



Conceptual Engineering: Be Careful What You Wish for

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Abstract

Many trans women (men) say that they know that they are women (men). Anti-trans activists deny the claims trans people say they know. Many say that social kinds like *woman*, *Latinx*, and *consent* are in some important sense constructed in the social world and are thus open to a certain amount of engineering. I think the claims to knowledge trans people make are correct, and I think it correct that such things as gender, race, and consent are constructed by society and so are prime candidates for what philosophers these days call conceptual engineering. But it is not all that easy to see how the claim about knowledge and the claim that what is known is determined by the vagaries of the social world are to be reconciled. In this paper I argue that this is a real problem, that it has a solution, and that the solution tells us something important about what happens when we contest norms or engineer concepts.

Keywords Conceptual engineering · Gender · Social construction · Pragmatic realism · Social kinds

Many trans women (men) say that they know that they are women (men). Anti-trans activists deny the claims trans people say they know. Many—including many who are trans—say that social kinds like *woman*, *Latinx*, and *consent* are in some important sense constructed in the social world and are thus open to a certain amount of engineering.

I think the claims to knowledge trans people make are correct, and I think it correct that such things as gender, race, and consent are constructed by society and so are prime candidates for what philosophers these days call conceptual engineering. But it is not all that easy to see how the claim about knowledge and the claim that what is known is determined by the vagaries of the social world are to be reconciled. In what follows, I'll try to convince you that this is a real problem, that it has a solution, and that the solution tells us something important about what happens when we contest concepts and norms.

I want to say at the outset that this is not a matter of appropriating a topic *du jour* to which I have no connection; friends and family members are trans. I write about this topic because it makes a difference to me, as I hope it does to you.

1. Ignore for the moment the issue about knowledge. A trans woman—call her Mika—says that she is a woman; an anti-trans activist—call them Alexa—says she is not. How should we understand this sort of dispute?

One might say that there are three possibilities: the dispute is descriptive; it is normative; it is both. To say that it is descriptive is to say that the parties to the dispute presuppose that there is a kind *K* which our uses of 'woman' as a gender term pick out, and they differ as to whether Mika falls under *K*. To say that it is normative is to say that the parties to the dispute differ about whether that gender term ought to be used in such a way that trans women fall under it; to say that it is both is—well, it's to say that there are divergent views about both the facts and the norms of usage. I'll begin by wondering which of these is likely to be the right diagnosis, both of this and of many other disputes in conceptual ethics.

Suppose that after protracted battle, the legal issue of whether trans women are women is put to rest. To make matters definite: suppose that, as a matter of law, people come to be able to declare themselves to be a particular gender, the declaration determining such things as how their gender is recorded on passports and driver's licenses, in what sports events they may participate, what public facilities they may use. This resolves at least some of the normative dimensions of the dispute. But it need not resolve what looked to both parties to be a descriptive dispute. One can imagine the

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anti-trans activist Alexa thinking to herself or even saying aloud ‘Alright; I’ll talk that way. But a trans woman isn’t *really* a woman’. And I can imagine the trans woman Mika saying that resolving the normative dispute doesn’t resolve the dispute’s heart. Mika may insist that the difference about her identity—about whether she is and was a woman—is at least as important as instituting legal and social norms which respect trans people. She wants basic respect, respect which she isn’t receiving when people like Alexa refuse to recognize her gender. Negotiating legal norms for how words like ‘woman’ are to be used—legislative metalinguistic negotiation, as we might label it—does not resolve this.

It might be said in response that if we’re sympathetic with the idea that we can engineer concepts and meanings, we should recognize that resolving the normative issue may in fact resolve the descriptive dispute. One way of spelling this out begins with the idea that, as Herman Cappelen puts it.

[C]onceptual engineering is about the world. It is about, for example, marriage, persons, torture, or freedom. ...the result of conceptual engineering can be described as an object level change: we’re changing what gender, freedom, ... etc. are. (Cappelen 2018, p. 138)

Adjoin to this the idea that (one way) of engineering gender or marriage or other kinds is to change the norms which society officially recognizes as applying to (the word we use to) ascribe membership in the kind. Putting these ideas together, we can say that once we have changed the legal and linguistic norms applying to ‘woman’, we have changed what it is to be a woman.

This does not really help. Mika, we may suppose, said that she knew that she was a woman long before any public contestation about or conceptual engineering of gender occurred. But if what happens when we engineer the kind *woman* is simply to change the norms governing the word ‘woman’ so that it changes its extension—it used to exclude trans people, now it includes them—Mika’s original claim to knowledge appears to be incorrect.

This in fact is pretty clearly the upshot of Cappelen’s view. According to Cappelen, to engineer the concept expressed by ‘woman’ turns out to be a matter of changing its extension and intension—to change the word’s meaning, as Cappelen puts it informally. In our example, ‘woman’ begins with a meaning which excludes trans women; at a certain point it loses that meaning and ends up with one which includes them. As Cappelen himself notes, this makes it look like we can’t say things like ‘what it is to be a woman has changed’:

What we can pre-theoretically think of as ‘what it takes to be a [woman]’ hasn’t changed, as long as we use just one [of the term’s meanings] ...no matter which mean-

ing we use ... it looks like we’re not able to express a true proposition by uttering ‘what a [woman] is has changed’... (Cappelen 2018, p. 139; I have substituted ‘woman’ for ‘family’ in the passage.)

And on this view we certainly can’t endorse what the trans woman originally said, when she said that she knew that she was a woman: given that she was using ‘woman’ when she spoke prior to engineering with its meaning at the time of speech, she was simply wrong to claim that she was a woman, much less that she knew that she was.

