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## A dispositional account of gender

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# A dispositional account of gender

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## Abstract

According to some philosophers, gender is a social role or pattern of behavior in a social context. I argue that these accounts have problematic implications for transgender. I suggest that gender is a complex behavioral disposition, or cluster of dispositions. Furthermore, since gender norms are culturally relative, one's gender is partially constituted by extrinsic factors. I argue that this has advantages over thinking of gender as behavior, and has the added advantage of accommodating the possibility of an appearance/reality dissonance with respect to one's gender.

**Keywords:** Feminism, Gender, Gender identity, Gender dysphoria, Transgender

## 1 Introduction

This paper argues that one's gender is partially constituted by extrinsic factors. In Sect. 2, I very briefly explain my understanding of sex, gender, and transgender. In Sect. 3, I survey recent accounts of gender as a socially constructed or conferred property, ending with Judith Butler's idea that gender is a pattern of behavior in a social context. In Sect. 4, I suggest a modification of Butler's idea, according to which gender is a behavioral disposition. In Sect. 5, I develop my dispositional account by responding to a worry that it is too essentialist. In Sect. 6, I defend my claim that gender is relational. In Sect. 7, I consider and reply to four further objections.

## 2 Sex, gender, and transgender

Gender is not sex, and is not determined by sex. In my view, an organism's sex is a biological property, concerning which type of gametes it is supposed to produce in a reproductive process.<sup>1</sup> The term "gender" as it is typically used in feminist theory, refers to a psychosocial property. Traditionally, sexes include male and female, while genders include masculine, feminine, man, and woman. Transgender is a clear indication of the non-co-extensiveness of sex and gender. For example, some biologically female human beings do not identify as women, do not play a feminine gender role, and are not called "women." One's sex may have some causal influence on one's gender, but it is not always decisive or definitive. Transgender individuals sometimes experience gender dysphoria—the phenomenon of severe discomfort with one's assigned gender—an assignment which is typically based on one's biological sex.

## 3 Accounts of gender

If gender is not sex, what is it? Or, as Simone de Beauvoir asked in 1949:

If her functioning as a female is not enough to define woman, if we decline also to explain her through 'the eternal feminine', and if nevertheless we admit, provisionally, that women do exist, then we must face the question 'what is a woman'??<sup>2</sup>

In the intervening 65 years, many answers have been offered. I will not present a representative survey, but I will mention a few accounts to set the stage for my own approach.

On Charlotte Witt's view, genders are social positions with bifurcated social norms that cluster around a socially mediated reproductive function.<sup>3</sup> According to Sally Haslanger:

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<sup>1</sup> While defense of this assumption is beyond the scope of this paper, I acknowledge that it is not uncontroversial. Sveinsdóttir (2011) argues that, in addition to gender, sex is also socially conferred. Butler (2006) can be interpreted as arguing that there is no physical reality to sex. Dreger (1998) and Fausto-Sterling (2000) argue that the biological story is more complicated than the male/female binary suggests.

<sup>2</sup> Beauvoir (1989), p. xxi).

<sup>3</sup> Witt (2011, pp. 32, 40).

S is a woman iff  
 S 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.<sup>4</sup>

On Ásta Sveinsdóttir's view, gender is a property conferred on a subject in a social context, where those doing the conferring are attempting to track some grounding property, such as role in biological reproduction, societal organization of various kinds, sexual engagement, presentation of the body, in the preparation of food, etc.<sup>5</sup>

I think all of these approaches are helpful when thinking of the social aspects of gender. However, these definitions lack any mention of the subjective or psychological aspects of gender. On these accounts, your gender is a matter of how you are regarded and treated by others, not how you regard yourself. So, it is not clear what these accounts can say about the gender dysphoric who suffers in silence, or the claims of a closeted transgender individual who has a male body, is playing a masculine social role, and is thought to be a man, but who says to herself "I'm really a woman." On Haslanger's account, a desire to be regarded as a woman is a desire to be targeted for subordination. It seems that such desires should only be attributed to people who are deluded or confused about what is in their self-interest. If this does not seem right, perhaps another distinction is needed. In addition to distinguishing gender from sex, we need to distinguish gender role and gender identity. With this distinction in mind, it seems fair to say that the accounts of Haslanger, Witt and Ásta are accounts of gender role, not gender identity. To that end, they are not well-equipped to shed light on gender dysphoria. That is not an objection to such accounts, but an attempt to clarify my shift of focus to a related but importantly different object of analysis—from gender role to gender identity.

