I am What I Identify as:

An Analysis of Gender Identity in Analytical Philosophy

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Abstract

My thesis focuses on definitions of gender identity that have been held in analytic philosophy. I argue, using mainly testimonies and ideas that can be found in popular liberal discourse sources, that the positive definitions that have been put forward cannot include some relevant experiences or are not enough for advancing genderqueer and trans rights. Nevertheless, I hold that gender identity is a concept we need. Because of this, I conclude by putting forward a different kind of definition of gender identity that I consider more promising, one that views it as a cluster concept.

Declaration

I hereby declare that this thesis is the result of original research; it contains no materials accepted for any other degree in any other institution and no materials previously written and/or published by another person, except where appropriate acknowledgment is made in the form of bibliographical reference.

I further declare that the following word count for this thesis are accurate:

Body of thesis (all chapters excluding notes, references, appendices, etc.): 18,465 words

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Signed: Manuela Rondón Triana

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1. Introduction

1.1. The Problem, Justification and Positionality

Although most of us do not often think about what it means (or feels like) to have a gender identity[1], this concept has gained considerable popularity lately. I think it can be argued, as I will do at the end of this introduction, that it is the current definition mainstream liberal popular discourse has of gender in the West[2]. That is, when asked to define, for example, what it is to be a man, it is often said that it is precisely identifying as a man, *i.e.*, having a male gender identity or, preliminarily, having an internal sense of oneself according to which one is a man. The concept, which makes gender something that can only be directly accessed from a first-person perspective (since I am the only one who can directly know what internal sense of gender I have) has also gained philosophical attention, with philosophers trying to clarify what lies behind it.

In this text I will focus on the most prominent analytical philosophy accounts of gender identity. I will first argue that, although they can be enlightening, some aspects of them fall short when it comes to both explaining what (some) people experience with regards to their own gender identity and to advancing trans and genderqueer rights. This can be seen by considering what the liberal popular culture discourse says. This discourse, although is not often considered in academical contexts, is valuable for a topic like mine given that it includes experiences that are valuable for understanding a concept that is connected to what people feel. Despite this, I will hold that it is wrong to claim that the concept of gender identity should be eliminated, and I will then argue that a definition that is able to not reduce having a certain gender identity to a single feature is better. So, I will put forward a cluster-type definition.

With regards to the popular culture liberal discourse, I think two clarifications are in order. Firstly, while I will try to use pop culture discourse as much as possible, I will

[1] This much has become clear to me when I talk about this thesis with cis acquaintances, friends, and family who are different ages and come from different countries. To clarify what my topic is, I often end up asking them what it means to them to have the gender identity they have. Most of them open their eyes in surprise as they realize they had, for the most part, taken it for granted and never given it much thought.

[2] I do not wish to join the discussion on how to understand "the West". For my purposes I think it suffices to say that Western European countries, Canada, the U.S., Australia, and New Zealand are clearly part of the West. I will focus on anglophone sources when discussing the mainstream popular discourse for practical reasons. The reader is, however, both encouraged to ask to what extent the ideas that will be discussed are present in other languages and present in countries that are both not clearly part of the West, but that may be seen as part of it (those of Latin America) and that are not part of it.

also use philosophical sources to show some of the shortcomings of the definitions of gender identity. If I consider someone else has put forward a good argument against an account, I think it would not make sense not to include it, even if it does not come from pop culture. Secondly, I have a limited popular discourse corpus because the main purpose of the thesis is not to focus on it, but on the philosophical accounts. I will use only three main sources. I think, however, that they are very valuable. The first one is a book by Ashley Mardell. The book includes several testimonies from people of all genders, often YouTubers who are somewhat known in the LGBTQ+ online community. The second and third are two TouTube channels, created by two trans women who have made philosophical analyses about their own experience as trans people and about gender, sex and identity in general, among other topics. I believe that the fact that both channels are very popular (both have over 1 million subscribers) and use a philosophical perspective will help me conduct the discussion between analytical philosophy and the mainstream discourse. Although I am convinced that these sources are a great place to start my inquiry because of their popularity, their reflexive nature, their philosophical perspective, and their richness, I know considering different sources could enrich or change the conclusions I will come to in the thesis.

I consider that advancing the analysis I am proposing can be useful for three main reasons. Firstly, it can help us better understand the discursive moment we are living in, *i.e.*, what is it that a liberal discourse requires in relation to gender identity. Secondly, it contributes to evaluating to what extent analytic philosophy is able to approach a concept like gender identity and provide a satisfactory definition of it, despite the multiple ways in which it is commonly used and the political repercussions that defining it might have. Finally, if my final argument is convincing, it may help better articulate a concept of gender identity that is more promising for including diverse experiences and validating minority gender identities.

I am aware that discussing gender requires me to be particularly aware of my position. Talia Mae Bettcher (2018), a trans philosopher, criticizes some philosophers' tendency of talking about topics like trans issues, gender, race, and disability as if they were talking about metaphysical questions about chairs. The former discussions are different because there are real people affected by what is said and who can be part of the conversation. Sophie Chappell (MS), another trans philosopher, criticizes philosophy for its tendency to theorize too soon before experientially understanding

the phenomena we are trying to theoretically explain. She, thus, advices one to begin from where one actually is, from one's own subjectivity.

Following these warnings, I have to recognize that I am a cis woman, one that, however, does not fully understand what it means to be so. I say I am a woman because I have never felt uncomfortable *enough* with the world telling me than I am one, and because, while I recognize that being another gender (particularly a man) comes with advantages, I have never felt neither that that is what I am nor what I would like to be. So, this is where I start from and how I personally feel with regards to my own gender. I hope my lack of a better experiential understanding does not, like Chappell could think, get in the way of any possible theorizing. It is precisely it what motivates me to think about gender identity. And I hope I can make up the lack of a fuller understanding by trying to take seriously the reports of people who have more insight into their own gender. They often happen to be trans and/or genderqueer. I also hope I am able to carry out the discussion in a way that is at the very least not harmful to minority communities (trans people, gender queer people[3], and others who express their gender in a non-cis and heteronormative way).

The thesis is divided in three main chapters, in addition to the introduction and the conclusion. In this introduction I situate the discussion I am interested and the frame that will guide the discussion in the following chapters. In the second chapter, I focus on four possible definitions of gender identity. I present each of them and argue that they are not good enough by using some ideas that are present in the liberal discourse and some testimonies of people regarding their gender. In the third chapter I consider the possibility of eliminating gender identity and argue that it is not in our best interest to do so. Finally, in the fourth chapter, I sketch a different type of definition of gender identity that I think fares better than the ones I will consider.

1.2. Rival Definitions of Gender

[3] Throughout the thesis I will use both genderqueer and non-binary to talk about those who do not identify as women or men. I am aware that for some both terms might have a different connotation, but I think that using them as umbrella terms (as terms that include people of different identities that fall outside of the binary) is practical given that in the literature both are used in this sense and that the purpose of the thesis is not to explore these particular gender identities or those that may fall underneath them, but gender identity in general.

Before moving on to show that in mainstream liberal discourse gender identity has come to play the central role when it comes to defining gender, it is important to distinguish this definition of gender from other possible ones. Even though in philosophy and in other academic contexts, as well as in mainstream discourse, there are multiple accounts of gender that one can only differentiate by paying attention to subtleties, I think that, for my current purposes, it is enough to distinguish gender as identity from the two other dominant and most widespread views on gender: gender as sex, and gender as a social role. These two conceptions of gender contrast with gender as identity, among other things, because they do not make gender something that is only directly accessible from the point of view of the subject who experiences it.

In the analytical tradition the former of these views is put forward by, for example, Alex Byrne (2020) and Kathleen Stock (2021), who claim that the concept 'woman' just refers (and should keep referring)[4] to female adults, that is, to individuals who share certain biological features, like having two X chromosomes, a female reproductive system, and certain secondary sexual characteristics. The latter view is held, for instance, by Sally Haslanger, Charlotte Witt, and Ásta. Haslanger (2000) defines gender as a social class that puts women in a subordinate position and men in a dominant one. Witt (2011) similarly defines gender as the category which unifies people's social roles and that is based on engendering as a socially mediated function. Ásta (2018) sees gender as a conferred property in a social context that gets conferred when the person to whom it is given is taken to have certain base property, which can vary in different contexts (and, thus, can even be gender identity in, *e.g.*, queer circles).

It is important to recognize, on the one hand, that some of the above-mentioned accounts of gender (Witt's, Haslanger's and Ásta's) do not exclude the view that gender identity exists and is important. Likewise, defining gender as gender identity does not necessarily exclude the idea that gender, in some relevant senses is something else. As we will see, Katherine Jenkins (2016), for example, gives a very detailed account of gender as identity, while also adhering to Haslanger's analysis of gender as social class. In this sense, one can be a pluralist about gender, *i.e.*, one can

[4] The clarification might be important because of the distinction most authors in the field of the metaphysics of gender make between descriptive approaches (those that seek to identify the natural kind that our concepts pick out) and ameliorative approaches (those that seek to find a definition of a concept considering what definition would allow it to best serve certain proposes) (Haslanger, 2000). The distinction is fundamental when discussing gender and when understating the shift towards gender identity because of the social and political role the concept plays.

hold that gender has more than one definition. In this thesis, however, I will not focus on pluralism, but only on those accounts of gender as identity (independently of whether they are compatible with other definitions or not). However, there are clearly definitions of gender which are incompatible. Those who descriptively and amelioratively define gender as sex, for example, cannot accept that gender is also gender identity. They can accept that gender identity exists, but not that it is an acceptable definition of what gender is. Stock's account, which I will consider in the chapter that I devote to eliminativism, will show this.

All the three classes of definitions mentioned so far have some influence in or have been influenced by mainstream accounts of gender. TERF (trans exclusionary radical feminist) movements, for instance, are well-known for holding that women are only female adults. This definition is also the one that is found in most dictionaries[5] and the one that a significant number of those who have not thought about gender intuitively hold. The idea that gender is a social role has also influenced the mainstream discourse, for example, in that some people acknowledge that most differences between genders are not natural, but social. This is why we encounter posters criticizing that men are raised to not display emotions and women to try and please everyone, and why, as I will mention soon, some NGOs that fight for LGBTQ+ people claim that the way we view gender and which qualities and roles we think each gender should have are completely determined by society. However, it is my intention to argue that currently the western liberal popular discourse privileges the definition of gender as gender identity.