How, then, can Cappelen even suggest that conceptual engineering is ‘worldly’, changing not just word meanings but the nature of the kinds the words pick out? He says that though there is never a time when a sentence like ‘what it is to be a woman has changed’ is literally true, uttering the sentence makes salient a proposition that conveys something along these lines. How so? Well, putting things a bit roughly, the idea is this. Let W be the function which takes each time t to the intension of ‘woman’ at t ; let \mathbf{W} have W as its literal meaning. \mathbf{W} is a term that is true of an object at a time just in case the norms which govern the use of the term ‘woman’ at the time make that word true of the object; in effect, it encodes the changes which occur when social contestation of gender norms shift who society is willing to call a woman. Let P be the proposition that that what it is to be a \mathbf{W} has changed. If conceptual engineering changes the social norms governing the use of the word ‘woman’ so that trans women are no longer excluded from its extension, P will be true. If uttering ‘what it is to be a woman has changed’ brings P into view, it brings into view something true. And it’s not all that implausible to say that P is something one might have in mind if one said that what it is to be a woman has changed.

Alas, none of this seems to be much help as far as Mika’s original claim to knowledge goes. Even if Mika’s uttering ‘I am a woman’ is understood as asserting P , asserting P before conceptual engineering has worked its magic on the meaning of ‘woman’ is asserting a falsehood.¹

¹ A more rigorous statement of this argument would need to take a stand on whether ‘Mika is a \mathbf{W} ’ expressed the same proposition at different times or (since it says, roughly speaking, at a that Mika is now a \mathbf{W}), or whether it expresses different propositions at different times. The argument goes through either way.

The issue here is reflected in Cappelen’s characterization of the consequences of his view. Suppose t is a time before the engineering of gender words and concepts and Mika utters ‘I am a woman’ at t . Cappelen holds (as a result of his views on the semantics of attitude ascription) that we speak accurately after engineering if we say that when Mika spoke at t , our protagonist said that (she knew that) she was at t a woman. But he also holds that we must say that when she spoke, she spoke falsely. Cappelen says that this aspect of his view is ‘a feature, not a bug’ (Cappelen 2018, p. 114). Somehow, I don’t think trans people will see it this way.

Perhaps you are thinking that Cappelen is being too timid. Suppose we say that kinds are more than shadows of words and extensions and that the role of the kind term ‘woman’ is to talk about the kind *woman*. And suppose we say that the conceptual engineer can modify a kind without replacing it. Successful engineering of the kind *woman*, Cappelen should say, can change that kind so that trans people fall under it. Mika ascribed to herself the kind which the engineer engineered when she said that she (knew that she) was a woman. In doing that, she was correct, for she is a woman.

This doesn’t solve the problem. On this picture, it’s true that **post**-engineering Mika is a woman; Cappelen, speaking post engineering, already agrees with this. The problem is about what to say about Mika’s knowledge of her status **pre**-engineering. She did not say she knew that she *would* someday be a woman; she said she knew she *was*. But the present proposal is that the engineer changes the kind so that *after* the change Mika falls under it. That seems to make her claim to knowledge before engineering false. For that matter, if Mika’s future status turned on whether an engineering project on the kind *woman* would in the future succeed, it’s not clear that she was even entitled to say that eventually people would recognize that she is a woman: if there’s any point on which we should agree with Cappelen, it’s that conceptual engineering, thought of as a project of changing what a large social group refers to with a term, is a difficult, unpredictable business.

We have been pursuing the idea that by resolving a normative issue via conceptual engineering—answering the question *how should we apply this word/concept?*—we may resolve a descriptive dispute about to whom the word or concept applies. Our hope was that this might help us explain how Mika could know pre-engineering that she was a woman. The problem we keep encountering is that the change conceptual engineering affects in what falls under a kind seems prospective: engineering norms of application looks to change the nature and extension of a kind going forward. But Mika’s case demands a resolution which in some sense is retrospective.

Now there *is* a view on which engineering norms of application for a concept or kind today can change what fell under it yesterday. Social kinds—at least some social kinds—seem to be works in progress. The thought here is, one might say, Foucaultian: we do not *discover* the nature of a social kind like *being homosexual*; rather, we intentionally (or unintentionally) *create* it. But pretty much any kind of creation is a process. It takes time to create a house, a painting, or a way of being in the world. If so, then what a kind *is*—and so what falls under it—may be determined by what happens in the future.

Suppose this is the right thing to say about gender kinds like *woman*. Then both Mika pre-engineering and those who spoke of women after the concept *woman* was engineered

were speaking of the same kind. The normative adjustment which occurred in the course of engineering the kind was part of the historical process of constructing what it is to be a woman. Given that the normative adjustment was successful and permanent, it had the effect of making Mika’s pre-engineering claim to be a woman correct.²

This is progress, but perhaps not progress enough. Mika said something stronger than that she was a woman; she said that she *knew* that she was. But how exactly on this picture could she *know* that? She would have needed to know how the contestation over gender norms would play out historically. If the truth of the claim that trans women are women turns on the vagaries of the social world, one could not have known a dozen years ago, or even know today, that trans women are women. All we can know is that trans people *should* be taken to be the gender they experience themselves to be.

Some will say we should accept this and move on; best not to mistake what ought to be for what is. I do not have a knock down argument against this suggestion. But I think it’s wrong. There is much more than a grain of truth in the claims, that many kinds are socially constructed, and that such construction involves a kind of conceptual contestation. Because of this, the nature of gender, race, and other social kinds do indeed turn on the vagaries of the social world. But it is hard to deny—well, I find it hard to deny—that trans women know that they are women. Although the facts we know are often facts in good part due to conceptual, practical, and social engineering, we often know them before such engineering works its magic across the social sphere. If you agree with this, you will, I hope, also agree that an account of kinds and their relation to conceptual engineering should help answer the question, How can this be?

2. Let us take the appellation *conceptual engineering* at face value and assume that it is an enterprise which involves in part modifying or changing the concepts or meanings associated with our terms. What sort of an animal is a concept, anyway? What’s its job description? At the least, concepts³ determine, perhaps relative to input from a context, what we are talking about—they determine (in some sense of ‘determine’) extensions. They determine or otherwise contribute to—again perhaps relative to context—what we say and think. And they are—at least, I will say that they are—in some sense public: we share such concepts as the concepts *woman*, *wealthy*, and *weathervane*. Now, there are different ways for something to fit this job description. Take the concept *wealthy*. This is a concept we all have, one we

² See (Jackman 1999) for a development of the view that future turns in usage can have an effect on current semantics.