One approach that I think does more to connect the social with the subjective is that of Judith Butler. On Butler's view, gender is a pattern of behavior in a social context. In *Gender Trouble* Butler offers a performative account of gender.<sup>6</sup> Performative utterances or illocutions are speech acts that, loosely speaking, make something so, as "I now pronounce you man and wife," said by the right person in

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<sup>4</sup> Haslanger (2000).

<sup>5</sup> Sveinsdóttir (2011, p. 61).

<sup>6</sup> Butler (2006).

the right circumstances, makes it the case that a couple is married. A speech act being an illocution is not merely a matter of its effects. What is special about illocutions is that, in the right circumstances, their utterance is sufficient for a state of affairs to obtain. You're boss saying "you're fired" does not *cause* you to be fired; it constitutes your being fired. Performatives can include non-verbal behaviors as well, such as slipping on a ring or stepping on a glass.

To say that gender is performative is to say that one is masculine or feminine in virtue of behaving in certain ways in a certain context, just as one is "under oath" in virtue of behaving a certain ways in a certain context. However, unlike most performative utterances, for gender, a single act will not suffice. As Butler stresses, "doing gender" is a matter of *repeated* patterns of behavior, regulated by sanctions and prohibitions. According to Butler, patterns of dress, posture, and speech are not expressions of an inner gender identity, but are instead constitutive of being gendered. By exhibiting a certain pattern of behavior, one thereby makes it so that one is feminine or masculine.

Because your behavior is shaped by a myriad of forces, you do not have complete control over your gender. Furthermore, how your behavior is interpreted genderwise is largely out of your control as well. As Butler puts it: "what gender 'is,' is always relative to the constructed relations in which it is determined."<sup>7</sup> This fact ties in with another feature of illocutions—they depend on power. As Rae Langton points out, for a person to succeed in making an illocution, she must not only produce certain sounds, but must also have the authority to ordain into being the state of affairs of which she speaks.<sup>8</sup> A priest, government official, or employer has the power to marry, arrest, or promote, and so their words count as marrying, arresting, or promoting. Even in the case of a layperson's promises, oaths, and pledges, one must have the autonomy to commit oneself. In contrast, the vocalizations of a toddler or a parrot do not count as giving consent. But even in situations where an authority has the power to do things by making pronouncements, he does not have limitless power. He cannot say anything he pleases and have that count as a marrying or promoting. What words or actions accomplish the deed depend on social conventions that are beyond the complete control of any individual authority.

In the case of gender, saying "I'm a girl" does not necessarily make it so, and only certain behaviors will count towards establishing a

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<sup>7</sup> Butler (2006, p. 14).

<sup>8</sup> Langton (1997).

feminine gender identity. The complex and extensive patterns of behavior that allow one to pass as a woman are socially sanctioned, and socially relative. In Butler, as with other feminist theorist,<sup>9</sup> we find reasons to think that your gender is not just about you; it is not an entirely intrinsic matter. Nevertheless, on Butler's account, your gender is still about you, since the behavior that constitutes your gender at the same time constructs your identity.

However, similar to the accounts of gender mentioned above, it is not clear what Butler's account can say about gender dysphoria. It seems that someone who exhibits gender stereotypical behavior has that gender, on her view, regardless of how they feel about it. Ironically, on her account, the source of rebellion against gender norms, or "gender trouble," is quite mysterious. There is no inner, other-gendered self to conflict with one's socially sanctioned gender role.