1.3. The Current Mainstream Liberal Discourse

As Stock (2021) mentions (although with some rejection), it has become more common for (liberal) institutions to start asking about how people identify to determine whether they should access certain gendered spaces or not, and to decide how to address them. People also often write their pronouns in their social media or in their email signatures, with the expectation that others use them as the main indication of

[5] See, for example, the first definitions of the Merriam Webster entry (https://www.merriam-webster.com/dictionary/woman) and of the Oxford Learner's one (https://www.oxfordlearnersdictionaries.com/definition/english/woman#:~:text=%5Bcountable%5D%20an%20adult%20female%20human).

their gender and as a guide on how to refer to them. Some politicians and public figures (although, in my opinion, this is not as common as Stock thinks it is) have endorsed the slogans “trans women are women” and “trans men are men”. This slogan, as Natalie Wynn (2019b), the creator of the YouTube channel Contrapoints, remarks, is often taken to mean “trans women are women *because* they identify as women” and “trans men are men *because* they identify as men”. Gender, then, is made to depend fundamentally on people’s self-identification. That gender identity is also becoming the prevalent way of defining gender in western liberal circles can be argued if one looks at the definitions LGBTQ+ NGOs use of gender. They tend to see gender as identity more than as anything else.[6] I hope this suffices to show the importance the concept of gender identity has today. I do not wish to take part in the discussion regarding whether this turn is completely beneficial or whether other definitions of gender might be more useful for certain purposes. I will just say, although I cannot argue for that here, that, for me, the turn is a good one and that there is no reason to not recognize that for some purposes (such as understanding our society) other definitions of gender are important.

Before leaving this general section about the popular liberal discourse, I think it is important to say that it can also help us to identify what kind of definition of gender identity would be desirable. I think there are two main desiderata. The first one is that it should validate trans and genderqueer people’s identities. I believe this is precisely what is behind the turn towards privileging gender identity. If this definition of gender is not privileged, it is harder to accept trans and non-binary people’s claims of being a certain gender. In what follows I will evaluate all the definitions taking this into account: they should be able to fully validate identities that are not cis and/or binary. How to fully do this will become clearer as we advance and particularly in the chapter concerning eliminativism. However, they should also be able to account for those that are cis. If not, the definition is not a good definition of gender identity in general.

[6] To determine how common it is to define gender in terms of gender identity, I used the NGO database compiled by the Teachers College at Columbia University. I filtered my search to display the NGOs of the five anglophone countries of the West (the U.S., the U.K., Australia, Canada, and New Zealand). The database contained 37 NGO’s. Out of those, 5 had broken, missing or clearly outdated websites; 22 had no definition of gender or gender identity (in most cases because the NGO focused on different activities than educating the public, like providing legal, financial or phycological aid, or because people were supposed to attend workshops to access the educational material); 3 defined gender as a social construction; and 7 identified gender with gender identity. The latter was sometimes explicitly done, and sometimes just implied (by, for example, contrasting sex, understood as a series of biological corporeal traits, with gender identity and with nothing else, a sign that gender identity has taken gender’s place).

The second desideratum is that gender identity should be able to make sense of personal experiences, that may be very different. I say this because it was become common for people to see in their gender identity something that explains who they are, something that can accommodate how they feel with regards to gender. Some readers might have experienced this themselves (and think that their having certain identity helps them make sense of some things about themselves). But even if everyone has this experience, it seems that among those who have thought more about gender, often those who are not cis, it is common. Some of the testimonies I will quote in the following chapters will show it, and I will come back to talking about gender identity and experience when I am discussing eliminativism. For now, I will just include a short part of YB's, one of the person's Ashley Mardell (2017) interviews for their book that I think clearly shows my point: "I consider non-binary to be less of an expression of gender(s) and more of a explanation. I kept searching for something that made me feel like myself." (Chap. 2, section "non-binary", para. 5).

2. Possible Definitions of Gender Identity in Analytic Philosophy

In this chapter, I will present what I consider to be the four main definitions of gender identity that have been proposed by analytic philosophers. In the first part of each section, I will discuss what the definition consists in and what in amounts to. Then I will point out in what sense I think the definition is insufficient or problematic.

2.1. Body

In this section, I will devote my attention to the view according to which gender identity is to be defined in terms of how one feels with one's own body. After considering the arguments that support it, I will show, with the help of a side of popular culture discourse, that understanding gender identity like this is problematic because it cannot account for non-binary identities, because it does not do justice to either trans people who are comfortable with their own body or to cis people who are uncomfortable with theirs, and because it can be seen as reducing having a gender identity to desiring something.

2.1.1. Chappell's Account

When attempting to describe what it is for her to be a trans woman, Chappell says that it is the profound, "all-consuming" (2020) sense that the body she was born with does not have the shape she wants it to have to feel at home in it. To be a trans, then, she says "[…] as far as I can see, is about having a body that is the one shape, and wanting a body that is the other shape." (MS, para. 24). If this is what being trans is, I take her account to imply that cis people are those who do feel at home with the sexed body they were born with, *i.e.*, those who do not wish to have a different kind of body than the one they have always had. Having defined "trans women" in those terms, Chappell sets out to criticize two views some trans people hold that are mistaken. The first one has to do with the kind of oppression trans people face when assigned to the wrong gender and the second one with identity statements. Although Chappell's treatment of the first one is interesting on its own, I do not believe it helps to clarify her proposal, so I will not include it here. The second one does, and because of that, I will now consider it.

There is a mistaken view that claims that when one says one identifies as a certain gender, one is doing a performative speech act. To analyze expressions like “I identify as a woman”, Chappell begins by asking what we are trying to convey with similar expressions like “I identify as a European”. According to her, “in normal discourse”, when we use identity statements, we mean to say that we are already in that category and that it is an important category to us. That is, we make a descriptive use of language, and we avow that the fact we are describing is important to us. She thinks that gender-identity expressions can be viewed in the same way: “[…] just picking out one of the categorizations that already fit [the person who makes the claim], and saying that that’s one that matters.” (MS, para. 52). For Chappell, then one is not a trans woman because one has said one identifies as one, but rather, because one has certain other property one’s statement tracks, namely (again because of her definition of trans women), that of not feeling at home in a male body and of desiring to have a female one. I believe this criticism shows us precisely the role of the discomfort or comfort with the kind body one has. It is a basic feeling that people share when they state identity utterances. It is a real property that we alone can access.

2.1.2. Bettcher’s Consideration of the Body

It is important to distinguish this account from others that also give the sexed body and one’s feelings towards it a central role, but that either do not think that gender tracks gender identity or that the latter should be defined mainly in terms of how one feels in one’s own sexed body. Bettcher (2014) discusses two versions of what she calls the “wrong-body” model. The main idea behind the model is that being trans is basically being trapped (or having been trapped) in the wrong kind of body. According to the weak version of the model, “[…] one is born with the medical condition of transsexuality and then, through genital reconstruction surgery, becomes a woman or a man in proper alignment with an innate gender identity.” (p. 383). So, in this model, one has an innate identity, which is not enough for being a certain gender. This requires undergoing genital surgery. The problem with this view, as Bettcher notes, is that it gives genitals too much importance when it comes gender classification, a decision that is questionable not only because it excludes some trans people, as we will see, but also because even when it comes to sex classification, there are other factors that could be arguably said to be as or more important than genitals (chromosomes,

hormone levels, secondary sex characteristics, etc.). For my purposes, however, this view is not relevant because it does not view gender identity as the central factor of gender. It just makes it that which motivates someone to change their bodies to *then* become another gender or sex after having surgery.

The second version of the "wrong-body" model could be seen to be closer to Chappells' (Gheaus (2023) actually thinks they hold the same basic idea) but, I think, is still different in a very important aspect. It holds that the trans person has always been a man or a woman because they have always had a gender identity (something people would apparently be born with) that was misaligned with their body. In this account it is clear that gender identity is fundamentally tied to the sexed body. If it was not, it would not make sense to see it as in alignment or misalignment with it. This, however, does not mean that, for Bettcher, it is defined in terms of the body or one's feelings towards it.

I think it cannot be defined in those terms given that later Bettcher goes on to criticize the model because, among other things, although it "[…] makes a political gesture in helping to secure transsexual identities as belonging within a particular binary category, it does so in a way that feeds the very oppression it opposes" (p. 388). She argues for the latter point claiming that when trans people say they have always had a gander identity that does not match their body, they end up naturalizing what it means to be a woman or a man. This contributes to oppression because it naturalizes cultural sexist phenomena that treat women as inferior in the sense that it presupposes there is a fixed way of being a man and a fixed way of being a woman (presumably, one that makes women, for example, more submissive). In other words, Bettcher's concern is that the wrong-body model makes gender identity and thus gender[7] something people naturally have (which is the reason it can be innate) and not something that is constructed in a way which is oppressive to women. If it is true that the wrong body model essentializes what it means to be a man or a woman and this is gender identity, it cannot be that gender identity is just the feeling of being at home or not in one's own sexed body. It must go beyond that and be a certain cluster of gender properties or something similar. If it was just a feeling towards one's own body,

[7] I think in the view Bettcher is discussing here both gender identity and gender have to be innate. If gender identity being something people are born with naturalizes sexist phenomena, it is because it means there is a fixed way of being a certain gender, which makes gender innate.

understanding transness in terms of it would in no way perpetuate oppression towards women.

2.1.3. What is Wrong with Chappell's Account

Distinguishing Chappell's view from the one Bettcher considers allows one to, on the one hand, better understand what is at stake and, on the other, see what kind of arguments could be directed against Chappell's. Because of what I just said, it cannot be argued that the view perpetuates oppressive stereotypes against women. However, I do not think it can escape other problems. Probably the most salient one (which Bettcher might be pointing to when she summarizes the medical transition state of her and some trans friends) is that not every trans person feels uncomfortable in their body. This is, according to Wynn (2019b), highlighted in the "Social Justice Warrior Discourse" because this discourse claims trans people do not need dysphoria (the medical term for the discomfort towards one's own sex body) to be trans. This means, then, that there are some people with a gender identity that has nothing to do with how they feel with their bodies. Therefore, the definition in question cannot explain what having a gender identity means to everyone.

Similarly, the view fails to consider that cis people can also feel discomfort with their sexed bodies. Abigail Thorne (2022), the creator of PhilosophyTube, remarks, for example, that this is the case of a cis woman going through menopause and not feeling that her body is hers; a man who cannot grow a beard, is skinny and looks at his peers while thinking "I should be manlier"; and a woman who has hair on her face and decides to get rid of it because she thinks she looks like a man. So, cis people can feel discomfort with their own sexed body without it meaning that their gender identity does not correspond to the gender they were assigned at birth. Some would argue that the two feelings are different and are felt to a different degree. I think this does not have to be the case. When discussing the topic, Mardell says: "The experience of dysphoria is different for every trans person. For some, dysphoria is a subtle nagging dissatisfaction, while for others it's an extreme, profound sorrow". (Chap 2, section "gender dysphoria", para 5). This means that some trans people experience the discomfort as something very painful and deep, but for others it is more superficial. On top of this, it cannot be ignored that some cis people are willing to go to extreme lengths (surgeries that can be very dangerous) to feel comfortable with their sexed body.