³ I draw no distinction between meanings and concepts here.

all deploy when we think that Taylor Swift is wealthy. Fairly obviously we each deploy it somewhat differently: there are people who take President Biden to be wealthy; I take him not to be. We recognize that we apply the concept *wealth* in different ways and accept this variation as consistent with our sharing the concept. This is reflected in the natural and (outside of philosophical seminars) normal thought that in many such cases involving such variation we differ—you believe that Biden is wealthy, I disbelieve it—but “we both can be right”, because each of us deploys our common concept in a different way.

On the ‘semantic relativism’ I have been rehearsing, concepts:

- (i) Can be shared: we share the concept *wealthy*;
- (ii) Individuate our attitudes: when you say ‘Bob is wealthy’, and I say ‘Bob is not wealthy’, I contradict you;
- (iii) Have extensions not simply relative to a (world and) time, but relative to a context of use: it’s the combination of the concept *wealthy* and (something like) my norms for applying the concept that determine whether Joe falls under ‘wealthy’ as I am using it; analogously for you.

Some might say that this view reconciles Mika’s claim to knowledge that she is a woman with the social construction of her gender. If the concept *woman* functions as the semantic relativist claims the concept *wealthy* does, then whether Mika’s use of the concept to characterize herself is correct is a function of the norms of application which govern her use of the word. Relative to the norms she is committed to, her saying she is a woman is saying something correct. Indeed: since she is aware of the norms that govern her use and knows she satisfies them, she is correct when she says that she knows that she is a woman. Others, of course, may apply the term ‘woman’ according to other norms, ones that exclude Mika. But that doesn’t mean that Mika’s claim is incorrect.

If you think that the dispute that Mika and Alexa have is not ‘merely normative’—that it is as much a dispute about whether Mika is a woman as it is a dispute about whether we should call her one—you are likely to find relativism about social kinds pretty unsatisfying. It leaves us saying that Mika’s claims are “true for Mika, but false for Alexa”, while Alexa’s are “true for Alexa, false for Mika”. If that’s all we can say about the truth and falsity of their claims, it’s not clear that there is much of a *descriptive* difference of opinion. If Mika accepts the relativist account, he should agree that Alexa’s claims are true for Alexa; analogously for Alexa. The descriptive difference of opinion looks to disappear, and only a normative difference is left.

3. We want to understand how all of the following could be correct: (1) Mika and Alexa disagree not just about how to use the term ‘woman’, but about who is and who is not a woman; their difference is not merely meta-linguistic or meta-conceptual, but substantive. (2) Mika’s claim to know that she is a woman is objectively, and not merely relatively, correct; that claim is true at the time she makes it, and not just a claim that eventually she will be able to make. (3) What Mika and Alexa disagree about, the kind *woman*, is a kind that is in good part socially constructed and thus a kind whose nature and extension is shaped by social contestation, of which conceptual engineering is an instance. This section takes up what it is for a social kind to be socially constructed and under what conditions a person is of such a kind.

I begin with religious kinds, which are like gender kinds in several ways. In particular, membership in religious kinds is socially policed; such policing as well as membership can be and has been contested; policing and contestation effect the validity of claims about kind membership. This is perhaps most obvious in the case of being Jewish. Orthodox Jews do not recognize as Jewish all who see themselves as Jews; only some conversions are recognized by the Orthodox as ‘really’ making one a Jew. The Orthodox regard those born to Orthodox parents who reject Jewish law (because, for example, of conversion to a non-Jewish faith) as none the less ‘really’ being Jewish. While one might describe this as a matter of there being different kinds of Jews, it does not appear this way to most people. Reform and reconstructionist Jews insist that they are as much Jews as those who are ultra-Orthodox. The ultra-Orthodox understand Reform and Conservative Judaism as heretical. And to many non-Jews distinctions between Orthodox and others sorts of Judaism—and for that matter, between those who have Jewish ancestry and are religious Jews and those who have such ancestry but have converted to Christianity—are of no importance, as they take ancestry to be determinative of Jewishness. There is broad social agreement that there is particular kind, ascribed using the term ‘Jew’; what is contested is not its existence but who is and who is not of this kind.⁴ How does one arbitrate this sort of dispute?

Judaism is a social kind, a product of social situations and social contexts, where social contexts are things as such as conversations, friendships, families, workplaces, religions, legal systems, and so on in which expectations about and

⁴ This is, by the way, perfectly consistent with the idea that there are multiple more narrowly defined kinds. Reform Jews recognize multiple kinds of Jews. The Orthodox (should) recognize that there are multiple kinds whose membership is identical with that of the kinds which the Reform label ‘Orthodox Jews’, ‘Reform Jews’, ‘Reconstructionist Jews’ and so on, but they deny that any but the first can correctly be said to be Jews.

norms governing behavior are operative.⁵ Such norms and expectations generate practices of classifying people as being of particular kinds and treating people so classified in ways that open or close various possibilities for behavior. Given this, the place to begin looking for an answer to questions like *Is he a Jew?*, *Are they White?* or *Is she a Woman?* is in the social contexts and situations in which an individual is located.