#### **4 From behaviors to dispositions**

Another concern I have about Butler's account is that patterns of behavior do not seem to be quite the right gender-making entities. There are times when men and women are not engaging in any gendered behavior. Sometimes they are not behaving at all, or they are behaving in ways that are not gender-specific. But they do not, at those times, cease to be gendered. I would further argue that one could be feminine while exhibiting patterns of masculine behavior for extended periods of time, and vice versa. Others could be mistaken in basing their gender attributions of others on their observed behavior. For such reasons, I think it is better to think of genders as *dispositions* to behave in certain ways, dispositions which are not always manifest. Being gendered is not exclusively a matter of how one is actually behaving currently, but also a matter of how one is disposed to behave. These dispositions can be masked, or overpowered by other dispositions—dispositions to bow to social pressure, or pursue incompatible goals.

In order to explain the idea that genders are dispositions, I need to say a few words about how I am thinking about dispositions. When someone has a disposition, he or she is prone to act in certain ways in certain circumstances. A cowardly person is disposed to flee from danger. A sociable person is disposed to seek the company of others. Physical objects also have dispositions. Fragile objects

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<sup>9</sup> Haslanger (2000).

are disposed to break when struck. Elastic objects are disposed to stretch when pulled. Numerous synonyms and near-synonyms include “power,” “ability,” “capacity,” “tendency,” and “potentiality.” A disposition has a characteristic manifestation. For example, the characteristic manifestation of fragility is shattering, and the characteristic manifestation of cowardliness is avoidance of danger. The manifestation need not occur for the object to have the disposition. A glass can be fragile even if it never shatters. A manifestation of a disposition occurs (at least typically) when the object with the disposition is subject to certain circumstances. The fragile glass shatters when it is struck. These “circumstances of manifestation” include not only the salient “trigger” for the manifestation (the striking), but also the necessary background conditions, such as ambient temperature and gravitational forces.

Given that a disposition is associated with a manifestation, and with circumstances which trigger the occurrence of this manifestation, there is a natural association between a statement attributing a disposition to a thing and a certain conditional statement: If the conditions were to obtain, the manifestation would occur. For example, the statement “This glass is fragile” bears some important relation to the statement “If this glass were struck, it would shatter.” An attribution of a disposition to some object licenses inferences about what will happen in various circumstances. These inferences may be defeasible, but the ability to make these inferences is what makes dispositions talk so useful, if not indispensable. We frequently have pressing reasons to be concerned about predicting what things will do in various circumstances. It is important to know what is poisonous and what is nutritious, which animals are aggressive, and which situations are dangerous. We are interested to predict the behavior of other human beings, and so describe them as friendly, hostile, irritable, shy, ambitious, trust-worthy, and so on. Disposition ascriptions are an important means of communicating our understanding of what to expect from the things in our environment.

This characterization suggests certain “marks of dispositionality,” according to which a property is a disposition if it:

- (1) has a characteristic manifestation;
- (2) is such that certain circumstances can trigger that manifestation;
- (3) can be possessed without the manifestation occurring;
- (4) is instantiated by things of which a conditional of the form “if it were subject to the circumstances, it would exhibit the manifestation” is generally true; and

- (5) can be accurately characterized with an expression of the form “the disposition to produce the manifestation in the circumstances.”<sup>10</sup>

In my view, these conditions are jointly sufficient for dispositionality, but not individually necessary. These marks of dispositionality characterize the concept, but do not constitute a reductive analysis.

If a gender is a disposition, it is a massively multi-track disposition, with many different characteristic manifestations (aggression, saying that you are a boy, playing with certain kinds of toys, dressing and grooming in certain ways, pursuing certain careers or life plans, etc.). Alternatively, gender can be thought of as a cluster of dispositions. These dispositions toward gendered behavior are triggered by certain circumstances (shopping for clothes, getting a haircut, being insulted, being asked what you want for Christmas, registering for classes, etc.). These dispositions can be possessed without manifesting, since people are not always in circumstances of manifestation for gendered behavior, and like other dispositions, gender dispositions can be masked, inhibited, and mimicked. Furthermore, certain counterfactuals will typically be true of the gendered person, such as “If someone asked him whether he is a boy or a girl, he would say that he is a boy.” Granted, we typically do not characterize gender terms with dispositional expressions. However, if a gender is a cluster of dispositions, many of the dispositions in the cluster will be accurately characterizable by dispositional expressions, such as ‘the disposition to blush when complimented,’ for example.