Conceptually, Thorne (2022) herself recognizes that some people call the feeling of discomfort cis people feel “body dysmorphia” to indicate that it differs from gender dysphoria. Nevertheless, she claims there is no conceptual real difference between the two, except that the latter is constructed as something trans people alone feel. The problem, I think, is that it presupposes a distinction that is supposedly helps to ground. On top of this, Thorne (2022) argues that differentiating drastically between the two can have bad medical consequences: whereas cis people are given treatments to deal with their discomfort without much examination (even if they can be life threatening), trans people are often required to go through several evaluations and to wait for long periods of time to access the same treatments. In this sense, grounding gender identity in dysphoria can be pathologizing and not in trans people’s best interest.

The view also seems to presuppose that everyone fits into either the category man or women, given that it reduces gender identity to being at home or not within a female or a male body. It seems to not be able to account for genderqueer people’s experience. What kind of body would they want? One that is not completely female nor completely male? This is certainly not always the case, given that a significant number of non-binary people are comfortable enough in their bodies. On top of this not being clear, some non-binary people’s testimonies show that having this identity can have nothing to do with the body. Jennifer, who identifies as neutrosis, a gender identity that centers around having a null or neutral gender, says:

> I feel I do have a gender –I have a connection to a specific sense of self– and so do not relate with those that are genderless. It is this other gender (one that is not defined by body parts or expression nearly as much as the binary genders) that I feel a close connection with. (Chap 2, section “neutrosis”, para. 4)

Some genderqueer people, like binary trans people, are, then, comfortable with the body they were born with, but their gender identity still does not align with the one society attributed to them based on that body.

Finally, although at first sight the view can seem to be a very good account for validating the existence of trans people who fit in the binary, like Wynn (2019b) points out, when one has a closer look at it, it makes gender depend on feelings, on the emotions one has in one’s own body. While this can be non-problematic for some people, others long for a stronger account of what it means to be trans, because, on the one hand, they do not feel that desiring to be a woman is the same as being a woman: there is a clear distinction between wanting to be something and actually being

it. On the other, an account like that one might not be enough for society to respect trans people's rights. Socially and politically, people are not typically granted the rights of the groups they wish they belonged to, but the rights of the groups they do belong to.

These problems show that although a definition of gender identity in terms of the kind of body one feels comfortable in can adequately capture part of the experience of being cis or trans, gender identity goes far beyond it. The next accounts focus on aspects beyond the body to define gender identity.

2.2. Rules

In this section I will focus on the possibility of defining gender identity in terms of what kind of gender rules one has internalized or wishes would apply to one. After presenting it, I will conclude, again on the basis of some popular culture ideas, that the account either fails to consider that someone might feel their gender identity does not match the rules they have internalized, or it reduces gender identity to a mere desire.

2.2.1. Jenkins' Account

Jenkins (2018, 2016) holds an account of gender identity that she calls the "norm-relevancy-account" and that proposes the following definition of gender identity:

> S has a gender identity of X iff S's internal 'map' is formed to guide someone classed as a member of X gender through the social or material realities that are, in that context, characteristic of Xs as a class. (2016, p. 410)

In order to understand the definition, it is important to clarify two things, namely, what a map is and how classes work for Jenkins. Let's begin with the latter. She follows Haslanger and claims that people get classed into gender categories based on the reproductive role *they are perceived* to have. So, if I am taken by my society to be able in some point in my life to get pregnant and give birth to a child, whether that is true or not, I am classified as a woman. The gender categories are, additionally, "[…] hierarchical in nature such that members of the masculine category are privileged and members of the feminine category are subordinated." (2018, p. 730).

Those categories relate to certain norms that regulate which behaviors, bodily compositions and presentation, modes of interactions, personality traits, etc. their

members are expected to follow. In contemporary Western society, Jenkins says, for example, women are expected to use public restrooms for women, to (at least sometimes) wear make-up, to get rid of their body hair, to have certain body parts (like breasts and a vulva), to have a sweet voice, and to be interested in caring for others, among other things. Considering all of this, Jenkins then holds that everyone has "[…] an inner sense of their own 'locatedness' with regard to these norms" (2018, p. 730). This means that everyone has a feeling of which sets of norms they are expected to follow, of which norms are relevant to them. We, then, have a "map" that guides us through gendered practices, that tells us what we are expected to do.

Having this map, however, does not mean that we all follow every norm that we think pertains to us nor that every member of the same class (like woman) takes the same norms to apply to them. The former is possible because we can decide not to follow norms that we feel we are expected to follow. This happens, for instance, when women who have felt pressured to shave their legs go out in public wearing a skirt with hairy legs. By doing this, they know they are breaking a norm, something they may want to do because they think it is unfair and they want to subvert it. The latter happens when, for example, a woman does not feel like she must wear make-up, while others do, or when a trans woman experiences her penis as feminine and, thus, does not think the norm of having a vulva applies to her. Both would still be women because they would also feel like they are subjected to a variety of other norms that their societies typically apply to women.

Given what has been said, it seems that there are gender classes and that people acquire a set of rules that guide their behavior according to what gender class they belong to. Now, in the West there are two main dominant gender classes: men and women. It is controversial (outside of queer friendly or liberal circles) that there are others. So, could the account accommodate non-binary gender identities? Jenkins (2018) thinks it can:

> […] the strategy of referring to gender classes to define gender identity does not have to depend on a straightforward 1:1 correspondence between the identity and some particular gender class. Rather, it just needs to be a way of locating the identity with reference to some existing gender class or classes. (p. 734)

So, for Jenkins, the fact that gender identity depends on gender classes does not imply that there are only gender identities for which there is an established class. There could be gender identities that do not correspond to a gender class but that are still

constructed on the basis of them. Accordingly, she thinks her account would yield a definition like the following:

> A subject S has a non-binary gender identity iff S's internal 'map' is neither formed so as to guide someone classed as a woman through the social or material realities that are, in that context, characteristic of women as a class, nor formed to guide someone classed as a man through the social or material realities that are, in that context, characteristic of men as a class. (2018, p. 735)

This definition of what it is to have a non-binary identity makes reference to gender classes, but it does not require for this identity to correspond exactly to one. Because of this, there can be non-binary gender identities even if there are no non-binary gender classes.

So, to sum it up, for Jenkins to have a gender identity is to have map which guides one in relation to the gender categories that are socially established. In comparison with Chappell's account that we reviewed in the previous section, this one has the advantage that it can more naturally include genderqueer people, as well as not be troubled by the fact that not every trans person wishes they had a differently sexed body and not every cis person feels comfortable with theirs. It also seems not to perpetuate the oppression of women. It both recognizes it and leaves room for resisting it (when people decide not to follow the norms that contribute to it). It also seems to reflect the experience of some people. Jenkins (2016), for example, quotes Serrano's:

> I had an unexplainable feeling that I was doing something wrong every time I walked into the boys' restroom at school; and whenever our class split into groups of boys and girls, I always had a sneaking suspicion that at any moment someone might tap me on the shoulder and say, "Hey, what are you doing here? You're not a boy." (pp. 229-230)

2.2.2. The Problems with Jenkins' Account

Nevertheless, it seems to me that it cannot account for other experiences, and that it is, therefore, insufficient. Thorne (2021), in her coming-out video, describes what she felt before transitioning in the following terms:

> When I was born, they said "it's a boy and this huge social and legal mechanism kicked into gear. There were official documents with 'boy' written on them, I was sent to a boy's school. At the age of five, I was legally 'boy', okay? And… Have you ever had a crappy job that really wears you down and sometimes it's all right, but it just starts to get to you, and that upset leaks into other areas of your life […] It's this job, it's really killing

> me. I pretend like it's all right when I'm there, but I just, I can't do it anymore. And I don't know if I can get a job doing anything else. I don't know if I'm qualified, if anyone else is even hiring. So I don't know what I'm going to do, but I know that a lot of other people would kill to have this job. And I know, I wish I could just get on with it, but I can't because it's not the right job for me. Well, that's what it was like for me having to live as 'boy'.

This makes me think that there are moments in a trans person's life in which it is clear to them that they have to conform to the norms of the gender they were assigned at birth, but this feels uncomfortable and thus they come to identify with another gender –this is what having to do a job one does not like feels like: one knows what one has to do, one feels that those rules apply to one, but that feels exhausting and bad. This, however, does not mean that they have necessarily internalized the norms of another gender. Because of this, it is possible for a person to have a map that corresponds to a certain gender, but to have a gender identity that does not fit it.

Jenkins (2018) actually considers a version of this objection posed by Bettcher (2017):

> Bettcher gives the example of a trans woman who has just begun to present herself outwardly as a woman. She asserts that such a woman might potentially turn out to have a gender 'map' that is organised around the norms that are applied to men in her social context—presumably, because these are the norms that have been applied to her by others all her life until now. Thus, it seems that some people might have a gender 'map' that is not aligned with the norms of the gender with which they consciously identify. (p. 733).

Jenkins takes the objection to prove that according to her view of gender identity people might not always have epistemic first-person authority regarding their gender identity, *i.e.*, people might be wrong when it comes to knowing their own gender and, thus, there is no epistemic privilege when it comes to it. This, she holds, does nevertheless not entail that people do not have ethical first-person authority regarding their gender, *i.e.*, that they are not tragically confused about it nor want to deceive others. What this means is that, for her, the trans woman would not really have the map of a man, although she could think she does. She is just mistaken.

I think the answer is not satisfactory. I do not see a good reason to not believe someone who claims that they have (even if it is temporarily) a map that does not align with their gender identity. How could someone be wrong about the norms they *feel* apply to them? Also, it seems to me that Thorne's experiences cannot be very rare. If

you have been told your entire life that you must follow certain rules, it makes sense for you to feel that those rules apply to you. Jenkins never takes up the challenge of explaining how someone who has been raised as if they were a certain gender ends up having the feeling that other gender norms apply to them. Without such an explanation, I think it is better to believe that some people have a gender map that does not align with their gender identity.

2.2.3. An Alternative: The Desire to be Applied Certain Rules

To account for such cases, it may be promising to see gender identity not as the set of rules one has internalized, but as the set of rules one wishes would apply to one. This is one view of gender identity that Chappell (MS) briefly considers before going on to argue in favor of her own, and one that Gheaus (2023) criticizes. According to it, having a gender identity could mean to have the desire to be held to the rules one's society applies to certain gender. Thus, the trans woman of Bettcher's example and Thorn could have a male internal map, but the desire that others would apply female gender norms to them. This in turn, might (and probably will), end up with them changing their internal map, but this would not be a requisite for their having a female gender identity.