This introduces a kind of relativity. We are all in some sense always ‘in’ many social contexts. Yesterday I was a: father, husband, professor, talking to a friend, walking down the street being observed by others, in my home town, a citizen of the United States, etc. Because of this I was subject to various expectations and norms, to most of which I was content (or at least resigned) to conform. In my case, the norms and expectations induced by my being a father, husband, and so on are more or less consistent—I can, that is, more or less conform to more or less all of them more or less all of the time. But this is not always so. A teenager with Black and White parents often finds the norms and expectations of various social contexts they occupy starkly inconsistent: they might not be ‘allowed’ to identify as Black by their Black peers unless they ‘act and speak Black’, while their parents pressure them to ‘act like a respectable person.’⁶

The force of norms associated with the social contexts one occupies varies with the concrete situation one is in. Some norms associated with some of the contexts I occupy are irrelevant to my behavior in certain situations: my chair can criticize my classroom performances as inapt for a professor, but not for an officer of the Tim Curry fan club. Norms to which one is subject are less likely to be enforced in some social situations than in others; a biracial teenager is under little or no pressure to conform the norms of their parents at a party, under no pressure to ‘act black’ at the family dinner table. The norms and expectations associated with properties in a social context may be more or less (*in operative* in particular concrete social situations.

⁵ In slightly more detail: A social context, as I am using the term, is a social structure—a family, friendship, school, hospital or court, an educational, medical, or legal organization or system, a town, state, or country, for example—relative to which people carry expectations (which typically produce norms) which shape behavior. My intention is that ‘social context’ picks out roughly the structures it often picks out in the sociological literature; see, for example, Zussmann et al. 2009. A social situation is, well, it’s a social situation—a conversation, a party, the second day of a deposition, a family dinner, etc.—in which people who carry, fear, resist, and so on various expectations about behavior interact. Situations, being concrete, tend to be contexts writ small; contexts, being temporally and spatially dispersed ways of interacting socially, are situations writ big.

⁶ Khanna and Johnson 2010 have a useful discussion of this and the notion of passing as having a racial identity in particular contexts.

This is relevant to the question, Under what conditions can one say and thus potentially know that one has a contested identity? There are quite generally two ways in which one can have a social identity, contested or otherwise. First of all, it can be assigned to you. There are rules, for example, for assigning race and gender at birth. That these rules have evolved over time, and that those assigned a race or gender under them may eventually contest the assignment doesn’t mean that the rules don’t exist or that they do not determine status when uncontested.

How can one acquire a social identity like gender or race when that identity has not been socially assigned?⁷ Social identities are determined by social norms; you have a social identity when the relevant norms apply to you. That a set of norms applies to you is not something you can bring about *simply* by wishing that or behaving as if those norms apply to you. You can’t make yourself Jewish simply by proclaiming that you are, keeping kosher and going to the local synagogue. For that matter, it’s not enough that you happen to be in a social context or situation in which others take the norms to apply to you. A husband and wife raised as Catholics cannot simply decide that they are Jewish, keep kosher and go to synagogue and thereby make themselves Jewish, even though at home they are in a context where they allow each other to reject their Catholic identity and ‘embrace their Jewishness’.

The cases just alluded to are ones in which one person or a group of people more or less try to break in to an identity from the outside with no support from those who already have it. Matters are different if (enough of) those who already have the identity recognize and support one’s desire to share it. One can become a Quaker by (in essence) manifesting a sincere desire to participate in the religious life of a Quaker congregation.⁸ Though it is more complicated to become, say, a Reconstructionist Jew, something like this is true in some Reconstructionist synagogues.

Complicating matters is the fact that it may be contested as to who has the identity to begin with. A Reconstructionist congregation may have a liberal policy on what is required to be recognized as a Jew; if I satisfy the requirements, I will be Jewish in the context of that congregation. It will be contentious whether I am Jewish *tout court*, for the Orthodox will deny that this is so. But while it is contentious, I think that the claim that I am Jewish, properly qualified, is correct.

⁷ The conditions under which one can acquire a social identity not assigned from the get go are likely quite different across different social identities. That said, I think the conditions under which such identity acquisition is possible have enough in common to justify posing a single question.

⁸ Exhibiting this desire and having it recognized by some Quakers appears basically all it takes to become a Quaker: see <https://quaker.org/becoming-a-quaker/> (accessed September 2022).

To see this, begin by thinking about Reconstructionist Judaism itself. The roots of Reconstructionism are the same as those of Orthodox, Conservative, and Reform Judaism, for all are descendants of pre-Christian Judaism. If a group *G* has a social identity at a particular time, continues to act in many of the ways responsible for their having been classified as having that identity, and recognize each other as having that identity, this suffices for it to be reasonable for them to continue to claim that identity *at least in the context of G*. It is reasonable, indeed correct, for Reconstructionist Jews to say in the context of their religion that they are Jewish *tout court*. But then they are in a position, in that context, to extend the identity to me.

How does such an extension occur? Suppose you are in a context in which people who have a particular social identity classify you as having that identity and because they so classify you expect you to behave in certain ways. These sorts of expectations will generate a sort of rating system relative to a classification: one counts as a more or less ‘normal’ example of the category if one more or less conforms to those expectations; one is thought of as in some way ‘deviant’ as an exemplar of the kind if one deviates (enough) from those expectations.⁹ When one is subject to these kinds of expectations, one typically conditions one’s behavior so that (it at least looks as if) one conforms to the relevant expectations. But this looks to be sufficient for the expectations to generate a social norm: when actors in a social context expect those they classify in a particular way to behave in certain ways and those so classified tend to behave in the relevant ways (or at least try to appear as if they are trying to do so), doing so because of their awareness of the expectations (and the possibility of non-conforming behavior being criticized or punished), there is a social norm to the effect that those falling under the classification are, in the context, to behave in the relevant ways.¹⁰ And if the norms of an identity apply to one in a context, one has in the identity in that context.

To say this much is not to say that in every social context the Reconstructionist is *tout simplement* Jewish. When a social classification is contested, what is contested is to whom the norms which accompany the classification apply; it is contested who is subject to the sanctions and privileges associated with those norms. In an Orthodox community in Brooklyn a Reconstructionist Jew is not allowed to behave in certain ways; they are not subject to having their behavior criticized for not being Orthodox.¹¹ The norms from an

Orthodox context are not applied to the Reconstructionist in this community. Given that it is the norms which construct the identity and determine who has it, the Reconstructionist does not have it *relative to an Orthodox context*. To say this is not to say that the Reconstructionist *should* not be classified as Jewish in the same way that the Orthodox Jew classifies themselves, nor is it to deny that the Reconstructionist is Jewish in, as we might put it, Reconstructionist-friendly contexts. My claim is descriptive, not normative.