## **5 Objection to potential essentialist implications and further explication**

When I say that to have a certain gender is to have certain dispositions, an advocate for Butler’s view might object I am re-internalizing gender to an unacceptable extent. One of the features of Butler’s view that many (including myself) find attractive is that it offers an alternative to a conception of gender as an essential, innate truth about a person and gendered behavior as an outward expression of an inner gendered self. Butler turns this notion on its head and construes this inner self as a consequence of, or a construction out of, these behaviors rather than their cause. The objection can be put as follows:

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<sup>10</sup> McKittrick (2003).



Suggesting that these behaviors are manifestations of the individual's dispositions threatens to restore the causal order that Butler so effectively rejected. It would suggest, for instance, that women typically behave in feminine ways because of their essential innate dispositions to do so.

However, I do not think my suggestion is as antithetical to Butler's view as it may seem. For starters, saying "to be feminine is to be disposed to behave in certain ways" says nothing about the origin, strength, or stability of that disposition. It is consistent with my approach that dispositions for gendered behavior are products of socialization, are had in varying degrees of intensity, and could change over time.

Moreover, thinking of gender as dispositional makes better sense of Butler's claims about the role of social conditioning than her own performative view does. Butler stresses that gendered patterns of behavior are socially conditioned by means of sanctions and prohibitions. Imagining how that conditioning is supposed to work demonstrates the need for dispositions. Suppose a range of behaviors are exhibited in an arbitrary, random fashion. If socialization is to hone that repertoire, it rewards desired behaviors and punishes undesired behaviors to increase the production of desired behaviors and decrease the production of the undesired ones in the future. But that is to make the subject of socialization more prone, that is, more highly *disposed*, to behave in certain ways in the future, and to weaken their dispositions to behave in other ways.

Furthermore, we need not, and I would argue we should not, think of these dispositions as intrinsic properties. Dispositions, like other properties, can be relational or extrinsic, and are extrinsic when perfect duplicates can differ with respect to them. I have argued that properties like weight, visibility, and vulnerability, are extrinsic dispositions.<sup>11</sup> A perfect duplicate of me would weigh less on the moon, be less visible in the dark, and more vulnerable in Syria.

Gender is apt for being treated as relational, since standards of masculinity and femininity vary across cultures, races, classes and over time. For example, masculinity has classically been associated with the mind, and femininity with the body. But these associations do not take account of the intersection of gender and class; they do hold up in a working-class culture that derides the bookworm

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11 McKittrick (2003).

schoolboy as a sissy and extolls feats of physical strength, and hearty enjoyment of food and drink as manly. Wearing what might be considered a floral skirt seems feminine, unless it is a sign of affiliation with a Hawaiian street gang. Being a competitive, politically active college professor and household breadwinner sporting pants and short hair would have been considered a very masculine pattern of behavior a century ago, but in many cultures today, such behavior is taken to be perfectly compatible with being feminine.

The idea that being gendered is a matter of having certain dispositions could be put more formally as follows:

x is gender G iff  
 x has (sufficiently many, sufficiently strong) dispositions  
 $D_1 \dots D_n$  to behave in ways  $B_1 \dots B_n$  in situations  $S_1 \dots S_n$ , and  
 The relevant social group considers behaving in ways  $B_1 \dots$   
 $B_n$  in situations  $S_1 \dots S_n$  to be G.

The relevant behaviors could include modes of dress, posture and mannerisms, productive and leisure time activities, styles of communication and social interaction. Behavioral dispositions correspond to different kinds of psychological characteristics, such habits, responses to incentives, and experienced desires. Candidates for gender G include ‘masculine,’ ‘feminine,’ ‘trans,’ ‘queer,’ etc. Since the relevance of a social group is relative to context, one’s gender will be relative to context, and consequently extrinsic.

