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<u>Anti-Essentialism about Gender: Realist, Constructionist, or Error Theoretical?</u>

Section 1: Introduction

The last 20 years has seen a blossoming literature from analytic philosophers on the nature of social construction and apparently social kinds such as gender and race. Whilst largely rejecting the global constructionism often suggested by certain readings of their continental cousins, analytic philosophers have been largely happy to countenance local constructionism about gender and race (amongst other things) distinguishing between *epistemic* and *metaphysical*, *causal* and *constitutive* social constructionisms. However, some philosophers, not least Antony Appiah and Naomi Zack, have urged that we treat race in *error theoretic* terms, and Natalie Stoljar has suggested the possibility that we could treat gender in the same way. Further, philosophers such as Philip Kitcher and Robin Andreasen have revived the idea of *biological realism* about race, whilst biological realism about gender remains a persistent position both within and outside of the academy. It is this tripartite taxonomy that I propose to use to help to clarify the claims of the *anti-essentialist* theories of gender. Anti-essentialism comes out of the black feminist tradition, via the work of the poststructuralists Derrida and Foucault, alongside Elizabeth Spelman's landmark *Inessential Woman*. It is a tradition that unites such varied thinkers as Judith Butler, Iris Marion Young, Naomi Zack, Cressida Heyes, Natalie Stoljar and Julia Kristeva, who despite their varied differences, claim that there is no essence to the category 'woman' and that to claim that there is such an essence is politically dangerous. A question: where does the anti-essentialist fall on the tripartite division generated by analytic philosophy over recent decades? Some, not least Linda Alcoff and Ron Mallon, suggest that (at least some) anti-essentialists are error theorists, but it is largely taken that the anti-essentialist is a constructionist of one sort or another – partly because anti-essentialism is often conflated with an opposition to biological essentialism. In this paper I will argue that anti-essentialist positions do not always fall neatly into the categories provided by the tripartite taxonomy, though that the distinctions made by analytic philosophers about social constructionism can help us to understand exactly what is being claimed by anti-essentialists. I will also show that there is room for a purely biological realist anti-essentialism, and a purely constructionist anti-essentialism. In Section 2 I will outline some anti-essentialist positions, drawing a broad distinction between *structuralist anti-essentialists* (exemplified by Cressida Heyes) and *anti-structuralist anti-essentialists* (exemplified by Judith Butler). In Section 3 I set out the details of the tripartite division of social ontology, distinguishing *realism*, *error theory*, and *constructionism* about race and gender. In Section 3.1 I consider the possibility of a biological realist structuralist anti-essentialist position, suggesting that whilst the position is available, given the motivations that anti-essentialists usually have for taking their position, no anti-essentialist would defend such a position. In Section 3.2 I show that structuralist anti-essentialists are for the most part not *purely* social constructionists about gender, but that they combine biological realism and social constructionism in ways that are helpfully enlightened using the distinctions made by analytic philosophers about social constructionism. Finally in Section 3.3 I consider the claim that anti-structuralist anti-essentialists are error theorists about gender, concluding that in the most promising case - Julia Kristeva's purely negative feminism, there is the *possibility* of an error theory about gender, but there are significant differences between error theory and the work of Judith Butler, who is much better understood as a constructionist.

Section 2: Anti-Essentialism about Gender

Essentialism about gender is the claim that genders have essences. For the most part,[1] feminist theorists have been concerned with the claim that the *kind* woman (and, to a lesser extent, the *kind* man) has an essence, whether that is a biological, linguistic, 'metaphysical', or social essence. These essences are properties, or sets of properties which are necessary and jointly sufficient for the membership of some kind. One form of biological essentialism about gender might be stated thus:

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[1] Notable exceptions include Charlotte Witt (2011) and Stoljar (1995).

> Chromosomal Essentialism: A is a woman iff A has XX chromosomes.

According to chromosomal essentialism, the essence of the kind woman is having a particular biological property, XX chromosomes. Other forms of essentialism are available:

> 'Metaphysical' Essentialism: A is a woman iff A has a womanly soul.[2]

> Social Essentialism: A is a woman iff A stands in a relation of sexual subordination to men.[3]

Anti-essentialist feminisms proper reject all of the above theories of gender. They tend to reject such theories for a variety of reasons, but Theodore Bach nicely summarizes the four main anti-essentialist arguments thus:

> "1. Inseparability: Gender is not a feature that exists and develops independently of other (social) features such as race, class, and religion.