Now, all of this applies to gendered identities.¹² To be a man or woman is to be subject to expectations and consequent norms which define those kinds, and to be subject to such expectations and norms is to find oneself in contexts and situations in which one is recognized as subject to them by people who, as one might put it, have the authority to recognize one as subject to them. In the case of Judaism or Quakerism, those with the relevant authority are those with the identity. In the case of the identity *man* the authority resides in those who have that identity or the co-dependent identity *woman*—which makes the ‘authorities’ in this case pretty much everybody. A trans man is a man (a trans woman a woman) in contexts and situations in which they are subject to the norms for being a man (a woman).

As noted above, people are ‘in’ many social contexts all the time. Some are in both a context relative to which they are allowed to have an identity and in a context in which they are not: a trans man who has friendships supporting his desire to be recognized as a man and who also lives in a town, state, or country in which he would be shunned or worse if he expressed his trans identity is like this. What should we say about such a person, when he is, say, alone at home watching TV?

Norms imposed by the contexts in which one finds oneself are not operative in every concrete situation in which one finds oneself. If a trans man is in a trans friendly situation—for that matter, if he is home alone watching Netflix—norms from trans unfriendly contexts are not enforced; it is up to him, as to which norms he needs to heed. In these situations he is not forbidden from conforming

¹² With the complication that (binary) gender identities, unlike religious identities, are dependent on one another. The norms to which men are expected to adhere and those to which women are expected to adhere are quite literally interdependent, norms for each identity involving norms for how to behave towards those with the other identity.

While the story I am trying to tell applies, I think, to gender identities as a whole, including non-binary identities, I’m going to ignore the extra complications such identities introduce, save to say that the last sentence of this paragraph should be qualified to make clear that since all gendered identities are in the relevant sense co-dependent (non-binary identities being in the first instance reactions to and rejections of the binary alternatives), it’s not just ‘pretty much everybody’ who is an ‘authority’ about what gender one is—everyone is.

⁹ Of course there is typically weighting involved, as some expectations will be much more important than others.

¹⁰ Here I borrow with some modification Cristina Bicchieri’s account of what distinguishes a social norm from such things as customs and descriptive norms. See Chaps. 1 and 2 of (Bicchieri 2017).

¹¹ It is of course true that the Reconstructionist, if they are of Jewish ancestry, will be criticized for straying from Orthodoxy.

to the norms to which he takes himself to be subject. This—and that he occupies a context of friendship in which he finds support of the self-ascription of his gender—seems sufficient, for those norms to apply to him, as well as for the norms which define being woman not to apply to him. And this, in turn, is sufficient for him to have the gender identity he wishes to be recognized as having when he is home alone or is in a trans-friendly social situation.¹³

4. I've been arguing that social identities are constructed from social norms which are operative in some but not all concrete social situations. One can be ascribed such an identity in a situation in which the relevant norms are operative. Thus, there is a *kind* of relativity involved in the ascription of such identities. It is a bit like the relativity involved when someone says that the truth of 'Leezey is famous' is relative because what one says when utters the sentence in a context *c* is something along the lines of *Relative to the standards of fame in c, Leezey is famous*. This last is **not** relatively true;

¹³ There are affinities between the account of gender kinds in this section and the account in Dembroff (2018). Dembroff works with a notion of social context somewhat like the notion I work with here: Dembroff's contexts are 'communities of persons with shared clusters of beliefs, concepts, and attitudes that give rise to concrete social practices and structures' (Dembroff 2018, p. 18); mine are standing and transient social relations in which there are expectations about behavior which potentially generate norms. I distinguish 'concrete social situations'—roughly, situations in which members of a social context who are in close spatio-temporal proximity (or otherwise are in a position to directly impact one another's behavior)—from social contexts. As I understand Dembroff, much of their discussion of social contexts is best understood as a discussion of concrete social situations.

Dembroff and I agree that 'because gender kinds are socially constructed, we should expect operative gender kinds to vary across contexts' (Dembroff 2018, p. 39). We disagree about the conditions under which self-ascriptions of gender identity are correct. Dembroff (tentatively, I take it) endorses Joshua Glasgow's 'modest pluralism' about gender kinds, on which a trans person is a invariably a member of many gender kinds across social contexts, though the relevance of such membership shifts across concrete social situations. I do not endorse this, as I think whether one is a member of a social(ly constructed) kind turns on whether the norms which determine that kind apply to one; I think this varies with the concrete situation one finds one's self in. Put crudely, my view is that whether one has a social identity is in large part a matter of whether one is allowed to have it; as I understand Dembroff, their view is that one can correctly claim an identity so long as there is a context in which one would be allowed to claim it.

Dembroff writes that the 'interesting and important project...is not asking whether a gender classification is true. Rather, it is determining what gender kinds operate in a social context, and stating their relationship to power and privilege' (Dembroff 2018, p. 42). I agree that their project is important. But I do think that just as important is the question of when one can correctly ascribe a gender identity to oneself. If I am correct that the gender norms operative in a concrete situation control what one can say about one's gender identity in that situation, it's not clear that at the end of the day there is all that much difference in the projects we think are interesting and important.

it's either true simpliciter or false simpliciter.¹⁴ Analogously for what Mika says in a trans friendly situation, when she says that she is a woman: that's just true, period, and the trans unfriendly person who denies what she says is simply wrong. Having argued for this, I want to return to the topic with which we began, the engineering of concepts of social identity.