On this view, one can have multiple genders, and one can have different genders in different contexts. The expression “sufficiently strong, sufficiently many” is deliberately vague. Having any particular gender is a matter of degree, and there are no particular dispositions which are necessary for being a certain gender. Another consequence of this view is that a social group can be wrong about a person’s gender if its members do not know enough about that person’s behavioral dispositions. This happens when a social group makes false assumptions about a person’s behavioral dispositions based on their physical appearance or past behavior. Sometimes, many of an individual’s behavioral dispositions are not manifest, because these dispositions are masked or counteracted. It is a virtue of this account that it is possible for there to be a discrepancy between the appearance and the reality of one’s gender.

A more controversial implication of this view is that it is theoretically possible a person can be wrong about their own gender. In general, it is possible for a person to be mistaken about their own

behavioral dispositions. I might think that I have a disposition to write a book, given the circumstances of having enough free time, but then I find that having free time does not trigger any book-writing behavior. Alternatively, a person might be disposed towards some behavioral repertoire, and think that those behaviors are considered “G” in the relevant social context, but be wrong about that. This possibility is implicitly acknowledged by the standard of care for transgender patients. Before engaging in any physically-altering therapies such as hormones or surgery, it is recommended that the patient “has demonstrated a long-lasting and intense pattern of gender nonconformity or gender dysphoria.”<sup>12</sup> The expressed purpose of this measure is to ensure that the individual is correct about their own gender identity before they make any irreversible changes to their body.

Whether someone could wrong about their own gender depends, in part, on the gender norms of the relevant social group. If the relevant social group takes self-identification to be definitive, then one’s declaration of their gender is automatically true in that social context. But if the social group takes other behaviors to be relevant, and if behavioral dispositions are experienced as desires, impulses and emotions, an individual would be in the best position to know if they have those dispositions. It is unlikely that a person could have sufficiently many sufficiently strong dispositions to behave as a woman and yet remain ignorant of that fact.

## 6 Objections to extrinsicness

One may object that dispositions to act in gender-specific ways are not extrinsic dispositions. One might argue instead that a gendered person has intrinsic dispositions to behave in certain ways and the only extrinsic factor is the social group that interprets that behavior gender-wise. Granted, it is not uncontroversial or obvious that these are examples of extrinsic dispositions. The objector might elaborate as follows:

Suppose I am disposed to wear skirts. The manifestation of my disposition to wear skirts is the procurement and donning of a skirt. If some perfect duplicate of me were in some possible culture where the wearing of skirts was considered masculine, that wouldn’t make my disposition to wear skirts an extrinsic disposition. The social

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<sup>12</sup> The World Professional Association for Transgender Health (2012, p. 19).

judgment that my behavior is feminine seems to be after the fact of my having and manifesting a disposition to wear skirts. And insofar as my gender is a matter of my having such intrinsic dispositions, it would seem as though my disposition for gendered behavior is intrinsic. Likewise, being on fire might be considered a danger in some circumstances and a welcome source of heat in others, but that would not make 'being flammable' extrinsic.

Responding to this objection requires a reconsideration of the ways a disposition can be extrinsic. Perhaps, if a property is extrinsic, then a disposition to instantiate that property is an extrinsic disposition. If 'x having property P' depends on things other than x, then 'x being *disposed to* have property P' would also depend on things other than x. In that case, the disposition would be extrinsic. Being someone who makes people laugh is an extrinsic property, so the ability or disposition to make others laugh must be extrinsic too. Perfect duplicates could differ with respect to an ability to make others laugh—given that the "others" refers to different social groups with different senses of humor. A person can be considered likable in some social contexts but not others. Another way for a disposition to be extrinsic is if the manifestation of that disposition is a matter of becoming a member of a kind, where membership in that kind is socially determined. For example, a book can have a disposition to be a best-seller in some markets, but not others. Someone might be disposed to emigrate from a country, but whether they are thereby disposed to be a refugee depends on whether their emigrating would result in their being included in the socially determined class of refugees.