> 2. Universality: There is simply no feature that all women of all times and places have in common.

> 3. Immutability: By defining women according to property P it follows that (i) the elimination of P entails the elimination of women, (ii) if an individual possesses P at time 1 and loses P at time 2, then that individual is no longer a woman.

> 4. Normativity: Defining women according to an essential property privileges those who possess this property, or who possess more of it, and marginalizes those who do not possess this property, or who do not possess enough of it." (Bach 235).

The details of these arguments need not trouble us for the purposes of this paper, but we should note that they tend to exemplify anti-essentialist commitment to *inclusion* - that our theory of gender should not exclude from the category 'woman' those who have a claim to be a member of the category, and hostility to *normative constraints* upon members of that category.

Despite sharing these common commitments, there are, broadly speaking, at least two different types of anti-essentialist position - structuralist and anti-structuralist. I suggest that structuralist and anti-structuralist anti-essentialists may be distinguished by whether the theorist in question believes that a logical structure for gender can be given.[4] By this I mean that structuralist anti-essentialists attempt to give formal structure through which to understand a given gender, say interpreting the concept 'woman' as having a family resemblance structure, claiming that woman is a resemblance class, or claiming that the kind woman is a

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[2] I use 'metaphysical' for lack of better word for essentialisms based on neither biological nor social essences. Perhaps *spiritual essentialism* would suit this position better. At points Plato seems to endorse something along these lines – see *Timaeus* 41e-42b, 90e-91d. Another example from the philosophical canon is Schopenhauer, who claims that men are "the most complete objectification" of the fundamental substance of his ontology 'Will', whilst women are, of essence, metaphysically lesser beings (1969 312). We might read certain ecofeminists endorsing a position that posits a feminine spirit (not least Mary Daly – see her *Gyn/Ecology* 1978). Some theories of transness also endorse a feminine spirit or essence in a similar sense, which is 'trapped in' a male body (or vice-versa, a masculine essence trapped in a female body).

[3] Catherine Mackinnon takes something like this position in her "Feminism Marxism and the State: Toward Feminist Jurisprudence" (1983). Other social essentialist positions abound within the feminist tradition. One prominent group of such theories rely on a notion of a 'women's experience' that is shared in common between all women. I would also categorise Sally Haslanger's 2000 understanding of gender in terms of subordination in virtue of perceived sex as a social essentialist position.

[4] There are two interpretations of the claim that 'we cannot give a logical structure for gender'. The first is *metaphysical* - that genders actually have no structure. The second is *epistemic* - that even if there is a logical structure that any given gender has, we cannot access it or say anything about it. I suggest that an anti-essentialist theorist may be considered anti-structuralist if they endorse either the metaphysical or the epistemic versions of this claim.

homeostatic cluster of properties.[5] Meanwhile, anti-essentialist anti-structuralists, whilst perhaps saying something about the way in which gender is constructed in society, do not say anything about its logical structure, and in some cases actively oppose the claim that we could, or indeed should, give such a structure.

Section 2.1: Structuralist Anti-Essentialism

The first prominent structuralist account comes from Natalie Stoljar's "Essence, Identity, and the Concept of Woman" (1995). Stoljar argues that the kind woman is best understood as a resemblance class (see Price 1969), whereby there is a cluster of properties associated with the category 'woman' and one is a woman if and only if closely resembles an exemplar of the resemblance class, where an exemplar of the resemblance class satisfies at least three of the dimensions of the concept woman (Stoljar 284). Such dimensions include biological sex, phenomenological features, societal role, and self-attributions of womanhood and associated concepts (Stoljar 283-4).

Cressida Heyes produces a similar and explicitly Wittgensteinian position in her *Line Drawings* (2000). According to Heyes, the concept 'woman' has a family resemblance structure. For Heyes,

> "…there need be no definitive set of characteristics that all women share, but rather we can understand ourselves as connected to each other by a network of overlapping similarities, some of which may be biologically real – like breasts, a vagina, a uterus, the capacity to conceive and bear a child, XX chromosomes; others of which may be more obviously constructed – like a particular relation to one's mother, ethical attitudes, experiences of subordination and so on. But no *single* characteristic is necessary to make an individual a woman, and none is sufficient" (84).