Obviously, I'm engaged in a delicate balancing act. On the one hand, I have Mika and Alexa not contradicting each other when Mika in one context says 'I am a woman' and Alexa is another utters 'Mika is not a woman'. I just suggested that this was because 'woman' functions *a bit* like 'famous'. The latter term does something like absorb contextual standards when it is used, so that its extension varies across contexts. The former, I say, looks to the norms operative in the situation in which it's used. But this can seem strained, since gender terms don't look to be great candidates for context sensitivity. They certainly aren't conventional indexicals or demonstratives like 'I', 'tomorrow', 'this', or 'you'. They don't pattern with adjectives like 'local' or 'lovely', for which there are pretty compelling reasons to attribute some sort of context sensitivity. Instead, they look like terms like 'wooden' or 'word', terms which, while they may a bit vague around the edges, have a more or less fixed meaning, certainly more fixed than they do on the view I have been sketching.

I agree that gender terms have a fixed meaning, but I don't see that that's a reason for shying away from the story I've been telling. One way to make this out is to embed that story in the view which Hilary Putnam once called 'pragmatic realism'.¹⁵ Putnam was fond of introducing this view with two 'conceptual schemes', one that eschewed mereological sums, one that allowed them. Once you decide to theorize with one of them, Putnam said, you can describe the world: You can say, of a table with three partless objects on it, that there are just three objects on it, or you can say that there are seven or eight. And, Putnam said, you can't theorize about the world without adopting *some* conceptual scheme: According to Putnam, to talk of objects or facts 'without specifying the [conceptual scheme] to be used is to talk of nothing.' Presumably what goes for individual objects goes for kinds as well.

You are perhaps wondering what a conceptual scheme or framework is supposed to be. To a first approximation, it's a collection of concepts, where talk of concepts, again to a first

¹⁴ I wish to remain non-committal about both the syntactic and the semantic mechanism that achieve this sort of thing, both in the case of ascriptions of fame and the case of gender ascription.

¹⁵ Aka 'internal realism'; by the late 1980's (Putnam 1987) he expressed mild regret that he did not initially call the view 'pragmatic realism.'

approximation, is to be understood in terms of such things as dispositions for application and (rudimentary) inferential connections.¹⁶ So a conceptual scheme or framework is not a theory, but a framework within which one can theorize. You are perhaps also wondering why we should say that Putnam's toy example is an example in which two different conceptual schemes are being deployed: Isn't it simply an example in which there is a single conceptual scheme, one involving concepts like *object*, *existence*, and *part*, and two different theories?

Putnam would say no. His avowed motivation for saying this was the idea that 'our notions have a multitude of different uses rather than one absolute 'meaning.'¹⁷ His thought was that the 'notions' or concepts *object*, *existence*, and *part* are making appearances in both the mereological and the anti-mereological conceptual schemes. This is because there is a fairly extensive overlap between dispositions for application and (rudimentary) inferential connections associated with the concepts by those who employ the two conceptual schemes. The overlap is extensive enough to underwrite the idea that they are using the same concepts. But the schemes are different because they involve pretty different 'uses' of the concepts: what does and does not count as an object (and thus as existing) are quite different on the two uses.¹⁸ It should go without saying that anyone sympathetic with the idea that conceptual engineering need not be revisionary ought to agree with the idea that a single concept can have 'a multitude of uses' and thus can be an element of multiple conceptual schemes.

Putnam insisted that his view was neither relativistic nor a sort of 'linguistic idealism'. As just noted, he said that to talk of objects or facts 'without specifying the [conceptual scheme] to be used is to talk of nothing'. But this, he said, doesn't imply that there are no 'facts there to be discovered and not legislated by us' (Putnam 1987, p. 36). If there are three 'simple, partless' objects on a table and we are using a conceptual scheme which eschews mereological sums, it is *true*, full stop and non-relativistically, that there are just

three, not seven or eight, objects on the table. We could, of course, have adopted the mereological scheme, and if we had we would have described the tabletop differently. But this does not mean, as I understand Putnam, that when we say that there are exactly three objects on the table we are saying something that is only relatively true, only "true relative to our scheme". We must "be in a conceptual scheme" to think about the world, to even be able to entertain the claim that there are three objects on the table. But so long as we remain so situated, conceptualizing the world as a world without arbitrary sums, the matter is settled.¹⁹

Suppose that we accept this view. How do we understand the case of Mika and Alexa? Well, they share a concept which they express with the word 'woman'. But they use it in different ways. Mika claims, deploying the concept *woman* as she does, both that she is a woman, and that she knows it. Is she right? Let us suppose that Mika makes the claim in a trans friendly situation. Mika's way of deploying the concept *woman* is one on which it applies, *inter alia*, to people who wholeheartedly embrace, as the way they will lead their life, one of the ways in which femininity is realized in their culture.²⁰ Mika *does* wholeheartedly embrace one such way of living one's life, and she makes the claim in a situation relative to which it is true, because she is a situation where the norms of femininity apply to her because those are the norms she is expected to conform to. So when she says she is a woman what she says is true. And Mika knows what the criteria for applying the concept *woman* as she uses it are; she knows that she satisfies them, and she knows that she is in a situation in which her claim to being a woman is accepted and supported. She thus knows the conditions which make her claim true to be conditions which obtain; this, I would say, means that she knows what she said to be true.²¹ And so she knows that she is a woman.

¹⁹ I am ignoring a lot of delicate issues of Putnamian hermeneutics here—in particular issues having to do with the relations, on Putnam's view, between truth and justification, as well as the issue raised in Sosa (1993), as to whether Putnam's view is consistent with the idea that there are sorts of things unrecognized by our conceptual scheme. I think for present purposes we can ignore those issues; I take up Sosa's challenge in work in progress.

²⁰ I'm adding something to our example here, and there are of course different views open to us about what would make a trans woman a woman. I think the argument here isn't terribly sensitive to such details. (For a few relevant comments, see note 23.)

²¹ Note that I did not say that she knows *that* the conditions which make her claim true obtain; I said that she knows (of the conditions which make her claim true) that they obtain. We don't require, in order to say that someone knows that p, that they know of conditions which make it true that p that they both know that such conditions obtain and that they are conditions that make it true that p. It generally suffices that they know of truth making conditions for p that the conditions obtain.