This possible account is, however, problematic for one of the reasons Chappell's own is mistaken. As I pointed out, a view that reduces gender identity to a desire, be it of a certain body or of a certain treatment, might not be strong enough to both account for some experiences and for securing trans rights. The former because, as I said, having a gender identity for some feels deeper that wishing for something. The latter given that if people are only seen as wanting to be part of a group and not as being part of it, it is not clear why they should be considered part of it and hence, be granted the rights the group is granted. So, defining gender identity as a set or cluster or rules one feels one should follow or wishes to follow also seems unable to always account for what people experience.

2.3. Dispositions

In this section I will turn my attention to another kind of account which is similar to Jenkins' in the sense that it identifies gender identity with something that guides or

determines someone's behavior: dispositions. Despite of this, as I will show in the end of the section, this account fails, in my opinion, mainly because it cannot properly deal with non-binary identities nor, more broadly, with people who identify in a certain way but have a disposition to behave in ways their society classifies as being of another gender. It also risks making gender identity something too superficial and excluding the feelings people have towards their sexed bodies.

2.3.1. McKitrick's Account

When coming up with her definition of gender, Jennifer McKitrick (2014) claims she is interested in connecting the social aspects of gender with its subjective or psychological ones. She actually says from the start that she sees gender in the way it is seen in feminist theory as "a psycho-social property"[8] (p. 2). To do so, she builds upon Judith Butler's account, which she sees both as promising and as still lacking. It is promising because it relates both aspects by viewing gender as a pattern of behavior in a social context. Thus, what constitutes gender are behaviors like dressing in a certain way, having certain posture or using certain expressions. Behaviors are external, they are clearly socially constructed, and gender is then socially sanctioned: only certain behaviors count as establishing a gender identity. However, in McKitrick's reading of Butler, "[…] your gender is still about you, since the behavior that constitutes your gender at the same time constructs your identity." (p. 4). So, even if gender is not completely intrinsic in the sense that it is both constituted by something external, a pattern of behavior, and that it is informed by what the society one lives in sanctions, it ends up constituting who one is, it is a fundamental part of the subject.

Before moving on to discuss why McKitrick thinks Butler's account is still not a good-enough account of gender, it is important for me, given the purposes of this text, to tackle a more or less obvious question: is McKitrick discussing, gender, gender identity, or both? I think she is discussing both of them because of two reasons. On the one hand, as I just mentioned, McKitrick's account takes inspiration in Butler's and, particularly, in the fact that Butler manages to connect the internal and the external by

[8] I am not sure that this conception is that generalized. A lot of feminist scholarship tends, in my view, to privilege the social aspect of gender. It was not until recently that the phycological aspect started gaining a significant amount of attention. Anyway, it would be outside of the scope if this text to properly argue this and it does not change the fact that McKitrick's account does create a connection between the social and the psychological.

claiming that gender is not something that predates the subject, but rather as something that creates its identity. I think it is plausible to take this to mean that there cannot be a difference between gender and gender identity. They are both created at the same time. On the other hand, as we will see below (see my quote to page 8 about transgender healthcare), McKitrick explicitly identifies being mistaken about the kinds of dispositions one has (which is what, for her, constitutes gender) with being mistaken about one's own gender identity. I think she speaks in this way because she sees gender and gender identity as one and the same thing.

Having cleared what is at stake, let's now examine what is wrong with Butler's view. For McKitrick it has two problems. On the one hand, it cannot properly deal with 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. (p. 4)

According to McKitrick, then, in Butler's account of gender, one's gender does not seem to be influenced by how one feels. It is not clear that the people who set out to resist the gender categorization they are assigned do it because of how they perceive themselves, but this seems to be an important part of people's experiences.

On the other hand, "[…] patterns of behavior do not seem to be quite the right gender making entities" (p. 4), *i.e.*, they are not the kind of thing that truly constitute someone's gender. They are not right because 1) people are gendered even when they are not engaging in gendered behavior, which proves that gender does not track the behavior someone currently has and because 2) they can also behave in, *e.g.*, a masculine way for extended periods of time and still be gendered as women. Based on these problems, McKitrick proposes instead to define gender as a cluster of dispositions to behave in a certain way.

To say that someone has a behavioral disposition is to say that they are prone to act in a certain way in a certain context. Just like glass has the disposition of being fragile, in the sense that if it is hit with force with something hard it will break, a person can have the disposition of being brave if they will do something that is scary because they think it is the best. Similarly, people have the disposition to be of a certain gender in the sense that certain contexts might trigger a tendency to have certain mannerisms, modes of dress, or identity avowals (like saying "I am a man") that are socially

perceived to be of a certain gender. These dispositions are what constitutes being a certain gender. McKitrick formally summarizes her account in the following way:

> x is gender G iff
>
> x has (sufficiently many, sufficiently strong) dispositions D1... Dn to behave in ways B1...Bn in situations S1...Sn, and
>
> The relevant social group considers behaving in ways B1...Bn in situations S1...Sn to be G. (p. 7)

So, according to this proposal, someone is a man if they have a series of dispositions to act in a certain way that their society views as behaviors that men have. This means McKitrick's account is compatible with Butler's idea that identity is not something innate but is at least to a certain extent a product of the society one lives in because it is the society the one that judges which behaviors count as being a certain gender. Her idea also implies someone can have dispositions that do not manifest. Just like glass can never break because it is never hit with sufficient force, someone who does not feel comfortable saying they are a man or acting in a masculine way because they were assigned female at birth might never manifest their disposition to be a man. This is precisely the reason McKitrick thinks dispositions are better "gender making identities" than behavior. People are not of one gender because they act in a certain way in a certain context, but because they have the dispositions to do so. This would explain why someone who is a woman continues to be so, even when she behaves in a non-gender way or in a masculine way.

This has another important consequence. Because dispositions are not always manifest, other people can be wrong about someone's gender. I could think my friend is disposed to behave in ways our society deems as feminine because they behave like that, but they could very well not be disposed to those behaviors and only act like that because of safety, comfort, or some other reason. Moreover, for McKitrick, it is also possible to be wrong about one's own gender identity since one could think that one has certain dispositions but not have them (this would become apparent when the context is right for them to manifest themselves), or think in one's society having certain dispositions is tantamount to being a certain gender when it is not. To counter these possibilities in the case of trans people, she quotes the World Professional Association for Transgender Health, which claims that:

> […] it is recommended that the patient 'has demonstrated a long-lasting and intense pattern of gender nonconformity or gender dysphoria'. 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. (p. 8)

What happens in other cases, like when someone thinks they are cis but is really trans, is not discussed in the text. This situation, although it might not seem that common at first, could be the one of a trans person that, after discovering they are trans, claims they were always trans but did not know it or were repressing it.

2.3.2. What is Problematic with the Dispositional Account

The acceptance of the "recommended psychiatric" procedure might be considered problematic by some trans activists. As it was mentioned when discussing the definition of gender identity as a feeling towards one's sexed body, the requirement that trans people prove that their desire to change their body is particularly different from what cis people experience might be the cause of the delay in treatment and the mental health problems that come with it. It does not seem, however, that McKitrick's account needs to hold on to it. Her account does not commit her to any practical way of dealing with possible mistakes, just with the fact that there can be mistakes.

That there can be mistakes of the first type (*i.e.,* that someone might think they have dispositions that they do not really have) should not be, I think, particularly concerning. On the one hand, this could perfectly account for the experience of those who end up detransitioning or transitioning later in life because they thought they were cis but were not. On the other hand, this kind of mistake also happens with other dispositions we have and acting as if we had them can have long-lasting effects (this is clear if we think about someone who thinks they have a disposition to work taking care of people, goes to nursing school and then realizes they did not have that disposition), and this is normal.

Nevertheless, holding that one can be wrong in thinking the dispositions one has are enough for one being a certain gender because those dispositions are not classified as belonging to that gender in the society in which one is has undesirable consequences. The most salient of those is that it is not completely clear how the account can deal with non-binary identities. While McKitrick says that her view can accommodate genders like queer, in order to have a gender identity of a certain kind one must have a series of dispositions to behave in a way that in certain situations *one's society considers as belonging to it*. So, if one's context does only have two

genders, it would be impossible for one to have dispositions that would make one non-binary. Although not all contexts in the West are like that (there are trans and queer friendly ones), this is clearly harmful: just because someone is in a context (often a dominant one) in which non-binary identities are not established it does not mean their gender identity is suddenly binary. One's gender identity should not have to change because one is in a context that discriminates against certain people. It is not enough to just have one's identity validated in friendly contexts.

Furthermore, not only non-binary people have to face undesirable consequences. A trans or cis man who has several dispositions that his society views as constituting a female gender identity would also be told that, despite the fact that he views himself as a man, he is really a woman. People might thus become victims of their society's stereotypes. McKitrick does allow for "feedback loops" which not only create expectation, but also might motivate people to shun characteristics to defy categorization, but this does not seem enough to free people from oppressive stereotypes. Are gender identities not to be recognized until those stereotypes are overcome?

On the other hand, making gender so dependent on what behaviors the society one lives in considers masculine or feminine (or maybe something else) could also risk making gender identity depend on superficial behaviors and some people experience it as more than that. When trying to give a serious answer to the concern "gender critical feminists"[9] have that trans women often end up reenforcing oppressive gender stereotypes according to which women have to do things like wearing make-up or painting their nails, Wynn (2019a) says that doing such things is not what most trans women think being a woman is. When they act overtly feminine, they often use a "cultural language of feminine signifiers" so that others see that they are women. It seems then that gender is more than doing feminine things, or better, being disposed to do them.

Furthermore, we have seen that for some trans and cis people having a certain kind of body is indeed important. How could this be integrated into the dispositional account? A possibility that follows Jenkin's way of integrating the body to her account,

[9] I use this label because it's the one Wynn ends up using in her video for talking about the people who believe that gender is a patriarchal construct and that the only thing that makes someone a man or a woman is biological sex. This group of people are, however, also commonly called TERFs (trans exclusionary radical feminists).

which we reviewed last section, could be to claim that it is part of one's gender identity to have the disposition to feel at home in certain kind of body. However, dispositions for McKitrick seem to be behavioral alone. If feelings could be included, I think the answer to my question would work, but I think adding feelings would internalize gender more than McKitrick might want to accept. If this is the case, I do not see how her account can accommodate the importance the body has to some people in relation to their gender identity.

2.4. Critical/Non-Critical Kinds

So far, the accounts I have considered do not set up to explain what it is like to have a non-binary gender identity. Explaining nonbinary genders (and gender identities) is more of an afterthought. Dembroff's (2020) account is the exception. Their purpose is to focus on the gender identifications that are "outside of the binary". In this section I will summarize their account trying to see how it explains both genderqueer gender identities, and those that do not lie outside of the binary. In the end, as in the previous sections, I will argue that the account is not perfect. In this case, because it excludes some people who are genderqueer and because it posits a distinction between two kinds of resistance that ends up not being completely clear.

