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CONTEXTUALISM AND THE SEMANTICS OF "WOMAN"

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Contextualist accounts of "woman," including Saul (2012), Diaz-Leon (2016), and Ichikawa (2020), aim to capture the variability of the meaning of the term, and do justice to the rights of trans women. I argue that (i) there is an internal tension between a contextualist stance and the commitment to trans-inclusive language, and that (ii) we should recognize and tackle the broader and deeper theoretical and practical difficulties implicit in the semantic debates, rather than collapsing them all into semantics. Moving on, I sketch three strategies to help us advance feminist philosophical endeavors, including how attending to contextual matters can lead us to further reflect on the meta-contextual, such as our role in shaping contexts and whether the working of language is indicative of a larger oppressive social structure.

1. Introduction

A traditional understanding of "woman" has it that this term picks out a natural kind, that is, a biological class with adult human females being its sole members.[1] However, many feminist theorists rebuke this "ordinary understanding" (Moi 1999) or "definitional account" (Bettcher 2009) and argue that "woman" is a gender term.[2]

Instead of adjudicating on the dispute over whether "woman" denotes a natural or social kind, this paper investigates contextualism, a distinct response

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[1] It might seem that that "woman" is a sex term is simply common sense. But as Dembroff (2018) argues, this *commonsensical* view is deeply problematic.

[2] For instance, Haslanger (2012) argues that it is the social features, not natural properties, that provide the real basis for the unity of the term's denotation; Bettcher (2009) and Jenkins (2016) also launch powerful arguments questioning the assumed naturalness of "woman" and advocate for identity-based analyses.

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in the dialectic according to which the meaning of the term varies across contexts. According to contextualism, “woman” is sometimes a sex term where biological markers of reproductive function determine whether an individual is a woman; sometimes “woman” is a gender term and the social roles one plays are the deciding factor; yet there are other times where the application condition of “woman” is settled by a person’s self-identification. Thus, advocates for the view claim that contextualism can accommodate both the diverse meaning of the term and trans women’s right to self-ascription.

The contextualist approach aims to solve some puzzles regarding the term “woman” and is clearly motivated by important normative and practical considerations. Despite being sympathetic to these considerations, I argue that there are good reasons to be skeptical of a purely semantic treatment. Specifically, I will engage with the versions of contextualism proposed respectively by Saul (2012) and Diaz-Leon (2016) and a recent defense that Ichikawa (2020) offers. Careful examination of these accounts reveals a common issue, namely, there is an internal tension between a contextualist stance and the commitment to trans-inclusive language. In addition, there are some methodological worries having to do with the challenges fit for philosophical semantics. What appear as semantic debates are manifestations of deeper, multi-dimensional disagreements in our ethical and political convictions, metaphysical and epistemic beliefs, as well as our views on language, including what it is and what we can and ought to do with it. We should recognize these broader and deeper theoretical and practical difficulties, rather than collapsing them all into semantics. Moving on, I discuss three potential strategies, including how attending to contextual matters can be valuable, especially if so doing leads us to further reflect on the meta-contextual, such as our role in shaping, sustaining, and changing contexts, and whether the working of language is indicative of a larger oppressive social structure. Theorizing such matters does not lie strictly within the purview of philosophy of language, but can provide useful tools for advancing feminist philosophical endeavors.[3]

2. Two Versions of Contextualism

2.1. *Saul’s Contextualism*

To capture the phenomenon that “woman” behaves sometimes as a sex term in picking out individuals with XX chromosomes, vaginal genitalia, and the

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[3] In what follows, some of the claims I will be critically discussing may offend some readers. Unfortunately, it is impossible to argue against these potentially offensive claims without mentioning them. I regret that we are faced with this challenge.

like, and sometimes as a gender term in referring to individuals who play a certain social role or have certain self-identity, Saul (2012: 201) considers the following:

> **Contextualism**: "X is a woman" is true in a context *C* iff X is human and relevantly similar (according to the standards at work in *C*) to most of those possessing all of the biological markers of female sex.

This semantic analysis of "woman" has two important elements. First, the truth of "X is a woman" is context sensitive and depends on the relevant standards at work in a particular context *C*, where different contexts can have different standards. Second, given a particular context *C* and the standards at work in *C*, the truth of "X is a woman" depends on the comparative similarity between X and the majority of the biologically female in *C*.[4]

To illustrate, suppose Charla is a trans woman who does not go through confirmation surgery. Take:

(1) Charla is a woman.

Based on the contextualist picture, the truth-value of (1) depends on the relevant standards of similarity at work in the very context of its utterance. For example, in contexts of medical needs, such as whether a pap smear is required, or whether Charla should be screened for testicular cancer, (1) is false given facts about Charla's bodily features. In other words, Charla is not "relevantly similar to most of those possessing all of the biological markers of female sex" in this context. By contrast, consider another scenario where what is at issue is whether Charla can use women's bathroom in a conversation among advocates of trans-inclusiveness. The relevant standards of similarity seem to be Charla's self-identification as a woman, and (1) is rendered true in this case. Thus, contextualism has some initial appeal in capturing the context-sensitivity of the diverse applications of "woman;" in particular, it seems to be able to do justice to trans women's self-ascribed identity.