As an example of how a thing's intrinsic and extrinsic dispositions can be related, consider the dispositions of a traffic light. It has a certain structure and functionality so that it emits certain electromagnetic radiation in certain circumstances. Perhaps a perfect duplicate of that traffic light would emit the same kind of radiation given the same stimulus. But not every possible duplicate traffic light is disposed to cause red visual experiences in the minds of local perceivers, nor would it be disposed cause certain perceivers to perform certain actions in order to decelerate their momentum. Even if a traffic light has some intrinsic dispositions, its disposition to cause drivers to step on the brakes depends on it being embedded in a system which includes perceivers with a certain visual system, who have certain conventions for regulating their behavior for social coordination, and established interconnected mechanisms to facilitate that coordination.

Now consider the disposition for gendered behavior. Its manifestation is gendered behavior—acting in a feminine way for example. But what counts as feminine behavior, and what counts as gendered for that matter, is socially determined. Some people are disposed to push around noisy machines for the upkeep of their environment, which may not seem to be particularly gender-specific behavior under that description. But whether it is a lawnmower or a vacuum cleaner can make all the difference as to whether one is performing a masculine social role or a feminine one. When a girl plays with a “Ken” doll from her collection of Barbie dolls and a boy plays with a G. I. Joe action figure, they are each engaging in behavior deemed appropriate for their genders. If we restrict our attention to some narrow description of behavior, perhaps down to the level of making certain bodily movements, then perhaps perfect physical duplicates agree on dispositions to such behaviors, so construed. But gendered behavior is behavior under a certain description, in a certain context.

Furthermore, the fact that certain behaviors count as gendered can causally impact the extent to which people are disposed to engage in them. A disposition to wear skirts does not occur in a vacuum, but in a context of the availability of clothing options, role-models, and social validation. In recent decades, “liberated” women have been reluctant to knit, for example, due to its association with traditional femininity, while other women proudly adopt certain modes of dress because they are deemed to be expressive of their femininity. Norms create feedback loops, whereby being categorized in a certain way creates expectations and incentives that can lead one to develop characteristics that justify that very categorization, or they can motivate one to shun those characteristics in order to defy that categorization.

In short, if a behavior is gendered, that is not an intrinsic feature of that behavior, and furthermore, its being gendered is socially determined. So, a disposition to exhibit gendered behavior, *qua* gendered behavior, is a disposition to instantiate a socially determined, extrinsic property, and that is reason to think that it is an extrinsic disposition.

At this point, an objector might retort:

You have made it too easy for a property to be an extrinsic disposition. By similar reasoning, color would be an extrinsic property of things. Suppose that being red is a matter of having a disposition to cause visual experiences of a certain qualitative character. But whether that manifestation occurs depends not just on the red thing, but the visual system of the perceiver looking at it. Perfect

duplicates being looked at by different perceivers can differ with respect to looking red. But if a dispositional account of color is objective, whereby it makes sense to say that that color-blind person cannot see that the object is *really red*, it must make reference to certain kinds of perceivers, i.e. normal human perceivers. Do not confuse circumstances of manifestation with circumstances of possession. In order for a red thing to manifest its disposition to look red, it has to be in the circumstances of manifestation, and that includes being in the right relation to the right kind of perceiver. But those conditions are not necessary in order for a thing to *be red*. Likewise, being in the right social environment might be necessary in order for my femininity to be manifest. But that environment is not necessary to my *being feminine*. My perfect duplicate and I have the same dispositions to appear feminine to certain socially situated perceivers. Even if my duplicate is in a different environment, we can evaluate her dispositions with respect to the effect she would have on the perceivers in *my* environment. If she is not seen as feminine in her environment, that is just because she is not in the relevant circumstances of manifestation. Since my duplicate and I must agree in our dispositions to appear feminine to certain socially situated perceivers, the disposition to appear feminine is intrinsic.

In response, it is not clear that an appeal to normal perceivers can work here. Even in the case of color, it is not uncontroversial that we can identify normal perceivers that are part of the circumstances of manifestation.<sup>13</sup> To extend this strategy to the case of gender would amount to saying that there is some class of normal socially situated perceivers, and their perceptions of behavior as gendered are determinative of the existence of dispositions to engage in gendered behavior. But it is not clear whose social norms we should privilege, or, more importantly, why we should do so.