Dembroff thinks that genderqueer should be defined as "[…] a critical gender kind, such that its members have a sensed or claimed gender categorization that conflicts with the binary assumption, and on this basis enact resistance against this assumption." (p. 20). In order to understand this definition, I think, it is necessary to know three things: 1) what a critical gender kind is, 2) what having a gender categorization that conflicts with the binary assumption is, and 3) what it means to resist such an assumption. Let's unpack the definition.

A gender kind is critical, says Dembroff, when its membership "[…] is predicated on manifesting personal resistance against the dominant gender ideology in that society." (p. 15). I take this to mean that a gender is critical when what makes someone belong to it is the person's resistance to the particular gender ideology that is dominant in their society. Similarly, a gender is non-critical when its membership depends on people personally reenforcing the dominant gender ideology. The two kinds of gender then seem to be opposites. Dembroff, however, remarks that they are not a binary in

which individuals can be exclusively sorted. People can belong to both. The reason for this will become clear in what follows.

In order to understand how the gender kinds have been defined, it is important to talk about the dominant gender ideology. For Dembroff, in the West this ideology has three components: the genital assumption, according to which gender is determined by the genitals or other biological features people are born with; the binary assumption, that holds that the only possible genders are man and women, and they are both exclusive (no one can belong to both at the same time), and exhaustive (everyone belongs to one of them); and the social assumption, according to which someone's gender determines their social role. With this in mind, it can be said that someone belongs to a critical gender kind if they resist one or more aspects of the Western dominant gender ideology. A person, however, can resist only one aspect and reenforce the others.

There are also different ways of resisting the assumptions of the dominant gender ideology. On the one hand, there is the ideological personal resistance, that consists in engaging "in behavior that challenges that ideology, where this behavior stems from or otherwise expresses one's ideological commitments" (p. 15). This is the kind of resistance that allies that speak out against transphobia or sexism engage in because their values and beliefs go against the dominant gender ideology. On the other hand, there is existential personal resistance. Those who engage in this sort of resistance also display behavior that challenges the dominant ideology, but, unlike in the first case, it "[…] stems from or otherwise expresses one's own perceived or claimed gendered categorization (or lack thereof)." (p. 16). In this case, then, the resistance seems to come from, as Dembroff also puts it, one's own "gendered ontological position" (p. 15). Those who resist the dominant gender ideology in this way, it would seem, do it not because of what they think, but because of who they take themselves to be.

Now, how is this resistance enacted? What kind of behavior counts as resistant one? For Dembroff, there is no one right way of resisting. In the case of genderqueer resistance (*i.e.*, the existential resistance against the binary assumption) in the West, it often takes the form of asking others to use gender-neutral pronouns, having a non-conforming aesthetic, queering personal relationships (like taking on both male and female parenting roles), saying one is non-binary, or defying the sexual binary by not using labels that presuppose it (such as "gay" or "straight"). These are, however, just

examples. A queer person does not need to resist in these ways to count as such. Dembroff also recognizes that not everyone is in the position to resist to the same extent. Young people who live with conservative parents, for example, might not be able to use gender neutral pronouns in front of them, but they might resist by doing other things that contribute to "throwing out gender norms" (p. 23).

Now that I have unpacked the elements of the definition, let's go back to it. In Dembroff's account, someone is genderqueer if they resist the assumption that people are either men or women because of the gender place they sense or claim to occupy. In this point, I think it is important to ask two questions: in what sense is this a definition of gender identity and not of gender? And how should we construct other identities different from genderqueer? These questions will allow us both to better understand what Dembroff's account really means, and what might be lacking with it.

2.4.1. Gender Identity, Binary Identities, and the Problems

For answering the first question that I just asked, it is necessary to remark that Dembroff devotes a significant part of their paper to distinguishing between externalist and internalist approaches to gender. The first approach holds, generally, that gender membership is based on external factors: how people are perceived or the gender role they are given, for example. The second approach, in contrast, makes membership to a gender kind dependent on internal features, like the ones we saw in the previous sections (Dembroff actually considers McKitrick's and Jenkins' the two main internalist accounts). Dembroff does not think either approach is good enough to understand what being genderqueer is. The first one fails because being perceived in certain ways cannot be equated to being genderqueer: lots of people are perceived to be androgynous without being non-binary, and many genderqueer people are taken to be men or women. Jenkins' and McKitrick's accounts fail because of some of the reasons we saw. Dembroff sees, then, their own account, as in between the two types of approaches: "*Genderqueer*, I suggest, is found at the intersection of external and internal features" (p. 21). Their account includes something external because, according to it, someone does not count as being genderqueer unless they exercise resistance against the binary assumption. This resistance, although it can take a variety of forms and degrees, needs to be external. The account also includes internal

features because the resistance's source is internal. One is not genderqueer unless who one takes oneself to be is incompatible with the dominant ideology.

So, according to Dembroff's proposal, being genderqueer involves two elements: taking oneself to be existentially outside of the binary and actually resisting the binary assumption. The first part, I think, is strictly speaking equivalent to gender identity. It makes reference to what one takes oneself to be. Because of that, I believe Dembroff's account of genderqueer involves both an account of what it is to have a genderqueer identity and the externalization of this identity. This can be seen as a problem, as Dembroff themselves recognizes:

> One might worry that my account precludes those in hostile environments with heavy costs of defying gender rules from being genderqueer. In response, I first want to emphasize that, on my proposal, manifesting resistance is multiply realizable and not based on others' reactions or interpretations. There are myriad ways that someone could manifest resistance to the gender binary without incurring heavy social costs, even in hostile environments. […] That said, it is at least possible that social costs could prevent someone from enacting resistance to the binary in any way. Where I diverge, though, is in the interpretation of this situation: the standard reading says that someone is 'truly' genderqueer, and unjustly prevented from self-expression. In contrast, I read the situation as one in which someone is unjustly prevented from being genderqueer. Referring to someone as a 'closeted' genderqueer –rather than someone who is forced into binary classification against their wishes– downplays both the power of social forces over our access to social identities as well as how oppressive that power can be. (pp.24-25)

As I suggested when I talked about what resistance in this context meant, the first part of the response is at first sight good. Since it is such a broad concept, it does seem likely that even in some hostile environments genderqueer people *can* resist somehow. However, there might be environments so hostile that any form of resistance is not allowed, and it is not unconceivable to think that there are non-binary people who are completely sure they are non-binary and live in them. The second part of the response has also something attractive: it emphasizes how oppressive our society can be. However, I find it hard to accept, on the one hand, that there cannot be a closeted genderqueer person (even if we do not count the super oppressive contexts I was just mentioning) and, on the other, that resistance is so central, even when some people do not seem to feel that it, whether they exert it or on, is fundamental to their gender.

Some people think of their gender identity as something they had before being completely aware of it and, *a fortiori*, before being able to express it by, for example, resisting the binary assumption. This is the case of KB and Chandler, whose stories Mardell (2017) collects. The first one says:

> Non-binary for me is something I personally had to *discover*. It wasn't put on a plate for me to eat, and it wasn't an answer to a hard question. Non-binary is an extension of who I am. It doesn't define my interactions, my feelings, or what I do on Saturdays. It's just a feeling. It's like how when I finally got glasses and noticed that the stars flickered or that the moon had shadows. *Things that were there this whole time, but I've only just realized*. (Chap. 2, section "non-binary", para. 4; emphasis added)

For the second one:

> Some people know they're transgender from a very young age, but not me. I didn't realize I was agender until I was 16 years old. That's when it finally dawned on me that "she/her" pronouns were extremely uncomfortable and "he/him" pronouns weren't quite right either. It's one of those situations where you just have to go with what feels right, and for me, "they/them" pronouns made me very happy, helped me to feel comfortable, and *accurately reflected my gender neutral identity. Once I had completely accepted myself, it was easier to let my self-conscious walls down and just really be true to myself.* (Chap. 2, section "agender", para. 7; emphasis added)

In these two testimonies, gender identity seems something both KB and Chandler had before they were fully aware of it and, hence, before they were able to consciously resist the binary assumption. This does not mean, as Dembroff says, that there are not people who conceive of being genderqueer as a choice or as a result of a process. But it seems unfair to me to ignore the testimonies of those who experience it differently. It is also important to notice that in their testimonies the resistance mindset does not seem to play a central role. While it is fundamental for some genderqueer people – maybe notably those who classify themselves as gender non-conforming or as gender f*cks, namely as "a person who deliberately seeks to cause, or enjoys when they create, confusion in regards to their gender" (Mardell, 2017, chap. 2, section "gender confusion/gender f*ck", para 1)–, it does not have to be so relevant for others. For them, a sense of just being themselves seems more important.

With regards to the second question, Dembroff is very clear that their account focuses on explaining what being genderqueer is like. Still, there is enough material to determine how other gender identities would work. As we saw, there are people who do not exercise existential resistance to the binary assumption. These people, I think,

identify as men or women. They might still ideologically resist the assumption, but they would not consider themselves to be ontologically outside of it. Trans people, Dembroff says, manifest personal existential resistance to the genital assumption because they view themselves excluded from a world in which the kind of body someone is born with determines their gender. Allies of trans persons would also resist this assumption, but for ideological reasons.

If this is so, and if people, as I mentioned, can belong to several gender kinds at once, it looks like a cis woman would belong to a non-critical gender kind when it comes to her existential position on both the genital and the binary assumption. Her existing as a cis woman does not resist those assumptions and, arguably, upholds them. She could, nevertheless, still resist them on an ideological level. This situation seems a bit strange to me. Someone who was very committed to fighting against the dominant gender ideology could (probably would) find it objectionable to be told they are existentially *reinforcing* it. On behalf of Dembroff's account, one could say, on the one hand, that one's existential position is either outside of the binary or not (you either feel like you are left out by it or no).[10] Nevertheless, even of one's own position with regards to gender conforms to the dominant gender ideology, what matters is not to support it generally. Even if the cis woman who is a strong queer and trans ally takes herself to have a gender that aligns with the genitals she was born with, and that falls in the binary (and in that sense belongs to a non-critical gender kind), what is politically important is that she does not think that everyone has to be like her. In other words, a society in which the dominant gender ideology is overturned can be achieved by only ideologically resisting.