This needs a fair bit of i-dotting and t-crossing, of course; in particular, most of us don't think that knowing that Twain is self-identical

¹⁶ I'm open to using a thicker notion of concept for present purposes.

¹⁷ (Putnam 1987, p. 19). The passage in question has to do with the 'logical primitives', in particular the idioms of quantification. But the point carries over pretty generally—on the same page Putnam argues that it carries over to notions like the notion *point on a plane*. (Putnam, by the way, uses the phrase 'our notions' in the passage cited above, not 'our concepts').

Putnam's distinction between a concept and its uses and his insistence that it's not possible to say what objects there are before we adopt a conceptual scheme—which seems to be a matter of settling on ways of using concepts—suggests, and maybe entails, that it is only concepts as they are used in a particular way that can be said to have extensions.

¹⁸ On the way I'm understanding Putnam, then, a conceptual scheme is a collection of concepts 'being used' in particular ways.

What, you ask, about Alexa? Can't we say the same thing about Alexa's claims, that Mika is not a woman, and that Alexa knows that he is not? Given the foregoing, I can't say that Alexa's utterance of 'Mika is not a woman' is untrue, given that it was made in a trans unfriendly situation. A person's gender is generated by their being subject to gender norms, and what gender norms are operative is a highly contextual matter; the claims about truth and falsity I have made are a fairly direct consequence of this view, which I take to be a view that many who see gender as a social construction will find at least reasonable.

But this doesn't mean that if Alexa says that Mika was wrong when she uttered 'I am a woman', Alexa is correct. It doesn't mean that Mika is in any way confused or mistaken about her gender. Most probably, it is Alexa who is laboring under a serious confusion about what it takes to make a woman or a man, as most probably Alexa rejects the idea that Mika is a woman because they think that gender is fixed by one or another biological endowment which Mika lacks. Alexa says that Mika could not be a woman; Mika says that it is perfectly possible for someone with her biology to be such. Alexa is simply wrong about this; Mika is completely correct. If Alexa thinks otherwise, Alexa has a mistaken view about Mika because they accept a confused theory about what it is to be gendered; Alexa, one might say, is suffering from a modal confusion about what a woman could be. Furthermore, allowing that, given how Alexa deploys gender terms, they can speak truly when they refuse to apply the concept *woman* to Mika does not in any way undermine the claim that Alexa *ought not* refuse to apply the concept *woman* to Mika. The disagreement between Mika and Alexa is descriptive—it is about the nature of the social world, about whether Mika's self-ascriptions are correct, and about the modal profile of the kind *woman*.²² And it is normative—it is about who ought to be recognized as being a woman.

Footnote 21 (continued)

suffices to know that Twain is Clemens. This sort work on i's and t's is orthogonal to the issues we are discussing.

²² *Objection:* Mika says that the concept *woman* is a concept which can include trans women. You say Mika speaks truly, and that she is absolutely correct. But Alexa says that the concept is one which cannot include trans women. Don't they speak truly, at least given their way of using 'women'? Surely you must admit that they do. But then why think Mika is 'absolutely correct'? *Response:* The fact that someone applies a concept in a particular way does not guarantee that the application is correct. In this case, Alexa is making a factual mistake. It is *obvious* that they are making a mistake: Mika correctly self-ascribes the concept *woman*. When she does so, she is using the concept in a way it can be used. *Observation:* It might be illuminating to compare Alexa's view of the concept *woman* with the view of those who, some 40 or so years ago, objected that it is literally impossible for two men to be married. That was simply a mistake. *Obergefell v. Hodges* (the U.S. Supreme Court decision striking down laws barring same sex marriages) did not involve the introduction of a new concept, better expressed with a new word like 'smarrriage' than with the

This is relevant to a worry one might have, that the view I've sketched does not go far enough politically.²³ At least some trans activists will want to say both that Mika's claim that she knows that she is a woman is true, and that Alexa's claim, no matter the context in which she may speak, is simply wrong. What's more, it might be said, it is not helpful, or at least not helpful enough, just to say that Mika can truly say 'I know that I am a woman.' A view of trans identities is acceptable only if it can be used to promote social justice.

As I said, I stand by the claims I made about truth and falsity. The question is whether the view I am articulating is unhelpful or worse as far as social justice for trans people is concerned. I don't see that it is any way unhelpful; on the contrary. The situation on the ground is that trans people and those who are anti-trans have two overlapping but different ways of conceptualizing gender categories, much as white southerners and those who elected the members of the U.S. Congress which passed the 14th amendment to the U.S. Constitution had overlapping but different ways of conceptualizing what it was to be a citizen of the United States. The view I have been arguing for is one on which gender categories, like social categories like *citizen*, are socially produced. To insist on this is in part to endorse the position that because those categories are created by social practices, they should be—they are—subject to evaluation as to whether, in their current shape, they are politically and normatively acceptable. The *point* of saying that *woman* and *man* are constructions and subject to revision is to get people to ask themselves whether as things stand the dominant forms of the concepts are acceptable. Getting people to recognize that gender categories, like religious and political categories, are things that can be shaped to be more (or less) just does not in itself make those categories more just. But it is presumably the first step towards making them so.²⁴

Footnote 22 (continued)

word the Court used, 'marriage'. The decision was a decision about marriage.

²³ I'm grateful to a referee for pressing me to address this worry.

²⁴ I want to say something about relations between the uses I make of Putnam's view in this section and Jacob Hale's fascinating discussion of the concept *woman* in 'Are Lesbians Women?' (Hale 1996).

