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DEBATING GENDER

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There is an ongoing public debate about sex, gender and identity that is often quite heated. This is an edited transcript of an informal lecture I recorded in 2019 to serve as a friendly guide to these complex issues. It represents my best attempt, not to score political points for any particular side, but to give an introductory map of the territory so that you can think for yourself, investigate further, and reach your own conclusions about such controversial questions as 'What does mean to be a man or a woman?'

Edited Transcript

One way to characterize what's going on in the public discussion [about gender] right now is that there seems to be a fundamental disagreement about what it is to be, for example, a man or a woman. People seem to be making different claims about ontology – [about] what there fundamentally is in the world. I want to suggest that when people seem to be disagreeing about *what there is*, this is often a conceptual issue that's built on top of lower-level facts that these people probably don't disagree on. [. . .]

For the moment, I'm not going to start by defining terms. I'm not going to say, 'Here's what I mean by gender', 'Here's what I mean by gender identity', 'Here's what I mean by sex or sex categorizations, by male or female.' Instead, I'm going to try to pretend that you and I are having a conversation – maybe at a bar where we've just met each other – and you want to know *what gender I am*.

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This is going to be a somewhat stylized conversation. This is probably not how it would play out between any real human beings, certainly not in this current climate. But I'm going to belabor some points just so that you can start to see how I'm building this model from the ground up, and then we can begin to see where it is that people are really disagreeing with each other.

So let's say that you just asked me, 'Brian, what's your gender?' I could try to anticipate what you're trying to find out about me or what you want me to say. Or, I could [ask], 'What is it – specifically – that you want to know about me? What are you trying to find out about me by asking about my gender?' [. . .]

You might say, 'I'm trying to find out if you are chromosomally disposed to getting a disease that people with XY chromosomes tend to get.' If you asked that question, I could just skip all the metaphysical stuff about gender and say, '. . . I have XY chromosomes.' [. . .] And now we can go to the next question that you have: what specifically is it that you're trying to find out about me?

You might say, 'I'm trying to find out if your naturally occurring testosterone levels are situated somewhere on an upper or lower bell of a bimodal distribution of testosterone levels compared to the species average.' Again, nobody would *really* ask the question in that way, but suppose that that's more or less what you're trying to find out. Well, again, I can just answer the question. I don't have to refer to gender or sex or any of those things. I can say, 'I presume that my naturally occurring testosterone levels are somewhere on the upper bell of this bimodal distribution – probably not on the very far end of it; maybe somewhere in the middle.' I don't know the exact answer, but to answer that question is not to have a metaphysical dispute or a debate about what fundamentally exists. There's just a descriptive, boring answer to that question. You just have to measure my testosterone levels and then you'll find out what the answer is, and nobody would disagree about the answer to that question if it was measured properly.

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Now maybe you say something like, 'I want to know whether you can engage in penile-vaginal intercourse unassisted.' [. . .] I can answer this functional question [. . .] under the right conditions, [yes]. Maybe you want to know whether I can get pregnant. [. . .] 'No, I don't have a uterus or fallopian tubes. I don't have the relevant bodily features that would enable me to become pregnant.' Maybe next you want to know whether I'm capable of growing a beard. Well, you can just see for yourself that I am capable of that. [. . .]

Let's say that we now have a pretty good map of my bodily features. You've asked all the different things that have to do with my reproductive system, my sexed body parts, and so forth, and now we can move into the realm of my mind. Maybe you want to ask me a question like this: 'I want to know whether you find yourself intuitively and irresistibly drawn toward, and resonating with, ways of behaving, dressing, interacting with others, engaging with cultural artifacts, and so forth, that are stereotypically feminized or masculinized in our culture.' I could answer that question. As you can see, I have short hair and a beard, so some aspects of my presentation are certainly consistent with things that are stereotypically masculine in my culture, in the United States. There are other aspects of my life that don't fit the mold. [. . .]

But I think almost everybody, if they were to answer this question in a rich and robust way, would have to take a little bit of time, and they would have to reflect on different aspects of their inner mental life that seem to resonate with feminine or feminized aspects of the culture or things that are stereotypically considered to be masculine. Most people probably have some combination of both of these things, or fall along a spectrum, and it might change from time to time. [. . .]

You might ask other questions about my mental life or about, perhaps, my socialization. You could say, 'I want to know whether you were raised in a male or female gender role.' Again, it's not a metaphysically complicated answer.

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It's a long answer. It's an answer that would involve my telling you about my childhood. I might say something like, 'Well, in my household, my dad did much of the cooking. My mom made certain household decisions. I played with dolls when I was a kid, but I also played with trucks. I read all the *Babysitters Club* books because my sisters had those on the shelf and I'd already read all the *Hardy Boys* books', and so on and so forth.