This is, however, not enough. There is something problematic that I have ignored so far. The definition of genderqueer we saw said that someone was genderqueer if their resistance to the binary assumption "[…] stems from or otherwise expresses one's own perceived or *claimed* gendered categorization (or lack thereof)." (p. 16; emphasis added). With regards to the presence of "claim" in their definition of existential resistance, Dembroff says: "This 'claiming' can be based on political (or perhaps

[10] This would mean that it is not possible to have a third category, one whose membership condition is to neither resist nor reinforce the dominant gender ideology. Although at first sight a category like this one might be appealing, because of the very important role gender has in our society, I think it is plausible to say that one either resists it or reinforces it, even though there are degrees of doing so. So, for example, while someone might reinforce it by not allowing their kids to express they are gay or non-binary, someone might just do so by not speaking out against the first person, even though they disagree.

religious) motivations, as well as based on an internal felt sense of gender authenticity, relevance, or belonging." (p. 17). This is problematic in my opinion because it fades the distinction between the kinds of resistance. If the 'claiming' can be based on political reasons, is it really that different from the ideological reasons for resisting the dominant gender ideology? We can imagine a woman who often uses they/them pronouns because she thinks it is a political goal to make society more inclusive, who wears androgynous clothing because she is against the social structure that classifies clothing according to gender, and who speaks out against discrimination against queer people because she sees their rights as an extremely important goal. We could imagine her as an extremely committed ally that centers a lot of her life around resisting the gender ideology for political reasons. We can also imagine a genderqueer person who does exactly the same things and who *claims* a non-binary identity *for political reasons*, not because of a feeling of being left out. They might claim it because they feel deeply connected to not accepting the binary assumption. Does it really make sense to say they are two different genders? It seems to me that they are both quite similar.

I think, then, that Dembroff's account has two downsides. On the one hand, it excludes people who see their queer gender identity as something they have before resisting and it seems to give resistance too much relevance, even though there are people who do not take resisting the binary assumption as central to their identities. On the other hand, it seems to not be able to fully distinguish between those who are strongly politically against the binary assumption without being genderqueer and those who are genderqueer because they claim the identity on political grounds. This last problem might be solved by excluding the possibility of people being genderqueer if they, for political or religious reasons, claims a gender categorization, but Dembroff seems to happily embrace these reasons for the claim. Because of these downsides, I think this account is also insufficient.

3. Eliminativism

In the previous chapter, we turned our attention to different accounts of gender identity. Although they all seem to partly capture what people mean when they talk about gender identity, they also struggle to account for some experiences. It seems, then, that in the literature there is no one good-enough definition of gender identity. In this chapter I will consider one possible course of action given this situation: to claim gender identity as a concept should be eliminated. If there is no adequate definition of it, maybe it is because it would be better not to have such a concept. The chapter includes two ways of eliminating gender identity. The first one explicitly claims that the concept does not manage to accomplish what it should, that it is possible and even better to carry a feminist agenda without it, and that, therefore, it should be eliminated. The second one does not claim the concept should definitively be eliminated, but it makes gender identity something trivial or minimal, which, I think, can be seen as a way of elimination.

3.1. Direct Elimination

After going over the possible conceptions of gender identity in the literature, Anca Gheaus (2023) comes to the conclusion that none of them can accomplish what they should:

> This concludes my search for a concept of gender identity that can help make sense of the trans debates in the requisite way: vindicating trans people's claims about their identity; making individuals the ultimate authority about their gender identity; explaining why it is harmful for people not to have their gender identity recognised; and allowing for the permissibility of requirements to make our gender identities public. None of the concepts of gender identity in circulation, examined above, is able to do these things sufficiently well without abandoning the belief that gender norms are illegitimate. And it is theoretically costlier to abandon this belief than the concept of "gender identity." (p. 45)

I am not sure that the fourth condition should be met (even if knowing someone's identity is necessary for treating them accordingly, I do not see why the concept of gender identity should allow for this). I agree that the other three are important and they have been, although not always explicitly and maybe only to a certain extent,

included in my own discussion of the different definitions of gender identity. I also agree with most of her arguments against how fit the definitions are. Gheaus' main problem with the accounts of gender identity that she reviews is that she thinks the desiderata cannot be met "without abandoning the belief that gender norms are illegitimate" because in order to vindicate trans people's claims about their own identity and to treat them accordingly, one needs to employ gender norms. It seems that, whatever definition of gender identity one might have, one cannot validate a trans man's gender and treat him accordingly without applying to him masculine gender norms, such as attributing to him the social role men typically have in our society. But, for Gheaus, who seems to have a radical feminist point of view, most gender norms are limiting and unjustified. The former is due to the fact that they demand women and men to live different lives, which, for example, put men at a higher risk of fighting a war and make women less independent and more easily exploited. This does not allow for individuals to fully flourish. They are unjustified because they can only be supported by religious or metaphysical claims (some maybe related to biology) that not everyone shares and that are "historically pervasive". Then, if some gender norms are harmful, Gheaus claims,

> […] we may be under a general duty not to treat others as either a woman or a man. When such treatment is applied with consent from the person who has an aspirational gender role, the duty may not be directed, and the person in question may not be wronged by gendered treatment. But consent is insufficient to make the treatment permissible, if holding people to particular sets of unjustified gender norms reinforces the norms and therefore creates negative externalities. (p. 42)

Because of this, there is a tension between validating someone's gender identity by treating them according to the gender norms of the identity they have, and fighting against gender norms, which are unjustified and oppressive. And if the validation is to be privileged, one cannot further hold that gender norms are illegitimate, which is, for Gheaus, worse than losing the concept of gender identity. She does, however, recognize that there are two worries that people might have about her eliminativist proposal. On the one hand they might claim that we cannot get rid of the concept of gender identity because it is not feasible to stop classifying people as men or women. She does not explain why this is so (*i.e.*, why we could not lose the concept of gender identity and keep that of gender), but I think it makes sense to suppose that if we have classes that are important for how we view people, we are going to end up having

feelings of belonging towards them. Classes that are important for our social organization can arguably be said to generate feelings of identity. Against this worry, she argues that even if it might be impossible to overlook sexual characteristics, it does seem to be possible to exclude gender roles from our social ontology. Societies have already eliminated identities that were once thought to be essential for organizing our perception of the social world (like the importance the different Western European nationalities once had). And if there are eliminated, so can be the feelings of belonging to them.

Given the importance gender has in every society I am not sure how easy it would be to end up in a genderless society. I agree that it is theoretically possible (maybe we are closer to that than we were 50 years ago) and it may seem *prima facie* desirable (if one wants a society in which people are not constrained by stereotypes that are often grounded in the kind of sexed body one is taken to have), but it may well be the case that we never get there. Wynn (2019a) actually points out that gender rules might even be part of our languages. This can be noted, for example, in the fact that many languages assign genders to words. So, getting to that society would probably imply more changes that we might realize. Because of this I am somewhat skeptical of Gheaus first response.

The second worry is that it might not be desirable to get rid of the concept of gender identity because without it "[…] and, hence, without the possibility of giving a satisfactory […], and context-independent, answer to the question of who is a woman and who is a man, feminism is unable to solve its boundary problem." (Gheaus p. 47). The boundary problem comes about because feminism is supposed to be the movement which strives to overcome the oppression of women. So, it would seem as if without being able to say who is a woman, which for Gheaus would depend on finding a definition of what it means to have the gender identity of a woman, the movement cannot be articulated. Gheaus answer is that it can because "None of the aims of the feminist project, as I define it above –the elimination of gender norms and the mitigation or compensation of disadvantages generated by such norms– requires consensus on what or who is a woman." (p. 48). This means that if feminism's goal is not set as ending women's oppression but as ending gender norms, given that they tend to disadvantage women, and to make up for those disadvantages, agreeing on what

gender identity is, is not necessary. I think Gheaus is right that *a* feminist fight[11] could be carried out without making any reference to gender identity or gender. This, however, does not mean that the elimination is not undesirable for other reasons.

Bettcher (2013), for example, has argued that it is impossible to guarantee trans people's rights without settling the metaphysical question around what a woman is, *i.e.*, trans people will be mistreated unless the society they live in has a transinclusive definition of gender concepts. To this Gheaus could say that not having gender identity nor a definition of gender concepts does not mean people have to mistreat trans individuals. She actually claims in both of her papers that one could still grant them access to medical treatments, use their preferred pronouns when addressing them, and proclaim they have access to the gender spaces that match their preferences if certain conditions are meet. Not doing these things, she says, would in fact be wrong. People who hold this kind of view, Bettcher (2013) argues in a conference, think that "the important thing one might argue is not the actual metaphysics of the situation, but simply how a person is treated". This is problematic, she says, because unless the metaphysics are settled trans people are ultimately treated as if they were wrong and those who believe their claims to belong to a certain gender are seen as indulging their delusion. Thorne (2018) actually compares the person who goes along with trans people's identifications but does not truly believe in them with someone who 15 years ago might have casually said "I've got no problem with gay people, no problem at all. So long as they stay away for me, I don't mind". The equation is intended to show that just like it is now clear that the person who would have said this 15 years ago is not really a gay ally, but a casual homophobe, transphobia cannot truly end if trans people are merely tolerated. In other words, the liberal popular discourse demands more. Gheaus' account cannot give us the tools for going beyond mere tolerance.

In relation to this, I consider the concept of gender identity also does an important task in giving people a way to understand their experiences. Being, feeling and claiming to be a certain gender is viewed by a lot of people as an integral part of who they are. Mardell (2017), for example, when recounting her connection to the gender

[11] It might be important to mention that some feminists would like a different feminist project. Maybe they do not want to end gender norms, but only change those that make women be oppressed by men. It is not my goal to develop this argument, which would certainly need a significant amount of elaboration, but I think it is good to recognize that even if a feminist project can be carried out in Gheaus' terms, not everyone would necessarily think it is the one they want.

identity demi girl claims that when told by a friend that she was not a real girl she felt defensive and thought:

> I most certainly am a girl! Perhaps not in the way society expects, but growing up as a woman has shaped who I am. It's made me powerful, thoughtful, and compassionate. If you stripped that title from me, I wouldn't feel complete. I am a woman! (Ch. 2, section "demi", para. 9)

Having the gender identity demi girl is important for Ashley. It explains things about herself. Similarly, Vesper, someone who coined a new binary identity, says:

> I knew that my gender had nothing whatsoever to do with those two genders [men and women], but also that I definitely was not genderless either. Because of this strong sense of my own gender and the subsequent strong disconnect that I felt even with other non-binary genders, I felt isolated and alone even among other non-binary people. […] Out of sheer exasperation and desperation, I decided to take matters into my own hands and coin my own word to describe the gender that I've felt my entire life. That word was "maverique," [a term that indicates a gender identity that exists completely outside of the classes men and women…]. Far too often people underestimate the power a word and a sense of identity can have, but this maverique learned that firsthand. I will forever stand tall and be proud of who I am, both as a non-binary person but especially as a maverique. (Ch. 2, section "maverique", paras. 5-10)

This testimony highlights how important it is for some people to have a gender identity. I can give them a clearer sense of who they are, and being able to put a label to the identity is a way of communicating who one is to others. Because of this, I believe it makes sense to claim that gender identity has a fundamental explanatory role. It is a fundamental tool for some people to understand their experiences and to communicate something important about themselves to everyone else.

Mainly because of these two reasons, I consider direct eliminativism to be a bad strategy. We need gender identity to advance queer and trans rights and to make sense of some experiences. And, as I said in my introduction, this are the main desiderata a good definition of gender identity should fulfill.