Drawing on Bornstein (1994), Hale argues that the dominant concept of woman in the United States towards the end of the last century is a complicated cluster concept not unlike Harold Garfinkel's 'natural attitude' towards gender. (Garfinkel 1967). According to Hale, it involved a large collection of characteristics and ways of being in the world, including biological characteristics (e.g., lacking a penis, having breasts), identifying as a woman, broadly cultural characteristics (e.g., engaging in 'womanly pursuits'), and characteristics having to do with maintaining a culturally recognized 'female presentation'. Hale argues that none of these characteristics is necessary or sufficient for being a woman—varying ways of satisfying one or another cluster can suffice—but that the dominant late '90s U.S. conception

* * *

Pragmatic realism is a lot like the view Nelson Goodman held when he wrote *Ways of Worldmaking*. Goodman held, as Putnam did, that the world is in part the way it is because of the way we conceptualize it. I was bought up to think that this is crazy, but I now think it's not crazy at all. We really do create the kinds which populate the social world by our practices of applying concepts to particular individuals, expecting those to whom we apply them to behave in certain ways and policing people who don't conform to the norms created by those expectations. Part of the point of invoking Putnam's pragmatic realism in the context of a discussion of gender, social construction, and conceptual engineering is that it sits very well not only with this idea but with the ideas that we can share a concept while contesting how that concept ought to be used, that we can coherently engage in an attempt to improve on our concepts without attempting to replace them, and that Mika is objectively, non-relatively correct when she says she knows she is a woman, while Alexa is objectively, non-relatively wrong when they deny that Mika speaks truly.

We all—you, me, Mika, Alexa—share our gender concepts because our understanding of gender terms is grounded in the way our parents and their parents understood those terms, and because our current dispositions to apply those terms and their inferential roles overlap a great deal. We do not share what Putnam would have called gender conceptions: we bitterly contest amongst ourselves whether trans people are the genders they say they are. It looks like trying to engineer our gender concepts so that we all have more or less the same gender conceptions (so that we all see Mika

as a woman) is a coherent if difficult enterprise. This sort of contestation of a socially important concept is an attempt at social engineering—it is quite literally an attempt to change the social world by changing the kinds that populate it.²⁵ If Mika and others are successful in contesting expectations about and thus the norms governing gender, the end result will be a convergence of society's 'conceptual gender scheme' with Mika's: everyone, or most everyone, will be able to see and to know what Mika already does.

Philosophers and activists do not just interpret the social world in various ways; they are trying to change it. At least this is so if we understand conceptual engineering and social construction in the way I have been outlining and accept something like Putnam's pragmatic realism. A moral of this essay, then is this: If you wish to be a conceptual engineer, embrace pragmatic realism.²⁶

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References

- Bicchieri C (2017) Norms in the wild: how to diagnose, measure, and change social norms. Oxford University Press
- Borenstein K (1994) Gender Outlaws: on women, men, and the rest of us. Routledge
- Cappelen H (2018) Fixing language. Oxford University Press

Footnote 24 (continued)

weighs the sexual ones much more heavily than the others.

I think we ought to take something close to Hale's view on board; indeed, I think we should say that something like Hale's elaboration of 'the natural attitude' towards gender in a certain sense constitutes our common conception of gender kinds. Western conceptions of woman and men (that is, particular ways of conceptualizing women and men and applying gender terms like 'woman', 'man', 'Frau', 'Mann', 'mujer' and 'hombre') are *not* united in embracing and employing all of the characteristics Hale lists (as well as a corresponding collection of 'natural markers' of being a man or a woman). Rather, these conceptions are in good part united by the recognition that something like Garfinkel's natural attitude towards gender (was and) is the standard way of conceptualizing women and men: to have the concepts *man* and *woman* is in good part to recognize that, according to the dominant way of conceiving these kinds, one is *supposed* to conform to the dominant attitude towards gender. (I develop a picture of conceptualization and meaning along these lines in Richard (2019).) To think of gender conceptions in this way is at once to see them as ur-produced by a culturally inculcated way of looking at gender while also acknowledging that our conceptions of gender can and often do resist buying into the natural attitude towards gender. Appropriating Putnam's pragmatic realism seems to me to be as good a way of doing justice to this as any.

²⁵ Or, if you're on the other side of the contestation, to resist such change.

²⁶ The referee mentioned in note 23 observes that it is not just the truth of Mika's self-ascription of gender that should concern us. Alexa speaks as a member of groups whose voices are dominant; Mika speaks as a member of groups which are minoritarian. The referee asks what exactly makes a scheme dominant or minoritarian, and how contestation between schemes is and ought be resolved.

As the referee also observes these are huge questions, and I can't address them here. I will say that the first question—what makes a scheme dominant—is to my way of thinking as much sociological as philosophical. That said, it behooves philosophers who see conceptual engineering as a vehicle for social engineering to look more closely at the nature and dynamics of social contestation. Practically any worthwhile attempt to modify the meaning of a philosophically or socially important term will meet with resistance; an understanding of the details of past successful (and unsuccessful) contestation of social norms and ideology is necessary for theorizing about how to change dominant ways of thinking. (Chap. 4 of Richard (2019) has some discussion of how one might describe about the dynamics of public language meaning change, but even the author of that work would admit that an awful lot more needs to be said.) As for the normative question—how ought contestation be resolved—well, as they say, this is a topic for further research.

- Dembroff R (2018) Real talk on the metaphysics of gender. *Philos Topics* 46(2):21–50
- Garfinkel H (1967) *Studies in ethnomethodology*. Polity Press
- Hale J (1996) Are lesbians women? *Hypatia* 11(2):94–121
- Jackman H (1999) We live forwards but understand backwards: linguistic practices and future behavior. *Pacific Philos Q* 89:157–177
- Khanna N, Johnson C (2010) Passing as Black: racial identity work among Biracial Americans. *Social Psychol Q* 73:380–397
- Putnam H (1987) *The many faces of realism*. Open Court
- Richard M (2019) *Meanings as species*. Oxford University Press
- Sosa E (1993) Putnam's pragmatic realism. *J Philos* 90:605–26
- Zusman M, Knox D, Gardner T (2009) *The social context view of sociology*. Carolina Academic Press

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