Nevertheless, Saul herself hesitates to endorse contextualism, because she thinks it in fact trivializes trans women's claim and does not really do them

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[4] There are two issues with this formulation that I mention below but will not explore further. First, the reference to biologically female is not unproblematic. For one thing, it seems to assume that female sex is definite and that there is no controversy regarding what biological markers carve out the female/male distinction. For another, even if the biological markers can be clearly delineated, there will be more females than we actually think if the set of markers is specified broadly, and there will be fewer if the set is defined strictly. See also Mikkola (2016). Second, the meaning of "most" can be described in different ways. See, for example, Pietroski, Lidz, Hunter, and Halberda (2009).

justice. The reason is that once we accept contextualism, we declare that (1) can be true in one context but false in another. Importantly, even though (1) is true in contexts where the speakers take self-identification to be critical, (1) is false when uttered in contexts where members of the linguistic community are transphobic. Worse still, the contextualist view can even be *offensive* to trans women——"either because it trivializes their claims to womanhood or because it grants the truth of their opponents' claims" (2012: 213).

This is what Saul sees as the limitation of a semantic analysis:

> On my [contextualist] view of "woman," I cannot argue that the lawmakers are making a mistake about how the word "woman" works. But what I can do is argue that they are morally and politically wrong to apply the standards that they do. On my view, then, disagreements over who counts as a woman are simply not to be settled by appeal to the facts of language. They are to be settled by appeal to moral and political principles. There may well be a single right answer about what standards should be applied for determining who satisfies the definition of "woman" in a particular context; but it will be right because it is morally and politically right. So I can coherently, and maybe even correctly, insist that the lawmakers are wrong and I am right. But we must recognize this claim for what it is: a moral and political, rather than merely linguistic, claim. (2012: 204)

As a *semantic* analysis, there is only so much that contextualism can do. It cannot resolve the disagreement between speakers in different contexts; that dispute, Saul contends, is to be settled by principles external to language. Moreover, bluntly put, contextualism cannot even make sense of disagreement, because the content of "Charla is a woman" simply has different content when uttered in different contexts.[5] So, contextualism depicts parties of different opinions as engaging in mere verbal disputes and talking past each other.[6] As such, it allows no conceptual underpinning of real disputes and offers no guide to settle any either.

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[5] Recall that in the Kaplan's (1989) semantic framework there are two kinds of meaning: *character* and *content*. A context-sensitive expression has a single unvarying character but different contents in different contexts. For example, the indexical "I" refers to the speaker of the utterance, but the individual it picks out varies across contexts. According to contextualism, "woman" behaves much like an indexical such that the content and hence truth-value of "Charla is a woman" are determined in the context of utterance.

[6] According to Karen Bennett, in a verbal dispute, "each side ought to acknowledge that there is a plausibly charitable interpretation of the language associated with the other side's position which will make that position come out as true" (2009: 51).

2.2. *Diaz-Leon's Subject-Contextualism*

To be sure, Saul thinks that there may be moral and political principles that determine what standards should be at work in a particular context *C*, and thus determine the *right* truth-value of an utterance of (1), yet these extra-linguistic facts do not have a place in a semantic analysis. However, Diaz-Leon begs to differ.

Diaz-Leon claims to offer a new contextualism that "provide[s] moral and political considerations that are relevant with regard to the *descriptive* project of x finding out the meaning of 'woman' " (2016: 249). She argues that normative considerations can and do play critical roles in the semantic analysis such that a contextualist account can both (a) reflect the context-sensitivity of the term and (b) respect trans women's rights to self-identification. Furthermore, she does not seek to change the existing meaning of "women" and sees her project as purely descriptive (as opposed to *ameliorative* or revisionary).[7] How is *this* possible?

Diaz-Leon's innovation involves two crucial moves. First, she draws from the distinction between *attributor* and *subject* factors in the epistemic contextualism literature,[8] and advocates a *subject*-contextualist account. Second, even though the subject factors concern the subject, Diaz-Leon emphasizes that they are by no means subjective. Crucially, it is the *objective* subject factors that determine the relevant criteria of similarity in a context.

Briefly put, attributor factors are features that co-vary with the attributor (i.e., speaker) from context to context; subject factors are features that concerns the putative subject of the utterance. In the case of knowledge attribution, for example, attributor factors are features such as the person who is making the assessment, including her beliefs, intentions, desires, and interests. On the other hand, subject factors have to do with the putative knower, including features of herself and her environment (for instance, whether there are many cases of painted mules in the zoo), and if these objective features make some relevant alternatives worthy of considerations.

Equipped with this distinction, Diaz-Leon notes that what Saul outlines is the *attributor*-contextualism according to which the truth-value of (1) varies from speaker to speaker. Problematic results ensue because the speaker is the one who determines the attribution of womanhood, and when (1) is uttered by someone who denies the right of trans women, (1) comes out false. Given how the semantics is set up, there is nothing we can say or do with this undesirable outcome.

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[7] For example, Haslanger (2012) and Jenkins (2016).

[8] Notably, DeRose (1992; 2009) and Stanley (2005).

By contrast, Diaz-Leon proposes a different version of contextualism that focuses on the objective features of the subject:

> **Subject-Contextualism**: "X is a woman" is true iff X is human and relevantly similar to most females, where what counts as relevantly similar to most females depends on "objective" features of X's context, including instrumental, moral, and political considerations having to do with how X should be treated (regardless of who utters the sentence or what their beliefs are). (2016: 251)

Diaz-Leon expands and alters the standards of relevant similarity in Saul's original formulation. The relevant criteria of similarity in a particular context *C* are now determined by the *objective features* regarding the subject. These objective features are not sensitive to who the speaker is; they have to do solely with how the subject should be treated and are thus explicitly normative in nature.

