomy, Coy saw himself as a girl. Coy’s parents struggled to find a way to adjust to this reality: how would they tell Coy’s teacher? Which bathroom would Coy use at school? With the help of psychologists, lawyers, and school administrators, the Mathis family worked out a feasible strategy: Coy would go to school as a girl.

When Coy began second grade, however, school officials decided that Coy must use the boys’ bathroom despite Coy’s preference to use the girls’ bathroom. Under a new Colorado non-discrimination law, the Mathis family sued the school system and won. The Mathis family and their supporters see Coy’s journey, and the journeys of other transgender students, as part of a larger LGBT rights movement.

Some argue, however, that accommodating Coy may impinge on the rights of others. They express concern for girls who may feel uncomfortable seeing Coy in the girl’s bathroom. However, Coy’s supporters liken this to the discomfort white women may have felt sharing a bathroom with African-American women during the Civil Rights era.

## Study Questions:

1. Should public recognition of a person’s gender be determined by anatomy or personal identity?

1. Which bathroom(s) should a transgender student be allowed to use?

1. Do school officials have a moral obligation to seek a practical solution to the bathroom problem, such as a third bathroom for transgender persons, or more privacy in existing bathrooms? How might the costs of such solutions be balanced against other considerations?

1. Ann E. Cudd and Leslie E. Jones, “Sexism,” in *A Companion to Applied Ethics* (Wiley Blackwell, 2005), 102–17. [↑](#footnote-ref-1)
2. If you are interested in reading more about these issues, some good places to start are Bettcher “Feminist Perspectives on Trans Issues,” in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, Spring 2014 (Metaphysics Research Lab, Stanford University, 2014), https://plato.stanford.edu/archives/spr2014/entries/feminism-trans/., Haslanger “Gender and Race: (What) Are They? (What) Do We Want Them To Be?,” *Nous* 34, no. 1 (March 2000): 31, https://doi.org/10.1111/0029-4624.00201., and Mikkola “Feminist Perspectives on Sex and Gender,” in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta, Fall 2019 (Metaphysics Research Lab, Stanford University, 2019), https://plato.stanford.edu/archives/fall2019/entries/feminism-gender/., all of which I relied on in preparing the talk. Any mistakes are my own, of course! [↑](#endnote-ref-1)
3. For more on terminology related to gender and sex, see World Health OrganizationWorld Health Organization, “Gender and Genetics,” WHO, 2019, https://www.who.int/genomics/gender/en/. [↑](#endnote-ref-2)
4. Jenkins’ “Amelioration and Inclusion: Gender Identity and the Concept of Woman,” *Ethics* 126, no. 2 (2016): 394–421. [↑](#footnote-ref-2)
5. Kathleen Stock, “Doing Better in Arguments about Sex, Gender, and Trans Rights,” Medium, July 25, 2019, https://medium.com/@kathleenstock/doing-better-in-arguments-about-sex-and-gender-3bec3fc4bdb6; Katelyn Burns, “The Rise of Anti-Trans ‘Radical’ Feminists, Explained,” Vox, September 5, 2019, https://www.vox.com/identities/2019/9/5/20840101/terfs-radical-feminists-gender-critical. [↑](#footnote-ref-3)
6. Fred Dreier, “Commentary: The Complicated Case of Transgender Cyclist Dr. Rachel McKinnon,” *VeloNews.Com* (blog), October 18, 2018, https://www.velonews.com/2018/10/news/commentary-the-complicated-case-of-transgender-cyclist-dr-rachel-mckinnon\_480285.. [↑](#footnote-ref-4)
7. Rebecca Tuvel, “In Defense of Transracialism,” *Hypatia* 32, no. 2 (2017): 263–78; Shannon Winnubst, “Why Tuvel’s Article So Troubled Its Critics,” *The Chronicle of Higher Education*, May 8, 2017, https://www.chronicle.com/article/Why-Tuvel-s-Article-So/240029. [↑](#footnote-ref-5)
8. Robin Dembroff, “Nonbinary Identity Is a Radical Stance against Gender Segregation,” Aeon, October 30, 2018, https://aeon.co/essays/nonbinary-identity-is-a-radical-stance-against-gender-segregation. [↑](#footnote-ref-6)
9. Rebecca Reilly-Cooper, “The Idea That Gender Is a Spectrum Is a New Gender Prison,” Aeon, 2016, https://aeon.co/essays/the-idea-that-gender-is-a-spectrum-is-a-new-gender-prison. [↑](#footnote-ref-7)
10. http://www.rollingstone.com/culture/news/about-a-girl-coy-mathis-fight-to-change-change-gender-20131028 [↑](#footnote-ref-8)