On this account, it is perfectly possible for two women to share no properties and still be called 'woman' in the same way that Wittgenstein thinks that it is possible for two games to have nothing in common and yet still both count as games (Wittgenstein §66- §76). However, all women fall under the rubric of this family resemblance that characterises the kind. Heyes formalises the logical structure of the category woman as follows:

> "'woman' is defined by reference to a finite number of disjunctive sets of sufficient conditions (i.e. x is a woman if and only if x exhibits characteristics {a and b and c} or {d and e and f} or {a and c and f} and so on finitely. The characteristics invoked can be… either biological… or an individual gender presentation… or and intersubjective experience of gender" (195).

However, note that Heyes' formal definition of woman fails to quite capture the family resemblance structure she claims that woman exhibits. It is entirely possible, according to the above definition, for there to be more than one set of sufficient conditions that fit into the disjunction that defines the category woman, and which fail to share *any* properties with any other sets of sufficient conditions within the disjunction that defines woman. Heyes requires a network of overlapping similarities between her disjunctive sets of sufficient conditions, which is not captured above. A better formalization might be as follows:

> Heyesian Structure: Woman is defined by the (finite) set W_{df}:$\{w_1, w_2, w_3 \ldots w_n\}$, where $w_1 \ldots w_n$ are sets of properties (whether biological, presentation or intersubjective experience). Further, W satisfies *resemblance*: w_1 shares at least one property with w_2, w_2 shares at least one property with $w_3 \ldots w_{n-1}$ shares at least one property with w_n. X is a woman iff X has all properties of some $w \in W$.

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[5] As far as I am aware, no one has actually put forward a detailed Boydian homeostatic cluster analysis of gender, though Mallon (2007) suggests that such a model might be fruitful.

This, I take it, is the logical structure of gender according to Heyes.[6]

A slightly different version of the structuralist anti-essentialist position comes from Naomi Zack, for whom "Women are those human beings are related to the historical category of individuals who are designated female from birth or biological mothers or the primary sexual choice of men" (2005 8). Put this way, it would seem that all humans are women, as trivially all human beings will be in some relation to this 'FMP' category, but Zack specifies the kind of relations she has in mind as 'identification with' and 'assignment to'. Thus:

> Zackian Woman: X is a woman iff X identifies with or is assigned to FMP, where FMP is the disjunctive category of humans who are designated female from birth or biological mothers or the primary sexual choice of men.

One might remark, at this point, that the usage of a biconditional here implies that we have necessary and sufficient conditions for membership of the category, and that at times, Zack herself even refers to this relation to the FMP category as the essence of the category woman. It might seem odd, then, to categorise Zack as an anti-essentialist. The worry might be pushed further by suggesting that structuralists like Stoljar and Heyes also fall into essentialism by positing a structure, as the structure itself becomes the essence of the gender. Further, the following is of course true for Heyes:

> Heyesian Woman: X is a woman iff X has all properties of some $w \in W$.

These considerations suggest that structuralist anti-essentialists are not anti-essentialists at all! However, I should like to note that even if we think that Stoljar's cluster of properties, Heyes' family resemblance or Zack's relation to the FMP category are putative essences of the category woman, they are only essences in a very trivial sense. It is not "substantive" as Zack puts it (8). The 'essence' in each structuralist case does not demand that all women share a single property or set of properties. Further, it seems that the arguments that motivated the anti-essentialist to reject essentialism (as given by Bach above) do not obviously apply to the various structuralist positions. *Universality* obviously does not apply in any (non-trivial)[7] sense to any structuralist position, as each position allows that individuals who share no properties at all with one another can still both be women. *Immutability* also fails, as there is no one property that is used to define the category. *Normativity* does not, for the most part,[8] succeed either, as on Heyes' account no particular set of properties in the family resemblance is privileged, and on Zack's account, no particular relationship to FMP, nor any disjunct of FMP is privileged. *Inseparability* is perhaps a little less obviously avoided by the structuralists as I have presented them here, but Stoljar, Heyes, and Zack alike are at pains to argue that their positions account for the complex interplay between gender and race, sexuality and other identities. None, for instance, are committed to quintessentially essentialist claim that white and black women's experience *qua women* is the same, or indeed similar claims regarding, say, the uniformity of patriarchal oppression.