When someone utters (1), the relevant standards of similarity are not determined by the speaker's own beliefs, desires or intentions of use; rather, they are settled by objective features of how Charla should be treated in that very context. Diaz-Leon explains that the standards of similarity have to do with the "*practical purposes*" that are relevant in this context, which "should be determined by our best theoretical and normative considerations," where these are "broadly conceived to include theoretical, prudential, moral, political, and even aesthetic values" (2016: 249). Given these sets of considerations, the relevant criteria of similarity concern the practical purpose of acknowledging trans people's right to self-ascribe the gender terms of their self-identification. Hence (1) is true and its negation false, even when uttered by someone who is transphobic.

To serve the normative demands of doing justice to trans women's self-proclaimed identity, Diaz-Leon shifts the focus of contextualism from attributor factors to subject factors and incorporates moral and political considerations into the descriptive semantic analysis. This methodology takes seriously Saul's suggestion that "there may be a single *right* answer about what standards should be applied for determining who satisfies the definition of 'woman' in a particular context" (Saul 2012: 204). But unlike Saul, Diaz-Leon thinks language-external, normative principles play a role in the determination of semantic content. In addition, because she takes subject factors to be objective in nature, her view entails that when there are disputes over the truth of (1) in a particular context, there is a correct answer as to which of the opposing parties is right.

3. Problems of Subject-Contextualism

In cases where the attributor contextualism falls short, Diaz-Leon's analysis seems to make impressive progress. However, I think subject-contextualism faces a series of interlocking problems despite apparent success. I discuss three problematic theoretical commitments Diaz-Leon makes in what follows.

3.1. Contextualism or Invariantism?

The appeal of subject-contextualism supposedly lies in its ability to predict the truth of (1) while maintaining a flexible interpretation of the meaning of "woman." I contend that this claimed advantage does not withstand scrutiny.

According to subject-contextualism, (1) can have distinct truth-values because the normative considerations involved in, say, a classroom context and a medical context drastically differ. The idea is that relative to a given context *C*, there are objective facts concerning the subject that determine the relevant standards of similarity, and hence the truth-value of (1) in *C*. These objective facts, as Diaz-Leon sees them, are features of the putative woman's context, including "instrumental, moral, and political considerations having to do with how X should be treated (regardless of who utters the sentence or what their beliefs are)" (2016: 251).

Note that subject-contextualist is committed to moral objectivism. I will have more to say about this shortly; the question I want to flag here, however, is this: Can there be moral facts and normative considerations that are present and operative in all contexts? If some objective features of the subject are crucial and fundamental to every single context, then subject-contextualism turns out to be much less flexible in reality.[9]

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[9] To be sure, in the 1992 paper where the distinction between attributor and subject factors is introduced, DeRose holds that "an invariantist can be a relevant alternatives theorist if he allows only subject factors to influence which alternatives are relevant" (DeRose 1992: 919). For example, the subject factors in a case of knowledge attribution may be whether one is in fact in a scenario where painted mules are abundant. In the case of "woman," subject factors may be whether one is in a society where the application of "woman" is a matter of self-identification by the subject, and others should respect the subject's first-person authority, etc. The general point here is that Diaz-Leon's subject-contextualism is compatible with invariantism. In fact, as Ichikawa (2020) points out, Diaz-Leon's proposal is what epistemologists would call *subject-sensitive invariantism* or *interest-relative invariantism*. To illustrate, here is DeRose's characterization of subject-sensitive invariantism: "According to subject-sensitive invariantism, like other forms of invariantism, given S situation, there a single set of standards which, at least as far as truth-conditions go, govern any speaker assertion about whether or not S 'knows,' regardless of those speakers' conversational contexts" (DeRose 2009: 25). Replace the predicate "knows" with "is a woman" and we have Diaz-Leon's view.

Diaz-Leon herself makes in a critical passage the following concession:

> If it is true that our best normative considerations show that it is wrong to say that (some) trans women are not women in medical contexts where women are being screened for vaginal diseases (because, say, the harm caused to trans women over-rides practical considerations of other sorts), then it will just not be the case that woman in this case refers to those with vaginas, but rather to those who identify as women. (2016: 256)

Simply put, (1) can be true even in a medical context.[10] For one thing, as Bettcher argues, trans women may very well take themselves to be women in all contexts. In a medical context, for example, testing for prostate cancer, a non-operative trans woman may not consider their genitalia as "*male* genitalia in the first place, but the sort of genitalia congruent with transgender femaleness" (Bettcher 2013: 240). In other words, Charla need not take the prostates, testes and/or the lack of vagina to undermine her claims to womanhood. After all, "that testicles, penises, XY karyotype, and prostates count as *male* in the first place, is precisely what trans subcultures are contesting" (Bettcher 2013: 240). Moreover, as Kapusta (2016) argues quite convincingly, misgendering causes serious psychological, moral, and political harms. So one might claim that misgendering can never be accepted in any context and that genuine self-identification is the most valuable consideration in all contexts. If harms to trans women's right ought to be avoided without fail, there would be no context where (1) is false and subject-contextualism collapses into invariantism.[11]

3.2. What Subject Factors?

Given subject-contextualism, it is the subject factors—features that concern the subject—that determine the relevant standards of similarity in a given context *C*. I argue that the very formulation of subject factors is problematic.