3.2. Indirect Elimination

While Gheaus' account explicitly claims that it is not clear what is meant by gender identity and that we would be better off without this notion, there are other views according to which gender identity does have a meaning, but one that is trivial. One of

those accounts, and the only one that I will consider here, is Stock's (2021). After looking at some models of gender identity, Stock says that an identification model can successfully account for the concept, especially when it comes to explaining what she calls "misaligned gender identities". The model is based on the general ideal that we tend to identify with something subconsciously and consciously. It can be with a person (like a film star or a teacher), a group (like a nation or a sports team), or even with more abstract entities (like nature). In the case that is of interest to her, gender, "[…] the identification model says that to have a misaligned female gender identity is to identify strongly, in this psychological sense, either with a particular female or with femaleness as a general object or ideal." (p. 112).

In her account, then, trans people identify with someone of the opposite sex (or who is androgynous) or with an abstract idea of it, and this explains the discrepancy between how they feel and the body they have. Some cis people can also identify with someone who embodies the gender that matches their sex or an idea of it, but not every cis person has a gender identity. This last point might be questionable. If gender identity is to be defined in terms of identification with someone of a certain gender or with an idea of that gender, would it not be the case that most people would have one? I do not think it often happens that people grow up in a society in which gender is as important as in ours without developing certain feelings of identification.

Anyway, identification can lead one to explore with certain gender behavior and expressions and it might even lead some to alter their bodies. There is nothing wrong with this, Stock claims. However, identity is not always to be affirmed without question because:

> Generally, our emotional connections to ideals, and associated desires and feelings, tend to fit into narratives of belief that give them sense: I value that because I believe it's worthwhile and admirable; I fear that because I believe it'll hurt me; I want that because I think it'll bring me this, etc. Changing a person's background beliefs by exposing them to new evidence can change the associated foregrounded feelings. (p. 116)

We are not to affirm how people identify without question because, in Stock's model, identifying with a gender can be temporary. It is just like when a teenager identifies with certain musical group, but then is exposed to more music, grows up, and stops feeling so attached to it. In other words, the things we identify with tend to change, especially if we are young. I believe Stock's main problem can be seen here. It is not wrong to

allow for gender identity to change as we grow up or as we discover new things, but putting this kind of identity at the same level as wanting to be like a teacher or identifying with an artist and becoming part of its devoted group of fans seems like an unacceptable stretch, especially considering the fact that, as we have seen, for some people, gender feels very fundamental and it is often constant. The latter can be clearly seen in that most cis people (even those who Stock would admit have a gender identity) often have just one identity throughout their lifetime. The former can be seen for example, in Thorn's (2021) experience. When describing what life felt like before transitioning, she says:

> To me, pretending to be this man is like living in the trenches, going to war every day. If you've followed my channel for a while, in particular if you've seen my episodes on mental health, you know that I've through some shit. I've had suicide attempts, self-harm, body issues, abuse, trauma […]. The war never ends […]. I think I'm dying. In fact, I feel like I've been dead for years. I don't know if I can face another 60 years of this.

I think this strongly suggest that at least people do not experience their gender identity as something trivial. Not being able to fully recognize it oneself or to have other recognize it can feel horrible, like Thorn describes. It is clear that she takes the situation of not living according to her gender identity as something very serious. The identity is then viewed as something definitely more fundamental than a simple identification with a person one admires. I do not think this case is exceptional. Defining gender identity in such minimizing terms is, nevertheless, why Stock can then say the following:

> […] a significant number of people, whether trans or non-trans, who would endorse –perhaps even very enthusiastically– claims that trans men are 'men' or 'male', and trans women 'women' or 'female' (etc.) are immersed in a fiction when they do so. They have consciously or unconsciously committed themselves to thinking –and even temporarily feeling and acting– as if these things are true, some or most of the time. (p. 154)

Her argument is not that having "a misaligned gender identity" is being immersed in a fiction: as we just saw, having this kind of identity is just something that happens. Her point is, rather, that acting as if having a gender identity was equivalent to being a certain gender or sex is succumbing to a fiction. In other words, there is no delusion in identifying with a certain gender, but there is delusion in thinking that identity is enough for being that gender. So, if gender identity is not taken seriously, there is no problem. But if it is taken seriously, as something that can make someone belong to a certain gender group, it is fantasy. It is her weak account of gender identity that which allows

her to say this. If gender identity is something as trivial as the identification one might feel with a pop star one really likes, it does seem that one is immersed in a fantasy if one thinks this identification should compel others to treat one as if one was actually like the person or group one identifies with. This is no surprise in Stock's framework given that her goal is to claim that "women" and "men" are concepts that refer to sex. So, it makes sense for her to downplay gender identity.

I think this way of proceeding is a way of eliminating gender identity. If it is defined as something superficial, the concept almost fades. As I said at the end of the previous section, eliminating the concept (even if only indirectly) does not allow one to guarantee trans people's rights (for this metaphysical acceptance is required) and it takes a way a useful conceptual tool people use to understand their identity. Hence, it is not enough, as Stock would like it, to fight for a society in which no one gets punished for not following the stereotypes of their sex. For these reasons, I think that eliminativism is not correct.

4. Towards a New Type of Definition of Gender Identity

In the last chapter, I considered the possibility of eliminating gender identity. This, however, did not seem promising given that without it guarantying trans and genderqueer persons' rights seems impossible and everyone loses a conceptual tool for understanding their experience. However, given that none of the definitions that I reviewed earlier can fully account for what it means to have a gender identity, we have a problem. In this chapter I will turn my attention to what I believe is the solution to it: accepting that gender identity needs another kind of definition, one that does not reduce having a certain gender identity to possessing a single trait. In what follows I put forward one possible definition of this type.

4.1. Stoljar's Cluster Definition of "Women"

My definition is inspired in Natalie Stoljar's (1995) treatment of the concept "woman". Stoljar is not talking about gender identity, but of gender. However, I believe her treatment of this concept could be used as a model when it comes to defining the different gender identities. Her account of woman has two parts:

> First, the concept of woman is a "cluster concept"; i.e., there is a cluster of different features in our concept of woman and in order for an individual to satisfy the concept, it is sufficient to satisfy enough of, rather than all and only, the features in the cluster. Secondly, the type "woman" is a type in virtue of the resemblance structure which obtains among individual members of the type. (pp. 282-283)

The first element of her account means that the concept woman is such that in order for an individual to be an instance of it, it does not need to have all the features that are in the cluster, but just some. The second element means that there are significant similarities among all the instances of the concept, and, because of that, they can be seen as parts of a class that is meaningfully grouped together. That there are similarities, nevertheless, does not imply that there are not differences, because there are different features one can possess to be a woman.

Let's see how Stoljar's definition looks like. For her, the concept woman clusters around four features: having a female biological sex, which implies things like having XX chromosomes, certain genitals, and some secondary sex characteristics; having certain phenomenological experiences or the potential to have them, like giving birth

or fearing walking alone on a dark street because of the fear of rape; having certain social role, which is often related to undertaking more care-taking responsibilities, being oppressed and expected to look and act in a certain way, namely, femininely; and being attributed the gender women by others or/and by oneself. After mentioning these elements, Stoljar claims there are standard members of the class, namely, individuals that possess all or most features. However, there are also members of the class that possess less and/or just resemble the paradigmatic ones.

Stoljar thinks her account has five advantages. Firstly, it can make sense of why having a female biological sex is typically viewed as important for being a woman:

> […] for many individuals, having a female sex causes the phenomenology, role, and attributions of womanness. Lived experience often occurs as a result of bodily features as well as cultural and social conceptions of femaleness; roles like child-rearing are typically the products of having a female sex, and attributions of womanness tend to be made on the basis of female sex. (p. 284)

So, in her account, having a body sexed in a certain way is causally related to having other cluster features. This would explain why it is often considered as such an important part of gender.

Secondly, it can both construct gender as a matter of degree or not. Cluster concepts can be understood in such a way that when an individual satisfies enough of its features, it belongs to the type that the concept names and there is no room for being more or less part of it. However, they can also be understood in such a way that:

> […] having enough of the elements in the cluster is a threshold over which an individual must pass in order to satisfy the concept. However, once past the threshold, an individual can be a woman to a greater or lesser degree, depending on how closely she resembles the exemplars of the class. (p. 285)

She sees this as an advantage because it could allow one to make sense of cases in which someone seems to belong to two categories at once. If gender is a matter of degree, she says, it makes sense to claim that the types "man" and "woman" overlap.

Thirdly, it can include both social and "natural aspects"[12]. Fourthly, "[…] the notion of woman as a resemblance class is an empirically powerful one in that it explains actual 'felt similarities' among women." (p. 286). So, by making them all be included in

[12] This can be questioned. It is not my purpose to evaluate Stoljar's definition of woman, but I think it is worth it to say that sex might be more constructed than people take it to be. Someone like Butler would argue that taking it as something completely natural is missing an important part of the analysis.

the same class without making them all have the same features, it can explain why women feel they are similar among themselves.

Finally, the concept can be revised. It includes features that are prone to being revised (in the sense, I take it, that they might change over time, as well as the relevance we take them to have), the concept can also be reviewed and modified. It is not my purpose to evaluate how good this definition of woman is. I think, however, that the possibility of it being revised makes it a promising one. It could, for example, be changed to include more features that have to do with identity, which, I believe, would make it more appealing today. Anyway, since I am not interested in the concept woman, but in gender identity, I will now move on to discuss how a cluster definition of this kind could be used for gender identity.

4.2. Sketching a Cluster Definition of Gender Identity

In the case of gender identity, one could think that the different gender identities can be seen as cluster concepts. People who identify in a certain way would then cluster around certain features, those that the reviewed accounts highlighted and probably others. According to this, then, we could say that having the gender identity of a woman is to be part of a resemblance type that clusters around at least the following features: feeling (more or less) at home in body sexed as female, taking oneself to be expected to follow the rules one's society applies to women or wanting one's society to apply those rules to one, being disposed to act in ways that are taken in one's context as feminine, and taking oneself to not be located outside of one of the binary categories our society has created. We could even add what I called Stock's weak account to the cluster and say that another one of its features is to identify with other women or with a general idea of what it is to be a woman. The category "having a man's gender identity" would be constructed in similar terms, but around masculinity.

There would, of course, also be place for the type "having a non-binary gender identity". The members of this category would also cluster around similar features, but maybe some would be more fundamental for their cluster than for the women and men clusters. As we saw, it seems that for non-binary people having certain sexed body does not play such an important role as for people who identify within the binary. Features like taking oneself to be existentially outside of the binary might also be significantly more central to this cluster than not taking oneself to be outside of it is for

men and women. Also, while I now only mention these examples, there are cluster concepts for all the gender identities people cluster around. I will say more about that later.