Section 2.2: Anti-Structuralist Anti-Essentialism

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[6] Presumably there will be an equivalent structure for man. Whether the details of each of the structures can be spelt out without misgendering, or double-counting certain individuals seems to be a worry here. It is a further question as to how non-binary identities fit into this way of treating gender. Whilst it is open to Heyes to claim that agender people will simply meet none of the sets of sufficient conditions for either male or female family resemblances, spelling out the specific details of the family resemblances given this condition may prove extremely difficult. Bigender and genderfluid people also seem to pose real problems for this account.

[7] Obviously the property 'is a woman' will apply to all women. This seems both trivial and unproblematic. One might also worry that, for example 'has all properties of some $w \in W$' applies to all women, and so Heyes' account falls victim to universality. However, given that having all the properties of some $w \in W$ does not demand that all women must share some *substantive* property, rather than a formal one, I suggest that this is a misguided worry.

[8] Stoljar's use of exemplars is something that anti-essentialists convinced by *normativity* will be wary of. Certainly it seems that there is a ready-made hierarchy in Stoljar's account between those women who count as exemplars and those who are women only derivatively, via resemblance to some exemplar.

Anti-structuralist[9] anti-essentialists about gender do not give a logical structure for gender, but rather speak exclusively negatively about the category woman (Kristeva), explain gender in terms of seriality (Young), or argue that gender is performative (Butler). For the structuralist like Heyes, there was something that we could say about the general structure of the category woman – that it is a family resemblance. For the anti-structuralist like Butler, whilst we can say positive things about the way gender functions and is constructed, we cannot make claims about the structure of the category.

Judith Butler's work on gender begins from Foucault's work on the formation of the subject. For Foucault and Butler alike, identities are constructed through the operation of discourses that regulate behaviour.[10] Discourses, on this account, have an obvious negative aspect, as they prevent certain subjects from doing certain actions, but they also have a positive aspect – "the subjects regulated by such structures are, by virtue of being subjected to them, formed, defined, and reproduced in accordance with the requirements of those structures" (1999 3). In defining the appropriate behaviours of a woman, (dominant) discourses make it possible for someone to be a woman *by performing those behaviours*. Discourses provide a set of norms that one follows, or attempts to follow, and in doing so, one performs and hence 'does' gender.[11] Thus for Butler there is no internal essence, or authentic subject from which one's gender issues, rather, as she famously puts it, "gender is an identity tenuously constituted in time, instituted in an exterior space through a *stylized repetition of acts*" (191). These repetitions create the *appearance* of an authentic and natural identity, which is thought to cause the very behaviours that actually constitute the performance (45).

Butler thinks that the particular dominant discourses that have given us the popular idea of a natural and binary gender system (at least in the Western tradition) have been those surrounding taboos against incest and homophobia, along with a discourse that demands coherence between sex, gender and sexuality (184-5). However, these are not the only scripts from which gender roles are played. Butler reminds us of the important ways in which these dominant normative discourses are challenged and disputed – most obviously in queer identities. Lesbians, for instance, disrupt the norm that a woman should desire men, and many of the rituals of femininity demanded by the dominant discourse. However, even straight cisgender women are in a position to challenge the dominant discourse of womanhood, given that the performances demanded by the identity 'woman' often far exceed what it is reasonable to do. What it is to be a woman, then, on this account, is disputed and constantly contested, and the norms that govern the performances that constitute womanhood are constantly shifting.

It is for this reason that Butler cannot be said to be a structuralist about gender. Whilst she thinks that the dominant discourses present gender not only as a natural phenomenon, but as a coherent and stable identity, for her, gender is contested, unstable and messy. She writes that gender "is a complexity whose totality is permanently deferred, never fully what it is at any given juncture in time" (22) and that "the postulation of identity as a culturally restricted principle of order and hierarchy [is] a regulatory fiction" (33). Whilst we can say something about the nature of the construction of identity, and make claims about particular contemporary discourses surrounding gender, we cannot give a formal structure for gender.