The objector might respond as follows:

We do not need to privilege any particular social context as the circumstances of manifestation for gender dispositions. We can say, instead, that a person has a disposition

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<sup>13</sup> See Brogaard (2009).

to exhibit behavior that is gendered *relative to a certain context*. Perfect duplicates necessarily agree on those dispositions, and so they are intrinsic.

I'm really not sure if my hypothetical interlocutor and I are disagreeing anymore. We agree that the extent to which certain behaviors are considered gendered is culturally relative, and that it is possible that a person could behave in a way that is seen as masculine in social context A, but not in social context B. Accordingly, I say that the person's 'disposition to behave in masculine way' is extrinsic, while my opponent says that the person's 'disposition to behave in a masculine way in context A' is intrinsic. These claims are compatible. I suppose what is at issue is whether our gender concepts make implicit reference to a relevant cultural context, as (arguably) our color concepts make implicit reference to relevant perceivers.

## 7 Other objections and replies

(a) *This account gives too much power to the relevant social group in determining one's gender and does not give sufficient deference to self-identification.*

However, gender concepts are social concepts. Gender terms are part of a public language. Whether a pattern of behavior is called "masculine," "feminine," "queer," or "none of the above" is a fact about a culture and linguistic community. Recall the constraints on successful performatives. Which words or actions counts as marrying or firing depend on social conventions that are not within the speaker's control. Similarly, whether your society will count your behavior as masculine or feminine is largely out of your control. On this view, one does not count as feminine relative to a certain social group unless one is disposed to behave in ways that are considered feminine by that group.

(b) *This account says wrong things about "man" and "woman." Some males are effeminate without being women.*

In response, recall that gender is a matter of degree on this account. Do the effeminate males in question have "sufficiently many sufficiently strong dispositions" to behave in ways that are considered womanly by the relevant social group? If not, perhaps the man's

behavior is more toward the feminine end of the spectrum than most males in the relevant context, but not so far as to be considered a woman. But suppose a male does have sufficiently many, sufficiently strong dispositions to behave in ways that are considered womanly by a social group, and you still say it is wrong for people in that social group to call that person a woman. Then, I suggest that you are not using “woman” as a gender term. Arguably, “woman” in English, is a complex concept that has a biological component. Natalie Stoljar explicates the concept “woman” by first identifying paradigm individuals to which the concept applies. She goes on to say:

These paradigms are members of the class “woman” in virtue of a complex and intersecting set of properties such as, first, having the biology of a human female body and other bodily characteristics such as gait or voice quality; secondly having certain phenomenological features or “lived experiences”... thirdly, taking on social roles such as wearing typical female dress, or undertaking “private” responsibilities like child-rearing... and fourthly, calling oneself a woman and being called a woman...<sup>14</sup>

While some feminist theorists stipulate that the term “woman” is a pure gender term whose use is independent of biological sex, other judgments about when the term “woman” is applicable are informed by “observed or imagined bodily features.”<sup>15</sup>

(c) *This account does not distinguish genders from other behavioral dispositions. Someone could be disposed to engage in a range of behaviors in various circumstances, and thereby be considered brave or shy. But bravery and shyness are not genders.*

It is worth noting that other accounts have this feature. On Butler’s account, certain patterns of behavior in certain contexts make it the case that one is a woman. And presumably, other patterns of behavior in other contexts could make it the case that you are brave. If there is something special about some patterns of behavior that make them genders, Butler does not specify. Likewise with Asta’s account. Suppose a property is conferred on a subject in the social context of a

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<sup>14</sup> Stoljar (2011).

<sup>15</sup> Haslanger (2000).



restaurant, where those doing the conferring are attempting to track the grounding property of skill in the preparation of food. This fits Asta's schema of conferring a gender property. But for all that has been said, the property conferred is being a chef, and being a chef is not a gender.