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[10] In fact, The Canadian Medical Protective Association (CMPA), provides policies and guidelines regarding treating transgender individuals: (https://www.cmpa-acpm.ca/en/advice-publications/browse-articles/2015/treating-transgendered-individuals). For instance, "[t]ransgender individuals may express a desire to be called by a name that differs from their legal name, or to be referred by pronouns that match their gender identity. Where possible and reasonable to do so, physicians should strive to accommodate any such requests."

[11] More recently, Bettcher (2017), Laskowski (2020), and Zeman (2020) also note that Diaz-Leon's view runs the risk of collapsing into invariantism. I am in large agreement with many of their points, but the aim, scope, and specific details of my arguments are significantly different.

Diaz-Leon emphasizes that subject factors are objective features of the subject's context;[12] she goes on and elaborates that "what determines these standards of similarity in each context has to do with our best normative and evaluative considerations concerning the putative subject, including theoretical, moral, and political considerations" (2016: 251). This strikes me as rather puzzling. Are the subject factors *objective* in the sense that they are what they are "regardless of who utters the sentence or what their beliefs are" (2016: 251)? If so, why do the subject factors depend on "*our* best normative and evaluative reasoning" (2016: 250, emphasis mine)?

There are two problems if subject factors are really decided by our considerations. First, the explicit appeal to *we* indicates that we are the ones who call the shot. When the criteria of similarity is fixed this way, the evaluation of (1) in any context is not free of factors concerning *we*, the ultimate attributors.[13] If attributor factors do play such a crucial role, then subject-contextualism is incoherent. Second, Diaz-Leon seems to assume that our "instrumental, moral, and political considerations having to do with how X should be treated" (2016: 251) do come together. This is far from the case in the social reality we live in, however. People's "theoretical, prudential, moral, political, and even aesthetic values" (2016: 249) are pulling in different directions, and that is why the truth-value of "Charla is a woman" is so contested. Because we simply do not have a good, let alone the best theory of all the normative and evaluative considerations, subject-contextualism is impractical.

Difficulties arise even when we have a best theory. Recall that subject-contextualism is committed to moral objectivism: given a particular context, there are objective facts about what is morally and politically right and wrong. However, what reasons do we have that our best theory is truth-conducive and captures the objective facts in *C*? We should be wary of the likely gap between the objective moral and political facts and our best theory. We may *believe* that our considerations are comprehensive and our reasoning valid, but we are wrong and our decisions cause harm and injustice.[14]

Note that according to Diaz-Leon, the subject factors are objective features "having to do with how [the putative subject] should be treated" (2016: 251). Intuitively, Charla's interests, beliefs, desires, preference, etc., matter to how she should be treated. Moreover, presumably how Charla wants to be treated in a

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[12] See Diaz-Leon (2016: 250–51); also DeRose (1992: 918).

[13] I will discuss in more detail the role of *we* in Section 5.

[14] Beebee argues for a philosophical scepticism and claims that "philosophers do not and cannot know many of the substantive philosophical claims that they make or implicitly assume" (2018: 1). This is so because theories with various theoretical virtues such as explanatory power, simplicity, parsimony, and the like, can nevertheless fail to be truth-conducive. I am not committed to Beebee's view, but if she is right, her argument provides some more reason to be sceptical about Diaz-Leon's proposal.

given situation would not change regardless of who the speaker is. So, it seems very reasonable that Charla's mental states are the objective subject factors. The problem is, if Charla wishes to be treated as a woman across all contexts, then (1) is always true and subject-contextualism becomes equivalent to invariantism.[15]

In sum, subject-contextualism has trouble spelling out the nature of subject factors, or the objective features of the subject's context. The view fails to be vigilant about the limitation of our normative and evaluative reasoning and is either incoherent, impractical, or collapses into invariantism.

3.3. *What Context?*

Subject-contextualism is committed to the assumption that context individuation is transparent and easy. However, consider the following:

> The government orders that all people of Charla's age be screened for either cervical or testicular cancer. Charla goes to the hospital in a sundress and is received by Charlie, a transphobic medical professional. Charlie finds Charla's voice masculine and notices her Adam's apple. Charlie quickly points Charla to the section where screening for testicular cancer is conducted and says, "You should go there because you are not a woman." Charlie also says to other colleagues, "Charla is not a woman."

What is at stake here apparently is whether Charla has a vagina and if the right test is prescribed. But it is iffy whether Charlie's utterance is due to genuine concern for getting the right tests done. So, is this a medical context or a case where Charla's right is violated?

To be sure, the difficulty here is not that we are faced with a dilemma. Rather, the problem is that this scenario presents both a medical context and one where Charla's right to self-identification is violated.[16] More generally, it would not be difficult to find contexts where multiple practical purposes are present, and sometimes different purposes may be in conflict. Furthermore, while subject-contextualism is committed to a substantive, objective theory of morality,

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[15] An anonymous reviewer points out that a trans woman may not want to apply the term "woman" to herself in some contexts for particular communicative purposes, say, because she is trying to find a common ground with her audience and does not want to lose them right away. This is compatible with a trans woman's mental states being the objective features that settle how she should be treated in a given situation. I thank the reviewer for correcting my error in an earlier version of the paper.