I think that four of the five advantages Stoljar thinks her definition has apply to my proposal. The first one does not because, while feeling at home in a bodily that is sexed in a certain way does play a role in gender identity, sex on its own does not seem to have an important one. I will begin from the last one and make my way up to the second one. The clusters and the features that make them up could always be revised. I take this to be particularly important in the case of gender identity because it seems important to have room for new clusters that might pop up as society changes as well as for different features to become relevant for certain gender identities. Neutrosis, for example, is a non-binary gender that only came into existence after 1995.[13] Likewise, before realizing that non-cis people can often not come out it might not have made sense to think about gender in terms of dispositions to do certain things that do not have to manifest.

With regards to Stoljar's fourth advantage, it does seem that people who have certain gender identity tend to share a common feeling of belonging. While this might not always be the case (a transphobic woman does not want to be in the same category of a trans woman), I think a significant amount of people do feel like they have things in common with other people who identify the same way. This could be explained by the resemblance structure.

In relation to the third advantage, the cluster definition can include elements of different kinds. It can make reference to the body, to social constructs and even to political goals. This is important because people's gender identities privilege different elements. By giving them all a place in a structure, we can make sense of why people identify in the same way, even though they might all think some feature is more prominent in their lived experience.

Finally, with regards to the second advantage, viewing gender identity as a matter of degree could help us make sense of certain situations. As Dembroff (2020) emphasizes, there are people who claim two gender identities, like non-binary and woman. We could conceive of cluster gender identities in such a way that these people sit in the border of both clusters belonging to both of them. This could also explain why

[13] https://www.cosmopolitan.com/sexopedia/a37388362/neutrois/

some people do not feel as connected to their gender identity as others do. Maybe some just have a couple of features and not in a very high degree, while others have more or to a higher degree.

This gradation, however, might worry some people. Isn't it problematic to claim that some people have a gender identity more than others? I think this need not be the case. As Stoljar said when discussing the second advantage, there is a threshold for belonging to a cluster (one that I think in the case of gender identity would need to be as low as one). After that, you are part of the category, although you might feel and be more or less a paradigmatic example of it. Politically, I think, this could and should mean that anyone who is part of a gender identity type should be, in terms of rights, thought of as simply being part of that gender type, no matter how a paradigmatic member they might be.

A bigger reason to be concerned about the gradation, the possibility of belonging to different types and the fact that one does not have to possess all or even most of the features to be an instance of a gender identity kind is that people might end up in groups to which they do not want to belong. While, as I just mentioned, there are people who, for example, identify as non-binary and as one of the binary genders at the same time, there are people who have the features of more than one cluster, but who do not want to be part of all those clusters. The trans woman that we considered while discussing Jenkins' account could be an example of this case. She might want to have a female body, she might want society to apply the rules it applies to women to her, but she could feel she has the map of a man because she was raised as one. Similarly, someone who is comfortable with the female body they were born with but locates themselves existentially outside of the binary and resists the binary assumption might only want to be part of the non-binary cluster.

I think, then, that it is necessary to alter the definition. Gender identity kinds can be clusters, but in order for someone to be part of them, they do not only have to have some of the features around which the cluster is formed, but also think those are relevant to determining their gender identity. So, the trans person who is comfortable with the female body they were born with does not need to fall in the cluster of women if they do not take this feature to be relevant to their gender identity. Their having this feature would still be true, and it might explain part of their history in relation to gender, but it does not need to be constitutive of their gender identity. Maybe an analogy could help show how this could be the case. Someone might have been in med school for a

few years, before coming to realize they do not want to be a doctor. Then, they could have gone on to study economy and law. Nowadays, they might work as a successful lawyer at a big multinational. When asked about their professional identity, this person would probably only say that they are a lawyer that focuses on certain areas. It would be weird to mention that they went to med school, although this is true, and it could have even played at role when it came to deciding what professional path would fit them best. Similarly, I think it is convenient to see gender identity like that. Having a feature is only relevant to someone's personal identity if the person feels it is relevant.

With this modification, the account of gender identity that I propose claims that the different gender identities are cluster concepts. For belonging to one of them, one needs to possess some of the features of the cluster and think those features are relevant for one's gender identity. The features might change, as well as the clusters. For now, it seems plausible to constitute them as grouping around the characteristics that the authors I reviewed in the first chapter defended, but there are probably more.

Before moving on to the conclusion, I think it is important to explicitly consider how the account fares in the light of the two desiderata that I identified as basic in the introduction: supporting trans and genderqueer persons' rights and being able to account for a variety of experiences. I think defining gender identity like this validates non-dominant gender identities. The definition is based on an ontology that takes self-identifications seriously, and that can find common grounds for people to advance their rights. Additionally, as Jenkins (2022) highlights, recognizing different ways of being different identities can be seen as a political strategy. This can be a way to fight against the oppression of minorities because it can help bring harmful stereotypes down. In connection to this, because of its emphasis on variation, the account has no problem when it comes to accounting for the variety of experiences people have. There is no *one* right way of having a gender identity.

5. Conclusion

This thesis has tried to both criticize some attempts within the analytical philosophy tradition to define gender identity and to put forward a definition that I think is more promising. In the second chapter I argued that defining gender identity as a feeling of comfort/discomfort in a particularly sexed body, as the set of rules one thinks one should follow or one wishes one's society would apply to one, as the set of behavioral dispositions one has that are viewed to be a certain gender in one's context, or as the existential resistance or support towards the dominant gender ideology was insufficient. These definitions struggled mainly because they could not make sense of the experiences of some people. In the third chapter, I argued that, even if the definitions that I considered were not perfect, eliminating gender identity was not a good strategy, mainly because, as the desiderata already suggested, it is useful or even necessary for both advancing trans and genderqueer people's rights and for making sense of an important part of some persons' experiences. Because of this, in the last chapter, I presented a kind of definition that I think works better, one that treats the different gender identities as cluster concepts and resemblance kinds. I think this kind of definition, on top of satisfying both main desiderata, has several advantages.

To conclude, I would like to mention some issues that I was not able to touch upon because of the scope of the text, but that I consider are of interest. Firstly, none of the definitions I surveyed tries to fully explain how people came to identify with the gender identity they now have. Mine does not do this either. While this is a different question, mine was only a definitional one, when it comes to a topic like identity, I think it is relevant to consider it given that it might affect the result. This, I think, would not only require an analysis of psychological factors, but also a historical and sociological one, that relates the subjects' identities with their historical moments more clearly. Secondly, I do not think my definition is the only one that could work. Maybe a pluralistic definition of gender identity would also be able to both validate identities that have been discriminated and to make sense of people's experiences. Such a definition might say that there are different ways of having a gender identity. They might be related, but they would not need to be connected. I think it would be worth it to further explore such a definition and see if it might have as many or more advantages than the one I propose.

6. Bibliography

6.1. Philosophical Bibliography

Ásta. (2018). *Categories We Live By. The Construction of ex, Gender, Race & Other Social Categories.* Oxford University Press.

Bettcher, T. M. (2018). "When Tables Speak": On the Existence of Trans Philosophy (guest post by Talia Mae Bettcher). *Daily Nous.* Available at: https://dailynous.com/2018/05/30/tables-speak-existence-trans-philosophy-guest-talia-mae-bettcher/

Bettcher, T. M. (2014). Trapped in the Wrong Theory: Rethinking Trans Oppression and Resistance. *Signs, 39*(2), 383–406.

Bettcher, T. M. (2009). Trans Identities and First-Person Authority. Shrage, L. (Ed.). *"You've Changed". Sex Reassignment and Personal Identity.* Oxford University Press.

Bettcher, T. M. (2013). Transsexualism and Brain Sex. [Conference at the APA Pacific Division Annual Meeting | Society for Analytical Feminism]. Available at: https://archive.org/details/Brainsex

Byrne, A. (2020). Are women adult human females? *Philos Stud*, 177, 3783-3803.

Chappell, S. (Unpublished Manuscript; MS). *Le bon Dieu n'est pas comme ça: transgender in theory and in experience.* Available at: https://www.researchgate.net/publication/343319381_Le_bon_Dieu_n%27est_pas_comme_ca_transgender_in_theory_and_in_experience.

Chapell, S. G. & Kazez, J. (2020). Sophie Grace Chappell talks sex and gender. Philosopher's Magazine 90, 11–19.

Dembroff, R. (2020). Beyond Binary: Genderqueer as Critical Gender Kind. *PHILOSOPHERS' IMPRINT, 20*(9), 1–23.

Gheaus, A. (2023) "Feminism without 'Gender Identity'". *Politics, Philosophy & Economics, 22*(1), 31–54.

Haslanger, S. (2000) "Gender and Race: (What) Are They? (What) Do We Want Them To Be?" *Nous, 34*(1), 31-55.

Jenkins, K. (2016). "Amelioration and Inclusion: Gender Identity and the Concept of Woman*". Ethics 126*, 394–421.

Jenkins, K. (2018) Toward an account of gender identity*. Ergo, 5*(27), 713–744.

Jenkins, K. (2022) How To Be A Pluralist About Gender Categories. In: Halwani, R., Held, J. M., McKeever, N. and Soble, A. (Eds.) *The Philosophy of Sex: Contemporary Readings. 8th Edition*. Rowman & Littlefield, pp. 233-259.

McKittrick, J. (2014). A dispositional account of gender. *Philos Stud.* DOI 10.1007/s11098-014-0425-6

Stock, K. (2021). *Material Girls. Why Reality Matters for Feminism.* Fleet.

Stoljar, N. (1995). Essence, Identity, and the Concept of Woman. *Philosophical Topics, 23*(2), 261-293.

Witt, C. (2021). *The Metaphysics of Gender*. Oxford University Press.

6.2. Popular Culture Sources

Mardell, A. (2017). *The GAY BC'S of LGBT+. An Accompaniment to the ABCs of LGBT+.* Mango.

Thorne, A. (Philosophy Tube). (2018, October 12). *Transphobia: An Analysis | Philosophy Tube* [Video]. https://www.youtube.com/watch?v=yCxqdhZkxCo&

Thorne, A. (Philosophy Tube). (2021, January 30). *Identity: A Trans Coming Out Story | Philosophy Tube ★* [Video]. YouTube. https://www.youtube.com/watch?v=AITRzvm0Xtg

Thorne, A. (Philosophy Tube). (2022, November 11). *I Emailed My Doctor 133 Times: The Crisis In the British Healthcare System* [Video]. https://www.youtube.com/watch?v=v1eWIshUzr8&

Wynn, N. (ContraPoints). (2019a, March 31). *Gender Critical | ContraPoints* [Video]. https://www.youtube.com/watch?v=1pTPuoGjQsI&

Wynn, N. (ContraPoints). (2019b, July 1). *"Transtrenders" | ContraPoints.* [Video]. YouTube. https://www.youtube.com/watch?v=EdvM_pRfuFM&