Section 3: The Tripartite Division of Social Ontology

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[9] Whilst most anti-structuralists are post-structuralists, I differentiate the two in order to capture possible theorists, like Young, who are not post-structuralists, but who do not give a logical structure for gender.

[10] I use 'behaviours' here in the loosest possible sense, to include not merely actions, but ways of performing actions, ways of thinking, inactions, comporting one's body in a certain way and so on.

[11] One might think of Butler's thesis here as one in speech act theory: just as X's utterance of "I do" in the correct context is a performative utterance constituting X being married, so too X repeated performances of multiple rituals of femininity constitute X being a woman. What counts as a ritual of femininity will vary by context – in one context it might be the wearing of makeup, whilst in others that ritual might be ascribed, by particular and dominant discourses, to other identities.

Recent work within the metaphysics of social kinds, especially race, has led to a three-way division among theorists. In the philosophy of race, there are those who believe that race is biologically real, those who hold that race is socially constructed, and those who believe that races do not exist at all. Contemporary realists about race in the philosophical literature include Robin Andreasen and Philip Kitcher, who argue for a *cladistic* conception of race, treating it as concept that refers to mono-phyletic groups, or isolated breeding populations.[12] On such an account, race is understood as purely biological concept, and whether an individual is a member of a given race can be determined purely by looking at the biological properties of that individual.[13] Racial constructionism, just like constructionism about gender, has a wide variety of supporters (see Mallon 2006 525n3) and takes a wide variety of forms, varying in the way that race is constructed and what exactly is constructed. Error theorists about race, including Naomi Zack and Antony Appiah, argue that race terms and concepts do not refer and hence races do not exist.[14] In the rest of this paper I will attempt to use the distinction between *realists*, *constructionists*, and *error theorists* to clarify the various anti-essentialist theories of gender surveyed above.

3.1: Realist Anti-Essentialism

At first glance, the possibility of an anti-essentialist biological realism about gender seems largely implausible. Anti-essentialism about gender, in the first instance, came about through a rejection of biological essentialism about gender,[15] and thus any position defined solely in terms of biological properties must *surely* be opposed by the anti-essentialist. This, however, can be shown to be false by employing a simple family resemblance model of gender (in the mode of Heyes) and stipulating that all properties within all $w \in W$ are biological. Thus suppose 'man' is defined by M_b: $\{m_{b1}, m_{b2}, m_{b3},\}$, where m_{b1}:{'has XY chromosomes' and 'has a penis'}, m_{b2}:{'has XY chromosomes' and 'has above average testosterone levels'}, m_{b2}:{'has a penis' and 'has above average testosterone levels'}. Thus unless the anti-essentialist is prepared to reject Heyes' position *as essentialist*, it seems that simply being an anti-essentialist is not enough to exclude the possibility of being a biological realist.

However, whilst views of gender like M_b are available within the logical space of positions available to the anti-essentialist, it is one that would be rejected by most actual anti-essentialist theorists. Most, following on from de Beauvoir's famous assertion that "One is not born, but becomes a woman" (301), will want to account for the social aspects of gender, alongside biological features. However, the anti-essentialist can also appeal to the sorts of commitments made in their arguments against essentialism to provide reasons for rejecting biological realist anti-essentialism. For one, the anti-essentialist's commitment to *inclusion* will mean that, for example, trans men who have not undertaken phalloplasty surgery nor hormone replacement therapy, who are excluded by M_b from the category 'man' will constitute a reason to reject M_b as a definition of 'man'. Similarly, M_b might be seen to place *normative constraints* on trans men, who, given M_b as the definition of 'man' might be faced with a choice between surgery and 'not being a real man'. As the commitment to inclusion and the rejection of normative constraints are both core anti-essentialist tenets, the anti-essentialist does have principled *anti-essentialist reasons* to reject this kind of biological realism.[16]

3.2: Structuralism and Constructionism

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[12] See Andreasen 1998, 2000 and Kitcher 1999.
[13] I take it that 'being a member of an isolated breeding population' is a biological property, even if that property is neither a phenotypical nor genetic property, but rather a genealogical one.
[14] See, for example, Zack 1993 and Appiah 1985.
[15] Which is possibly the reason for its conflation with constructionism.
[16] The anti-essentialist biological realist might also be seen to run afoul of *inseparability*, given that the anti-essentialist biological realist account of woman fails to account for the way in which gender exists and develops in ways that intersect with social features like race, class, sexuality and religion. Further, *immutability* also seems to be a problem for such a position, as it would seem that women would continue to exist regardless of their biological features. Certainly the toy theory above would fail to adequately account for such worries.