That being said, perhaps this feature could be avoided by amending the account. For one thing, unlike being brave, shy, or a chef, genders include extensive and pervasive behavioral repertoires, so much so that Charlotte Witt calls gender "the mega-social role." Witt and Haslanger differentiate gender from other features by linking it to reproduction and subordination. So again, I could amend the account, this time by stipulating that behaving in ways  $B_1 \dots B_n$  in situations  $S_1 \dots S_n$  constitutes an extensive and pervasive behavioral repertoire that is connected to reproduction and subordination in some way.

However, I am reluctant to develop my account along those lines. For one thing, connecting gender to subordination misrepresents any cross-gender identification which is not about wanting to subordinate or be subordinated. Furthermore, it is difficult to connect transgender identity to reproductive role, since a prevalent type of transgender, transsexuality, typically involves sacrificing the ability to have a biological role in reproduction. For another, being a certain gender means different things in different contexts and changes over time. I do not want to unduly constrain what gender can be in future social contexts. On Haslanger's view, gender equity would bring about the disappearance of "women" from society. On Witt's view, it seems impossible for gender to recede in importance. I do not want to rule out the possibility of a social context in which one's gender is an incidental character trait, one that does not serve as a basis for social stratification.

So, if it turns out that any cluster of behavioral dispositions can count as a gender, and genders aren't distinguishable from other character traits, that might be an acceptable outcome. This is compatible with some particular individual's sense that their own gender is very important to their self-image or identity. But being a Nebraskan, or a Christian, or a chef, might be very important to someone's identity, too. This account allows for the possibility of a society where the centrality of gender for each individual is not effectively mandated by the norms of that society.

(d) *This dispositional account of gender doesn't make sense of gender dysphoria any better than the other accounts mentioned. If a person is acting feminine, they must be disposed to act feminine, so they are feminine. If they*

*say “I’m only acting feminine, but I’m really not” necessarily, they are wrong, on this view. That is the wrong result.*

First of all, disposition ascriptions do not always work that way. We do not count everything that has been broken as fragile, but only those that were likely to break by a certain kind of causal process. Something can “mimic” having a disposition by exhibiting the manifestation characteristic of that disposition without actually instantiating the disposition.<sup>16</sup>

Secondly, if the person mentioned in counterexample is someone who is merely acting feminine in a theatrical production or the like, they would not have the whole range of sufficiently strong, sufficiently many dispositions mentioned in the account. So, if the counterexample is to be plausible, the person must be someone living and passing as a woman. With such a case in mind, I could try to amend account to distinguish one’s inherent, true dispositions from other “artificial” dispositions. In that sense, the person in the example would be mimicking someone with a feminine gender identity even though he does not in fact have the appropriate range of dispositions. As with other mimics, there is something deviant about the process by which the manifestations are produced, so that the disposition typically associated with those manifestations is not ascribed to the subject.

However, I am disinclined to pursue this line of response. I do not assume that people have a “true” gender that is free from socialization. People have complex interactions of various behavioral dispositions. They may be disposed to seek social approval, avoid sanctions, and so forth. They might also be disposed to exhibit behaviors that do not conform to the gender norms that they are subject to. These dispositions counteracting each other can result in thwarted desires, stress and discomfort. One may feel as though one would not exhibit gender conformist behavior if the social cost of doing otherwise were not so high. In that case, it seems like a fair characterization of one’s situation to say “I am not really the gender that I am pretending to be.” However, if one is convincingly living one’s life as a woman, there is a sense in which one *is* feminine to a certain extent. But if one has strong dispositions to exhibit non-feminine behaviors, even if those dispositions are not manifest, there is also a sense in which one has a different gender.

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<sup>16</sup> Smith (1977).

## 8 Conclusion

Whether or not I have successfully addressed these issues, there are others that I have not considered here. For one, I have said very little about the relationship between gender identity and the body, and the complex ways that those factors interact with social role. However, my aim is to develop an account of gender that is not cisgender, but includes transgender experience in the body of phenomena that needs to be accommodated, while simultaneously remaining cognizant of social factors. I think a dispositional account of gender is on the right track.

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