[16] Thanks to Jennifer Saul and an anonymous referee for pressing me to elaborate on this case.

the broad spectrum of considerations that Diaz-Leon identifies (which include instrumental, practical, moral, political, prudential, and even aesthetic ones) makes it unclear and contestable that there is a definite set of considerations that are coherent, consistent, and the best for any given context.

Subject-contextualism assumes that contexts can be individuated by their supposedly distinctive practical purposes and that our best theory provides us with a well-defined set of considerations that determine uniquely the truth-value of assertions in any given context. In cases like the one sketched above, however, it is not really clear what advocates of subject-contextualism should say about Charlie's assertion. Of course, my argument does not prove that context individuation is impossible, but it underlines the tricky, messy, non-ideal social reality that we live in.[17] The point is that in order for the subject-contextualist semantics to work, Diaz-Leon is committed to interpreting the individuation of contexts in either a rigid and fixed way, or a loose, flexible manner. The former is hardly contextualist, but the latter cannot guarantee that the truth-value of (1) is conducive to the aim of trans-inclusive semantic theorizing.

So, the real dilemma facing subject-contextualists is this. On the one hand, if there are context-invariant grounds to value some considerations over others, such as not to harm the rights of trans women, then subject-contextualism is invariantism in disguise. On the other hand, if the considerations are genuinely flexible and variable, given the uncertainty of even our best theory, we cannot always be sure of the demarcation of context and hence the semantics. The contextualist view is unsatisfying either way.

Again, I am not advocating nor defending moral skepticism. There may well be objective moral facts that uniquely determine the individuation and practical purpose of a given context *C*, as well as the criteria of similarity in *C*. However, the existence of such normative facts is compatible with invariantism.

4. Truth and Appropriateness

So far I have identified several problematic assumptions to which contextualism is committed. In a recent paper, Ichikawa (2020) discusses the parallel between knowledge ascription and the application of terms like "woman."[18] He argues

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[17] Thanks to an anonymous reviewer for helping me make this point.

[18] Ichikawa's central example concerns the contextualist treatment of knowledge ascriptions regarding sexual assault allegations. He aims to highlight "the political significance of discourse about knowledge" (Ichikawa 2020: 5) by identifying the parallel between knowledge ascription and gender terms application, and from there demonstrates "the importance of the social power to set contextual standards and how it relates to injustice and oppression" (2020: 1). My focus is on his discussion of contextualism about gender terms.

against certain objections to contextualism about "woman" and contends that diagnosing their errors sheds light on "language and social power, as well as [on] knowledge and action" (Ichikawa 2020: 6). Examining Ichikawa's analysis helps to bring out some general methodological questions embedded deeply in the contextualist approach. It is to these matters I now turn.

4.1. Ichikawa on the Triviality Worry

Contextualism is subject to what Ichikawa calls the *triviality worry*: one can speak truly (regarding "knows" or "is a woman") whether or not one ascribes the term to the putative subject in question. Just as there is a possible context where the ascription is true, there is a possible context where the denial of the ascription holds. Contextualism thus implies that there is "no substantive choice in the matter" (2020: 5), that the "the choice is arbitrary" (2020: 6), and that "there's really *nothing to it*" (2020: 8). This is problematic in general but particularly so in the case of "woman." Contextualism entails that there is a context where "Charla is a woman" is true, and that there is also a context where "Charla is not a woman" is true. However, to do full justice to trans women, we want to acknowledge not just that "Charla is a woman" is true, but that its denial is false. As long as contextualism allows trans-exclusionary sentences to be true (in some contexts), it "obscures, or even eliminates, what is manifestly an important moral and political question" (2020: 6).

The triviality worry points out an important question about normativity. Saul ultimately does not endorse contextualism because of such concerns,[19] and Diaz-Leon's proposal is an attempt to address precisely these issues. However, Ichikawa thinks that the argument behind the triviality worry misses the mark. He contends that contextualism can distinguish between a context being possible (and making a certain utterance true) and that same context itself being appropriate:

> Contra the triviality worry, I do not agree that the contextualist approach to "women" implies that trans-exclusionary contexts are equally legitimate. It only implies that they are possible. There are many more, and more important, questions to answer than questions about which sentences are true; there are deep questions about which kinds of contexts are appropriate. (2020: 11)

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[19] "There is something trivializing about the way the contextualist grants the truth of trans women's claims" (Saul 2012: 209).

Ichikawa maintains that the semantics does says that (1) is true when uttered in a trans-inclusive community and false in a trans-phobic one. He also agrees with Saul that it is unsatisfying if contextualism cannot mark the trans-exclusionary language as inadequate. However, "when it comes to context-sensitive language, the truth of an utterance does not exhaust its normative profile" (2020: 11). The truth of a sentence is not the only thing and not even the most important thing that matters. In social reality what we care is whether that sentence is acceptable. So, unlike Saul, Ichikawa declares that contextualism can flag the trans-exclusionary language as defective not by denying that there are possible contexts in which (1) is false, but by making explicit that not all possible contexts are equally legitimate. To be sure, Diaz-Leon is also concerned about the normative issues regarding what standards are relevant in a context, but her strategy is to incorporate built-in normative elements into the semantics. By contrast, Ichikawa recognizes, on top of questions about mere truth, questions about appropriateness.