Then I might say something about how I could see that there were certain scripts or expectations in the society – scripts having to do with being a boy – that I saw were meant to apply to me. Some aspects of those scripts I felt cool with and they seemed to make sense. A lot of those aspects, I didn't feel very comfortable with, and I didn't like the characteristically 'boy' things that were presented to me by my society. Again, there's not an on/off switch or a 'yes' or 'no' answer. Here, there's just a long story that I would tell you about what my upbringing was like, and how I related to the scripts, norms, and expectations of my society that are for what 'boys' and 'girls' are supposed to be like.

You could ask a personal question about how I would like you to relate to me – what would be a means of showing me respect in terms of my own gendered self-understanding. You could say, 'Would you like me to use certain pronouns to address you? Do you want me to invite you to certain types of events that are segregated for men or women?' I could answer those questions and you would get a sense of what I would regard as respectful behavior toward myself and my self-conception.

You could ask questions that are a little bit more outside my mental attributes. You could ask about, for example, whether I'm a recipient of male privilege. Again, the answer to that question is not metaphysically complicated. It's an empirical, sociological question. I assume that because I read as, or function socially as, a man, insofar as people who are widely perceived to be men or males in our society are characteristically advantaged along certain

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dimensions, I am very likely advantaged along those dimensions.

You could ask a legal question. Do I count as a man legally? The answer to that question just depends on whatever the rules are in a given jurisdiction. [. . .]

Now we've had this very long conversation. We're three drinks in, and I've shared all this stuff about my childhood. I've told you about my body, all the different bodily attributes that I have that are relevant to our conversation. I tried to tell you a lot about my inner mental life, my psychological traits, and I told you about my socialization – social facts about me that have to do with how I'm situated within social systems, some of which is beyond my control. Now imagine that by spelling out all this information, I've in essence given you very precise coordinates for where I sit in multi-dimensional, gendered space . . . every dimension that you've learned about me has a pretty specific, metaphysically uninteresting, empirically determinative and determinable answer (at least in principle).

What exactly are my testosterone levels on this distribution? Well, you go along and you mark off wherever my measured testosterone levels are. Do I have XY chromosomes or XX chromosomes? . . . I assume I have XY chromosomes, so I would be *there* on that dimension [and so on]. [. . .]

I've given you a descriptive, metaphysically uncontroversial answer to all of your questions. Some of them involve very long stories, so those might be a little hard to summarize on a number scale, or something like that. But basically, I've positioned myself in this multi-dimensional space. Now imagine that you said, 'Okay, so then what's your gender?'

Now it might seem like kind of an ill-posed question. I've already told you all the possible things you might want to know about my body, my mental states, and my social positioning. To then come down and say what my gender *is*, as though there's just one fact of the matter, it doesn't seem like you'd be getting any *more* information that way. You'd rather be asking for a very short-hand summary of a whole

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lot of complex information that I just shared with you. Depending on what it was that you wanted to know and toward what end, I could have given you a different specific answer. But now you're asking this kind of omnibus question that's meant to summarize all this up, and this is where the disagreement begins to happen.

Different people think that different dimensions should be given more weight in determining who gets to count as a member of the social category 'man' or 'woman' for some purpose or another. Let's say that you're really strong in the transgender ally community. You're concerned with the fact that people who have transgender identities, who are trying to live out the gender that they regard themselves as, and by which they understand their experience and can make coherent their inner life, are subjected to violence, mistreatment, stigmatization, are not taken seriously, and can often suffer very severely because of that. You might think that the dimension that should be given the most weight for deciding who counts as a member of the social category 'woman' or 'man' (there are also other categories we could refer to and I'll come back to those) is the dimension having to do with the psychological attributes that I talked about: my inner life. Something about how I relate to – irresistibly – and am drawn toward things that are masculinized and feminized in my culture. It might also have to do with the dimension of what I regard as respectful behavior toward myself. Essentially, if you're on this side of the debate, you would say that these sorts of dimensions should be given essentially all of the weight, such that, insofar as you sincerely regard yourself as a man or a woman, by virtue of that alone, you *are* a man or a woman.

I would say it a little bit differently. I would say, by virtue of that, you count as a member of the social category man or woman, because I don't think there's a fundamental ontological fact here. 'Man' or 'woman' is just a sound we make with our mouth. It's a bit of language we use to carve up this very complicated biopsychosocial space *for some purpose or another*. Because it's true that there are

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regularities where certain physical and mental attributes cluster together statistically, you have two main clusters: one that by convention we refer to as 'male' or masculine, another that we refer to as 'female' or feminine. We are a sexually reproducing species, which means that there are underlying, causal reasons why it is that there are primarily people with XX or XY chromosomes and why the downstream effects of having XX or XY chromosomes, along with the way that certain hormones play out during early fetal development [etc.], lead to clusters of attributes that, by and large, hang together in a recognizable fashion out there in the world. But which of these dimensions – through which you could divide up these clusters – are the ones that matter for the social purposes of determining who *counts* as a member of a social category? Well, that's more of a pragmatic question. That's a question of why we care about distinguishing men and women or males and females in the first place. The answer to that turns out to be different depending on your specific purpose.