Whether the structuralist anti-essentialist positions surveyed in 2.1 are constructionist is less clear than it might initially seem. Whilst all include social properties in their definition of 'woman', each position also maintains some biological properties. Thus Stoljar's account makes it clear that one can be a woman (partly) in virtue of one's biological sex, Heyes claims that biologically real properties play a part in her family resemblance definition of 'woman', and Zack invokes the notion of a biological mother.[17] It is thus less than clear that structuralist anti-essentialists are *purely* constructionist about gender. I turn now to the contemporary analytic literature on social construction to see if it can shed any light on their position.

Following Ian Hacking (1999) the literature on social construction distinguishes between *epistemic* and *metaphysical* constructions. That is, whether X itself is constructed is a distinct question from whether our knowledge of, ideas surrounding, or concept of X is constructed (see, for example Diaz Leon 2013, Ásta Sveinsdóttir 2015). With regards to epistemic constructionisms, or *idea constructionism*, Haslanger writes that idea constructionists about domain D "are sympathetic to (a) the contingency of our understanding of D; (b) nominalism about kinds in D, or more precisely, a denial that the domain D has an inherent structure; and (c) an explanation of the stability of our understanding of D in external rather that internal terms" (Haslanger 2003 304). Obviously, no structuralist will satisfy (b) here in its precise formulation, but we might still ask whether the structuralists considered above support (a) and (c) with respect to gender. To unpack (c) slightly, Diaz-Leon remarks that it is best understood as the claim that factors other than epistemic virtues and evidence feature in an explanation of the use of an idea (1140). Thus the statement that "the category 'homosexuality' is in widespread usage because it picks out an explanatorily useful human kind" is not an idea-constructionist claim, whilst the statement that "the category 'homosexuality' is in widespread usage because of the particularities of the 19th century medical establishment" is such a claim.

With respect to (a) and (c) at least, it seems obvious that Heyes' concept of woman is socially constructed, as she thinks that the lines that get drawn about who counts as a woman will have to be decided through feminist practice:

> "We draw boundaries around "woman" in order to use that category for a specific purpose.
> I take a corollary of this to be an important anti-essentialist point; i.e., that we deconstruct
> and reconstruct meaning *through* our use of categories" (100).

Thus not only is our understanding of 'woman' contingent, it is contingent upon features of political activism, not theoretical simplicity, elegance or other epistemic virtues. Meanwhile, Stoljar also seems to be an idea-constructionist with respect to (a) and (c), as for her the concept 'woman' is similarly revisable in the light of political considerations. This might seem a little odd, given that Stoljar has a fairly stable structure for woman – similarity to exemplars who exhibit at least three dimensions that are associated with the idea of woman. However she claims that we have a choice over the exemplars, and that this choice is a potentially political one (286).[18] Zack also appears to be an idea-constructionist with regard to (c), as she thinks that the "disjunctive attributes of the FMP category… have all been *historically* associated with women" (33). Interestingly however, she also appears to deny (a), as "it is impossible to imagine the group of women without also imagining the disjunctive attributes of the FMP category" (33). It would seem then, that there is at least a form of idea-constructionism at work in the structuralist anti-essentialists.

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[17] Strictly speaking, on Zack's account, the biological property of being a mother is bracketed inside the notions of 'identification with' and 'assigned to'. Assignment looks like a social phenomenon, and 'identification with' could, if spelled out in the right way be a purely social relation. Thus unlike Stoljar and Heyes' accounts, which feature a mix of social and biological properties, spelled out in the right way, Zack's account could be a *purely* constructionist account of gender. Similarly, there is room in logical space for positions like that of Heyes and Zack, but which solely make reference to social properties.