More specially, Ichikawa appeals to DeRose's (2009) "single scoreboard" treatment to address the triviality worry.[20] When advocates for trans women's rights and those against them argue about the truth of (1), the dispute typically takes places in a single conversation involving several participants. While each party can insist they speak truly in their respective context, the debate is about how to set the standard of the shared conversation. Given the single scoreboard view, the parameters operative in the shared context will not recognize both parties' utterances as equal. The advocates and the trans-misogynists do disagree, and the disagreement "will literally be disputes about what kind of context to be speaking in" (Ichikawa 2020: 11).

Ichikawa also points out that contexts and their standards often involve negotiation, and negotiation involves power. "Speakers typically lack the conversational authority to decide unilaterally what standards govern their sentences" (2020: 7). Furthermore, the linguistic playing field is rarely even for "conversations are not always, or even typically, between individuals with symmetrical social positions" (2020: 8). Not everyone has the ability or is in a position to exercise their ability to affect the choice of contextual parameters. Such ability is a kind of "social power" and is more than likely distributed unevenly in society. Compared to the more marginalized people, those with more social

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[20] When people, say a Moorean and a skeptic, are engaging in an epistemological dispute of whether one knows, there is indeed a context that makes the Moorean's claim true, just as there is also a context that makes the skeptic's claim true. Nevertheless, the conversation where this very dispute about "knows" takes place is a context in which "the truth-conditional content of both our speakers' uses of 'know(s)' is given by the score registered on this single scoreboard" (DeRose 2009: 135). While DeRose's focus is on knowledge, he intends the single scoreboard treatment to be applied to context-sensitive language more generally.

power will "have an easier time setting conversational parameters" (2020: 11). Hence, "a subject suffers a *contextual injustice* when speakers unfairly employ contextual parameters that are disadvantageous to the subject" (2020: 17). In the case of "woman," if Charla "deserves to be treated as a woman for the purpose at hand, creating a trans-exclusionary conversational context does her an injustice" (2020: 17).

4.2. Contextualism Reconsidered

I am on board that minding the asymmetric authoritative social power in negotiating appropriate contextual parameters and calling out the contextual injustice that ensues are especially important in theorizing politically significant terms such as "woman." Ichikawa's more sophisticated contextualism also addresses some of the problems I raise in the previous sections. However, despite some attractive strong points, it is susceptible to the methodological issues common to the contextualist approach. Or so I will argue.

There are several reasons why Ichikawa's answer is ultimately unsatisfying. For one thing, it seems to suggest that as long as the trans-misogynists are talking amongst themselves, in that very context, they speak truly in denying Charla is a woman. For another, it is important to note that those who attribute different truth-value to (1) need not be in the same shared context. Presumably, the appeal of contextualism is that it explains both how an utterance of "Charla is a woman" can be true and how an utterance of the negation of "Charla is a woman" is not always false. So, when someone utters "Charla is a woman" and another its negation, they can genuinely be located in different situations.[21] If we rule out the possibility that people do sometimes use "woman" differently and talk past each other, the very motivation for going contextualist is lost.

On the other hand, by adopting the single scoreboard approach, Ichikawa's view entails that "Charla is a woman" would have a determinate truth-value in the shared context that all the participants engage in, and so the debates are really as much about appropriateness as they are about truth. Nevertheless, by drawing a clear line between a true utterance and an appropriate utterance, Ichikawa seems to either underestimate or fail to correctly trace the interconnection between the two aspects of an utterance's normative profile. Relatedly, the disagreement about which context is appropriate is characterized as "deep practical and moral questions" (2020: 11). But why think the debates are just

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[21] This is related MacFarlane's objection that the single scoreboard treatment "explains only intra-conversational disagreement, leaving inter-conversational disagreement unaccounted for" (2007: 21).

"practical and moral questions," especially given the interdependence between truth and appropriateness? As I see it, the issues involved include, to name just a few, what gender and sex are, how we carve out contexts, and the sort of considerations that should go into the practice of so doing. These issues are as much about philosophy of language as they are about our metaphysical, epistemological, moral and political commitments. The disagreements about "Charla is a woman" may be a result of people having different practical concerns, but it may well be due to distinct underlying metaphysics.

Moreover, once we zero in on the connection between truth and appropriateness, a deeper worry about the commitment to objectivism becomes salient. Whether the debates are to be depicted as "practical and moral questions" or something more, Ichikawa thinks they "may well have an objectively correct answer" (2020: 11). This is something he shares with both Saul and Diaz-Leon,[22] and I take it to be a serious problem of the contextualist approach in general.

The problem is this. While contextualism itself need not supply the objective facts that undergird the criteria of appropriateness (and hence truth in the shared context), it cannot answer the triviality worry without assuming something objective. Which context is better and why must be so backed up, otherwise it becomes arbitrary which context one picks, and the triviality worry lurks back at the level of context appropriateness. In other words, Ichikawa needs the single scoreboard treatment to deal with the triviality worry, but that works only if there are objective (moral, metaphysical, among others) facts. Again, it is not my intention to challenge the objectivism in question; however, given the "objectively correct answer," it may be the case that trans-inclusive language is always appropriate and "Charla is a woman" is true across all contexts. Put differently, the contextualists must be committed to some form of objectivism, otherwise there is little explanation and justification of why some context/utterance is appropriate and the triviality worry looms large; but given objectivism, a contextualist account can turn out to be invariantist.