To get away from the politics of men and women for a second, let me just give an example. Imagine you're a scientist and you're trying to run an experiment where you want to see whether a given drug will have a different effect on male or female rats. If you think about it, this drug is not going to be having an effect on the 'maleness' or 'femaleness' of the rats – that wouldn't make any sense. It's a chemical, so it's going to be interacting with chemicals in the rats. So let's just talk about testosterone levels or estrogen levels. You might be interested in which rats are the relatively high-estrogen rats. (Maybe you have a more sophisticated question where it's not just overall levels you're interested in, but let's simplify.) You want the high-estrogen rats and the low-estrogen rats, and you want to see whether this drug interacts differently with this bimodally occurring distribution of estrogen levels.

What you should not do is pick up the rats and look to see which one has a penis and which one has a vulva. That's a proxy that you could do. It's a rough-pass proxy

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for the thing you're really interested in, and it'll get you most of the way there. But if you're a good scientist, what you should do is just directly measure the estrogen levels. Then you should put the high-estrogen rats over here and the low-estrogen rats over there, and then you run your experiment. What you'll find, when you've divided up the rats this way, is that some of the high-estrogen rats are going to have a penis (if you have enough rats), and some of the low-estrogen rats, or the high-testosterone rats, are going to have a vulva. But that doesn't matter for the purposes of the experiment. You were never interested in penises and vulvas; you were interested in hormone levels.

Similarly, when we have segregation in society where it matters whether some group of people are characterized as male or female, we're going to give a different answer to which features matter for that distinction depending on what we're trying to do. In the world of sex distinctions, those come out of the scientific field of biology primarily, and it's just because biologists are predominantly interested in certain kinds of explanatory questions. They're interested in the fact that we're a sexually reproducing species, as opposed to an asexually reproducing species. So, the features of our organism that are most salient to biologists, the ones that they think are most important for drawing dividing lines, are the ones that help us explain why it is that we are able to reproduce sexually. They're concerned with, typically, physical or biological attributes that help explain that.

So, for rough-and-ready purposes, biologists will distinguish between male and female members of the species. But those words, 'male' or 'female', are just rough proxies that are referring to a whole cluster of different attributes that mostly hang together – in the vast majority of cases, in a recognizable way – but with all sorts of different exceptions, gradations, and variations along these dimensions. For different purposes, maybe social purposes, political purposes, or legal purposes, it might very well be that different attributes are the ones that are more appropriate for

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grounding membership in the social category 'man' or 'woman'.

I mentioned the view of those who are strongly committed to creating a safe world for people with various ways of being gender non-conforming. [. . .]

On the other side of the debate, there are people who go by various names, and they're all controversial. But among the less controversial names would be 'Gender Critical Feminists' [. . .] and they have a different purpose. Their purpose is something like tearing down male supremacy. That's maybe their primary political purpose. They want to fight the patriarchy, which involves people who are perceived as having certain reproductive features being systematically treated differently in a society. People who are perceived from a young age to have female reproductive features tend to be systematically disadvantaged along numerous dimensions in societies that are patriarchal – that are characterized by male dominance. So, for their purposes, the features that should count, or that are most salient when deciding who counts as a member of the social category 'woman', are going to have more to do with being perceived as having certain reproductive features, and less to do with how the person regards themselves from the inside out. For the purposes of this lecture, I'm not going to try to weigh in on one side or the other because I think that that's essentially a political dispute. What political considerations you find to be most important, pressing, or weighty are the ones that are going to shape which of the dimensions I mentioned earlier are, to your mind, the most important for grounding membership in the relevant social category.

The way that I would like to think about things, and what I hope is helpful for some of you who are watching, is, instead of getting so caught up on ontological claims – Who *is* a man? Who *is* a woman? – we could instead use language that has to do with what *attributes people have*. We can go down to that level where people will agree. Whatever your view is about whether I count as a man or a

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woman [we] can all agree that I have certain bodily characteristics. We can all agree that I'm a recipient of male privilege, however it is that I might identify inside or whichever pronouns I might prefer that you use for me.

[. . .] We are all people with attributes. For most of those attributes, there's very little disagreement about what attributes a person has. What the disagreement is about is which of those attributes are the ones that should count with the most weight for grounding membership in a social category – and that's a moral question, that's a political question. What social categories are for, to repeat this point, is some pragmatic purpose or another.