[18] It is less that clear to me that we have a choice over the exemplars in the way that Stoljar suggests, given the definition of woman that she gives. Her definition seems to say that *all* those who meet at least three 'woman dimensions' are exemplars. Presumably Stoljar has an easy fix on this front, however, simply claiming that only some are exemplars, and that who counts as an exemplar will be a product of context, including social norms, political aims and so on.

Of course, we are not only interested in whether the concept of gender is constructed according to structuralist anti-essentialists – we are also interested in the metaphysical question of whether *gender itself* is constructed and the way in which that construction occurs. Philosophers distinguish two ways in which metaphysical construction might function. The first, *causal* construction, is described by Haslanger as follows:

> "*X is socially constructed causally as an F* iff social factors (i.e. X's participation in a social matrix) play a significant role in causing X to have those features by virtue of which it counts as an F" (2003 317).

The computer upon which I am writing this paper on is in this sense socially constructed. It was a variety of social factors that brought together the various parts required in order for the thing in front of me to count as a computer. Similarly, we might think that the chronic leg and lower back pain experienced by a woman who has been forced by her employer to wear high heels to work every day is causally socially constructed. Social factors come together to *cause* her to suffer from chronic pain. Whilst relevant to our discussion, I suspect that this is not, however, the way in which our structuralists think that gender is constructed. Certainly, causal features of the social world might cause *individual* women to be constructed as women,[19] but this is not the construction of the *kind* woman. The second form of metaphysical construction discussed in the analytic literature is *constitutive* construction:

> "*X is socially constructed constitutively as an* F iff X is of a kind or sort F such that in defining what it is to be F we must make reference to social factors (or: such that in order for X to be F, X must exist within a social matrix that constitutes Fs)" (Haslanger 2003 318).

Presidents are in this sense constructed.[20] What it is to be the president of a state is defined in terms of a complex variety of social relations, and one can only be a president if there is an existing 'social matrix' or complex set of institutions and relationships that produce the position president.[21] It seems fairly obvious that according to this definition, all of Stoljar, Heyes and Zack regard gender as constitutively constructed. Each takes there to be at least some social factors that are required in order to define what it is to be a woman, whether those be properties of individual women (like an individual having a particular feminine social role) or properties of woman as a category (overlapping resemblances, some of which will be social features of woman). Each also recognises that it is within a particular social world or 'matrix' that woman is constituted.

However, that our structuralists come out as purely constructionist according to the distinctions made by the analytic tradition should give us pause. Each (*pace* a certain reading of Zack) places a heavy emphasis on the involvement of biological properties in their definition of woman. Further, there are examples of women who count as women on structuralist accounts *purely in virtue of their biological properties*. Take the following example with Heyes' account. Suppose that $w_b \in W$, where w_b:{has a vagina, has long hair, has XX chromosomes, has female gonads}. Further suppose that there exist people – women$_b$ who satisfy w_b and do not satisfy any other $w \in W$. Such people would be women purely in virtue of their biological properties. Similarly, on Stoljar's account we might think that there are women$_b$, that is, people who resemble exemplar women solely in virtue of their biological properties, and resemble the exemplars

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[19] For an example of this using Zack's definition, we might imagine the person, who, raised in a conservative environment might never be assigned to or identify with the FMP category, but who, were they to be raised in a more progressive social world might come to be assigned to or identify with the FMP category.

[20] Writing in the lead up to the 2016 US presidential election, this strikes me as the best counterexample to the claim that "since X is constructed it doesn't really exist and hence doesn't really matter" which is often produced to dismiss feminist and anti-racist concerns.

[21] There is also a sense in which any individual president is causally constructed as president. A variety of social factors caused the electoral colleges to install Barack Obama in 2008, causing him to become president.

closely enough to count as women. To resolve this tension, we might say this – the kind woman is constitutively socially constructed in the Haslangerian sense, defined in terms of social and biological features. The existence of that (constructed) kind is necessary for anyone to be a woman, that is, for anyone to be a woman, the social matrix in which they exist must be such that the constructed kind woman exists within it. Whilst women$_b$ are members of the kind woman in virtue of their biological properties, that there is a kind woman for women$_b$ to be a member of is a socially constructed phenomenon.

Whilst it is clear that structuralist anti-essentialists do not fit entirely neatly into the constructionist camp, given the usage of biological properties in their definitions and women$_b$, the recent literature on social construction has helped to ease some of the perceived tension between structuralists and their purported position within the tripartite division of social ontology.