5. Beyond Semantics

The contextualist approach aims to serve the practical purposes of validating trans women's self-ascribed use of "woman" while at the same time maintaining its more traditional, biological sense. I argue that it is difficult to deliver this

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[22] 22. Recall Saul's remark: "There may well be a single right answer about what standards should be applied for determining who satisfies the definition of 'woman' in a particular context" (Saul 2012: 204).

high promise. Part of the problem has to do with the specific details of the contextualist accounts, but part of the problem has to do with the challenges fit for philosophical semantics.

On the one hand, the contextualists are committed to some form of objectivism in order to grapple with the concerns with normativity, but objectiveness may well lead to invariant consequences. Hence there is an internal tension between a sincere commitment to trans-inclusive language and a bona fide contextualist stance. One the other hand, there is only so much that can be done using tools of philosophical semantics.[23] Our understanding and usage of the term "woman" is complex. This is so not just because many people feel strongly about it. In general, figuring out the meaning of a term "X" is not always easy, because figuring out the nature of X can be very difficult; sometimes, even what the best way to proceed with the investigation is not transparent. For a long time people did not know that water is H_2O; similarly, scientists debated heavily about the nature of light until Einstein's quantum mechanics shows that it is both a wave and a particle. Due to its political significance, the case of "woman" is especially tricky.

However, the linguistic controversy over the meaning of "woman" is only the tip of the iceberg. What appears as semantic debates are manifestations of deep, multi-dimensional debates concerning our ethical and political convictions, metaphysical and epistemic beliefs, as well as our views on language and communication.

For example, people disagree about not just the meaning of "woman" but also what we can and ought to do with it. On one end of the spectrum, Bettcher contests that "gender categories do not merely apply (or fail to apply) on the basis of objective criteria but are adopted for personal and political reasons" (2013: 247) and advocates for a multi-meaning position: "woman" has both a *dominant* and a *resistant* meaning.[24] Bettcher holds further that the resistant meaning, according to which a trans woman is "a paradigmatic (rather than a borderline) case" (2013: 247) is necessary for a liberatory theory of gender. On the other end of the spectrum, Alex Byrne (2020) argues that "woman" refers simply to adult human females—"nothing more, and nothing less." He contends that while "an eminently desirable and feasible goal is for trans women (and men) to be accepted by society and live in peace and dignity," repeatedly intoning that trans women

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[23] Mikkola comes to a similar point that when considering the *semantic puzzle* of what she calls "the gender controversy." She argues that whether trans people and those with variations of sex development are in the extension of the term "woman" is not "primarily to be settled by semantics—they are a political issue" (2016: 113). Further, "effective response" lies not with "improved semantics" but "improved politics" (2016: 114).

[24] The dominant meaning is the one used in the mainstream society, linking womanhood to female biological features; the resistant meaning is rooted in trans-inclusive feminist communities, where "being a trans woman is a sufficient condition for being a woman" (Bettcher 2012: 241).

are women is “likely to backfire, inducing a feeling of being snowed,” and renders the well-intended goal harder to achieve.[25] Still others, such as Elizabeth Barnes, argue that gender terms such as “woman” are “complex, messy, and often refer to a gerrymandered cluster of features” (Barnes 2020: 719).[26] Barnes maintains that while there is no “deep, language-independent facts about which people are women,” due to the political and personal significance of the term, we should be permissive about the self-ascription of “woman” (2020: 720–21). Whenever possible, we should revise the application conditions of the term such that an individual’s self-ascription thereof is true.

Articulating the meaning of “woman” is by no means easy. This is so because of the deeper theoretical and practical puzzles embedded in the apparently linguistic questions. We should recognize and tackle these questions instead of collapsing all the controversies into semantics. Further, since normativity needs to be taken into account, there is little reason that we limit ourselves to the resources provided by only semantics. Below I outline a few potentially productive strategies. I hope to further explore their efficacy in future research.

First, attending to contextual matters can be valuable in our theorizing, especially if so doing leads us to further reflect on the meta-contextual, such as our role in shaping and sustaining contexts, what is permitted and what isn’t in our linguistic exchange and why, and whether the working of language is indicative of a larger oppressive social structure. Though Ichikawa’s contextualist analysis is inadequate overall, some of the points he makes help to foreground a dynamic conception of meaning and conversational context, and hence bring to the fore the importance of the speakers, or the *we*.

To make the point clearer, consider a broad understanding of speaker that includes all the participants in a conversation. As Ichikawa notes, “contexts don’t just appear *ex nihilo*,” (2020: 7) and neither would they change arbitrarily.

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[25] An anonymous reviewer made a very interesting suggestion: Suppose trans women are women and women are adult human females, then it would turn out that trans women must be female. Then Byrne’s view is actually trans-inclusive. This is a very interesting point. This trans-inclusive interpretation of Byrne’s proposal is closely related to Bettcher’s dominant meaning of “woman.” Crucially, many trans women do not consider the genitalia they are born with male genitalia, but “the sort of genitalia congruent with transgender femaleness” (Bettcher 2013: 240). As the reviewer pointed out, the important question is whether such reasoning is justified and if so, by metaphysical or moral/political considerations. I hope to look into these issues in future research.