The reason why we draw distinctions between males and females has a different answer when you're dealing with, say, reproductive medicine. In that case, what you want to know is who has a uterus, for example. You might be more concerned with who has a uterus than who identifies as a man or a woman, because sometimes those things are going to come apart. You might have somebody who identifies as a man or understands their inner life best by characterizing themselves in [such] terms. Some of those people might have a uterus. And if you're a doctor who's trying to figure out how to treat your patient, it's *that* fact that's the most relevant for how you should categorize this person. You should categorize them as a person with a uterus.

For questions about who should be able to use what bathroom, I'm not going to wade into that debate, but you would have to ask yourself: Why do we have different bathrooms in the first place? I don't know the history entirely. I have read up a little bit about it, but let's assume that there's some valid reason for having gender-segregated bathrooms. (Maybe there isn't. Maybe we should have just gender-neutral bathrooms or single stalls, or something like that.) But assuming that there's a valid reason for having men's and women's bathrooms, we should ask ourselves: What is the point of having this segregation? If it's a valid point, which I don't know whether it is, then you have to say which features of a person are the ones that are

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relevant to that particular distinction, which might be different from the distinction that's relevant for reproductive medicine.

You might say for the purposes of using this bathroom over that bathroom, what's relevant is certainly not going be anybody's chromosomes. It may have to do with how the person identifies in terms of their gender identity. It might be a mode of respect or accommodation. It might have to do with certain outward attributes, or how somebody uses the toilet, or whatever it is. But there's going to be specific features that are relevant to that question, and then there's going to be political debates about which features are most important, because people maybe have different attitudes about what bathroom segregation is all about in the first place.

This also comes up in the world of sports. You might ask, 'Why do we have men's professional basketball and women's professional basketball?' The original reason for that, probably, is that if you only had one league for the people who scored the most points in basketball, [the vast majority of] those people would be what, in common-sense language, we would refer to as men [. . .] people with penises, who have XY chromosomes, [etc.] – because there is, again, a bimodal distribution of certain physical attributes that are relevant to how high you can jump or how tall you are. And if that's the way the league is arranged, then there aren't going to be many female role models for little girls who might want to grow up and be professional basketball players.

So, one reason why you might have a men's and women's league, is to create a separate space for very capable, high-point-scoring women players to serve as role models for little girls. Then you might have somebody who has some of the attributes that are characteristically associated with being a man, but not others, or characteristically associated with being a woman, but not others. Then you might have a question about which league should they get to play in. I don't think that the answer to that question has

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really much to do with whether the person is 'really' a man or a woman, because that's the whole thing that's being disputed – that's what everybody can't seem to agree about. What the right question is, is: Which features does this person have that are relevant to the reason why we have [separate leagues] in the first place? We're calling them men's and women's leagues for shorthand, but if we wanted to characterize them in terms of the relevant features, it might be something more like the Really Tall People League and the Slightly Less Tall People League, or the Highest Jumpers League and the Less High Jumpers League, or whatever is the relevant criterion.

As it happens, that corresponds as a pretty good proxy to what in everyday language we refer to as men or women. And the historical purpose of having this league might have been to create female role models for girls, so it works well enough to talk about men's and women's leagues. But the answer to the question of which league should someone play in, I think, is not usually going to come down to whether the person regards themselves as a man or a woman, or whether the person *is* really a man or a woman (which, again, is the very thing that's in dispute in this kind of debate).

I hope I haven't shown my hand too much about the way that I think about this. It's also a work in progress for me; I'm constantly learning from people who have a wide range of views on this topic and I'm trying not to leap to conclusions. But if I've provided any service at all, I hope that this discussion gives you some tools for thinking about what we all agree on: that there are people with properties. A lot of these properties cluster together statistically and, for certain social purposes, by convention, it's useful to refer to a given cluster as male or female for shorthand, or as masculine or feminine for shorthand.

But the question of who really *is* a man or a woman is not actually a scientific question. There's no 'manness' written in my genes. My being a man is a way of positioning me within a recognized social category. I have most of

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the attributes that typically are used for grounding membership in that category, but there are other attributes I have that are not typical of that category. A lot of my inner mental life may not correspond to masculine [attributes]. Nevertheless, I can answer the specific questions about my male privilege or which bodily features I have or what-have-you.

I don't know if that's been helpful. Hopefully this gives some light and not just heat. Let me know what you think; [and] good luck out there![1]

Note

[1] This lecture is based on coursework supervised by Robin Dembroff, submitted as part of my PhD at Yale University. It was recorded on Whidbey Island, Washington, and published online on 15 January 2020. A link to a video of the lecture is here: https://youtu.be/LZERzw9BGrs. Please note that the full transcript, along with an appendix of key sources that have shaped my thinking, is available at B. D. Earp, 'What is Your Gender? A Friendly Guide to the Public Debate', *Practical Ethics* (2020): <http://blog.practicalethics.ox.ac.uk/2020/03/what-is-your-gender-a-friendly-guide-to-the-public-debate/>.

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