3.3: Anti-structuralism and Error Theory

Whilst it is fairly clear that structuralist anti-essentialists are idea-constructionists about gender and are at least largely metaphysical constructionists about gender, the position of the anti-structuralist is a little more contentious. They have been characterised as sceptics (Mikkola 2007, Mallon 2007) and accused of "refusing to construct anything" (Alcoff 418). Such remarks suggest that, rather than being constructionists, anti-essentialists might better be thought of as error theorists about gender. Despite this, there has been little explicit discussion of error theory about gender, at least in the analytic tradition. Stoljar briefly considers it:

> "…one possible approach would be to develop an "error theory" of the concept woman; that is, to argue that insofar as our ascriptions of the term 'woman' purport to attribute universal natural properties, they fail to refer and hence fail to be true of the world. This option would argue that since there is no natural universal named by the general term 'woman', there are simply *no women*" (275).[22]

However, no theorist[23] in the analytic tradition has defended an error theory about gender. However, among the anti-essentialist theorists of gender there are several continental philosophers who could, at least *prima facie*, be thought to be error theorists, even if they would not use that label. Linda Alcoff has argued that those who adopt a post-structuralist research program are committed to "the idea that the category "woman" is a fiction and that feminist efforts must be directed toward dismantling this fiction" (417). If Alcoff is right, then it looks as if the likes of Kristeva and Butler are committed to error theory about gender.

Certainly, treating Kristeva as an error theorist looks plausible. For Kristeva, "A woman cannot be; it is something that does not even belong in the order of being" (137). This matches up well with arguments made by Appiah and Zack. Taking both folk and scientific conceptions of race, they argue that none of these conceptions refer, whether on descriptivist or causal-historical understandings of reference. We might, then, argue that in denying that women exist and "refusing to construct anything" (Alcoff 418) Kristeva may be read as an error theorist about gender.

However, with regards to Butler, we should not be so quick. Whilst it is quite clear that Butler is heavily indebted to Foucault, she should not be characterised as an error theorist about gender. For one, in order for the error theorist's argument to get going, stable conceptions of race or gender are required, which are then compared to reality to see if they refer. For Butler, however, 'woman' is never stable, nor does it have a

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[22] Interestingly she thinks that there is a parallel between de Beauvoir's argument in the introduction to *The Second Sex* and J.L. Mackie's error theoretic approach to colour and morality – see Stoljar 1995 291n44.

[23] At least no theorist has to the best of my knowledge. Note that this is not to say that constructionists are never revisionary about our gender concepts, or never claim that the extension of our *manifest concept* is incorrect (see Haslanger 2000). Rather, no theorist has taken the Mackie route and claimed that there are no women or facts about women.

fixed reference – rather, as noted above, it is a constantly shifting and contested notion. Second, Butler is quite happy for gender terms to refer, though what is referred to may constantly be changing or under question. Third, error theorists in metaethics claim that claims about morality are truth-evaluable – it is simply that all such claims are false. Butler, by contrast, makes no commitment regarding our claims about gender. Finally, and perhaps most importantly, Butler has a positive theory of how gender is constructed, in terms of performativity. Butler, then, is better understood as a constructionist. Butler's view is quite clearly that gender is *constitutively* constructed. One cannot be a woman unless one exists within a social matrix that contains the norms and scripts associated with being a woman – that allow one's performances to count as performing womanhood. The discourses that define and regulate the behaviour of women make it possible to take up the position of being a woman, we might say.

Section 4: Conclusion

We have seen that the structuralist anti-essentialism is a versatile position, able to form biological realist, purely constructionist and mixed accounts of gender. These mixed accounts make something of a mockery of a sharp distinction between constructionism and realism, but we saw that most were idea-constructionists, and all were constitutive constructionists about the kind woman, even if individual women were members of that kind purely in virtue of their biological features. Meanwhile, the anti-structuralist position seems to be largely constructionist, contrary to Alcoff's contention. Despite this, questions still remain over whether Alcoff was correct in her categorisation of Kristeva as an error theorist. The simple conflation of anti-essentialism and constructionism, however, will not do.

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