[26] Barnes’s view about “woman” is “broadly similar to (and inspired by) the contextualist account of gender terms outlined—though not endorsed—in Saul (2012)” (Barnes 2020: 720). However, Barnes is not offering a contextualist semantics of “woman” as she maintains that she’s “not wedded to the specifics of a contextualist account” (2020: 720). The view that gender terms “are somewhat variable or flexible in which class of people they pick out” (2020: 720) is compatible with non-contextualist semantics, such as a polysemous picture. I thank an anonymous reviewer for this point.

Conversational contexts typically do not begin with a fixed set of standards, and they become what they are due to the speakers' contributions.[27] An individual can make an explicit contribution to the context by putting forward a sentence as true; if the utterance is accepted by the other speakers of the conversation, its content, often along with its presupposition and implications, becomes part of the common ground.[28] Meanwhile, I think voicing a rejection is another way a speaker can make an explicit contribution; not saying a thing also shapes the conversation by allowing it to go on its apparent direction. Because "the context in a conversation is the one that the accepted utterances require for their truth" (Ichikawa 2020: 11), accepting or rejecting "Charla is a woman" can thus change the context.[29] As participants whose contributions render what the context is, *we* play a role in creating and maintaining a context——via choosing the relevant criteria of similarity, deciding its practical purposes, and setting the contextual parameters. This echoes and adds to Saul's idea that when it comes to terms like "woman," "one has a moral and political responsibility to consider the political consequences" (2012: 212). In this case, our saying something or not carries tremendous social power, so we should be wary of who holds more conversational authority and for what reasons, and be ready when rebalancing is needed.[30]

Second, it may not be most constructive to berate someone from a transphobic community that they never get the objective normative considerations right, or that they are awfully wrong about the underlying meta-physics of gender. The real challenge is how we, as users of the term "woman," come to coordinate and perhaps move forward, despite the difference in opinions, asymmetric conversational authority, and sometimes even lack of genuine communication.[31] To this end, I want to suggest a few questions that can be distinguished and

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[27] Here is a relevant remark by Lynne Tirrell: "our speech acts also undertake a meta-level expressive commitment about the very saying of what is said. Expressive commitments are commitments to the viability and value of particular ways of talking, modes of discourse" (2017: 144).

[28] See Stalnaker (1978). Haslanger (2011) argues on this ground that we should reject pernicious generics such as "Women are more submissive than men" and "Blacks are more criminal than whites."

[29] This is reminiscent of the slogan that the meaning of a sentence (or phrase) is its *context change potential* in the dynamic semantics tradition. See, for example, Heim (1992) and Kamp (1981).

[30] See also Langton's (2009; 2012; 2018) work on blocking, common ground, and presuppositions.

[31] There are times where people with opposing views realize that they are situated in different contexts and are willing to face this very fact. In our day-to-day interaction, people do often come to a subject matter with divergent views but strive to figure out the basis and scope of their differences. If the conversation participants aim for constructive communication, a denial or negation of some utterance can be thought of as a call for further response. See also Haslanger (2012: 425), MacFarlane (2007), and Murray and Starr (2018).

should be considered further: (i) How do we delineate a conception of *we* that is instructive to the present purpose? (ii) Given some notion of the in-group vs. out-group difference, how should people respond to one other? Should different parties negotiate, try to change the other, be changed and take the other's perspective, or simply ignore those with different opinions? (iii) If some response is better, what are the ways to implement it? Suppose trans-exclusive use of "woman" ought to be changed, can (and should) that be done through legislation?

Third, figuring out the structural connection between different types of disagreement—such as the disagreement about contextualist vs. invariantist semantics, the disagreement about our views of linguistic communication and how to change language and concept, and the disagreement about the underlying metaphysics of gender—can shed light on whether (and which of) these disagreements are parasitic, and which of them might be easier to be sorted out. For example, it might be that those with a substantive view on the metaphysics of gender will be more likely to reject a contextualist semantics of "woman;" those with a minimal or deflationary account of the metaphysics might be more open to changes and flexibility in concept and language.[32] Identifying such correlations can pave the way for resolution and coordination.

Not all of the issues sketched above lie strictly within the purview of philosophy of language.[33] Again, this demonstrates the real challenges we face. Given the complexity of these problems, there probably will be no simple solution. Nevertheless, we can make small, steady progress by locating the central difficulties and identifying key questions to address, so that we may gradually come to better answers.

To conclude, the debates about the truth of "Charla is a woman" are substantive and it is extremely important to recognize and do justice to the right of trans women. In moving towards such objectives, I argue that there are good reasons to be skeptical of the contextualist approach. Going forward, we need to be particularly careful of the fit and limitation of our tools and strategies, for they should change not just beliefs, but have the potential to eventually change practices.[34]

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[32] I have in mind, for example, Antony (2020).

[33] Some of the issues are normative and some are methodological. They are thus closely-related to recent work on metalinguistic negotiation, conceptual ethics, and conceptual engineering. See, for example, Burgess and Plunkett (2013), Plunkett (2015), and Burgess, Plunkett, and Cappelen (2020).

[34] This is inspired by Haslanger's idea that ideology critique must challenge not only beliefs, but "practices through which we ourselves become the vehicles and embodiments of ideology" (Haslanger 2019: 22).

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