

The Normativity of Gender Discourse: A Pragmatic Approach

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Many disputes about gender are normatively charged. To account for this, some suggest building normativity into the semantics of gender terms. I propose an alternative, pragmatic account. When speakers utter gender-attributing sentences of the form ‘Person A is of gender G’, they often pragmatically convey normative content about whether A should be categorized as G. After critically discussing the semantic approach, I motivate and discuss in detail this novel pragmatic view and elaborate on its compatibility with a number of semantic options.

Keywords: Gender; gender terms; disagreement; feminist philosophy; polysemy

1. Introduction

Many of us have witnessed intense and polarizing disputes about people’s genders, typically unfolding in online spaces. A recurring focus of these disputes is the status of *trans women*, a highly marginalized and targeted group of women. Many gender disputes about trans women escalate quickly, with participants willing to pay a significant price to defend their views. Statements such as “Trans women are not women”, championed by trans-exclusive feminists, provoke passionate responses from other feminists who ardently utter the opposite: “Yes, they are! Trans women *are* women!” The sentiment that there is ‘something normative’ about such gender disputes is a sentiment shared by many in the field. This paper offers a new, pragmatic account that unpacks this impression.

Placing the normativity of gender discourse at the pragmatic level is an idea that has so far remained theoretically under-explored. While feminist philosophers have critically discussed the claim that gender disputes should be interpreted as metalinguistic negotiations (see e.g. McGrath 2021; Cosker-Rowland 2023), pragmatic possibilities beyond this metalinguistic option have been largely overlooked. The aim of this paper is to illustrate the advantages of a pragmatic picture that differs from the metalinguistic account. To do so, I will proceed in two steps.

In the following section, I will critically discuss a recent descriptive (i.e. non-ameliorative, hermeneutical) account that posits the normativity of gender talk at the *semantic* level: Rach Cosker-Rowland's (2023) Fitting Treatment Account analyzes gender-attributing sentences of the form 'Person A is of gender G' in terms of fittingness.¹ As we will see, there are general concerns about this semantic approach that give us reason to investigate other options. In a second step, I will present a new and, I believe, improved account of gender discourse. I propose that when speakers utter gender-attributing sentences of the form 'Person A is of gender G', they are often *pragmatically conveying* normative content about whether *A should be categorized as a G*. As we will see in section 3, my pragmatic approach avoids the shortcomings of accounts like the Fitting Treatment Account and the problems associated with the metalinguistic view. In section 4, I argue that my approach is rather semantically non-committal and has the potential to enhance both variantist and invariantist accounts of gender talk. However, I would like to be clear that I am developing my account against a representationalist

¹ Díaz-León's (2016) contextualist account, a revision of Saul's (2012) proposal, also indirectly builds normativity into the semantics of gender terms in assuming that the standards of similarity at work in a particular context *c* are determined by objective features of *c*, including moral features. Díaz-León's account has already been widely criticized. See e.g. Bettcher (2017), Davies *et al.* (2019), Laskowski (2020), Zeman (2020a), Chen (2021), McGrath (2021) and Cosker-Rowland (2023).

background. I assume that sentences of the form ‘Person A is of gender G’ express, as their semantic values, propositions that correctly or incorrectly represent reality as being one way or another. For the purposes of this paper, I will have to set aside the idea that the sentences in question express non-representational attitudes (e.g. plans). It is beyond the scope of this paper to provide a comprehensive and fair philosophical assessment of such approaches.² So, my aim is not to mount a full-scale defense of the pragmatic account. Rather, I aim to put the pragmatic account on the table as a novel and strong contender that can easily accommodate the impression of normativity in gender disagreements while avoiding the shortcomings of other representationalist approaches. I conclude briefly in section 5.

2. Against a Semantic Approach to the Normativity of Gender Discourse

There is a widespread impression that ‘there is something normative in the vicinity of disagreements about gender; the question is just where to place it’ (McGrath 2021: 30–1).³ Most recently, a novel, representationalist proposal has entered the stage which places the normativity of gender discourse at the level of semantics. This approach, Cosker-Rowland’s

² With the notable exception of McGrath (2021), expressivism about gender judgments is almost as understudied as the pragmatic account developed in this paper. (But see Price (2011) for a global expressivist theory.) McGrath’s expressivist account of gender judgements is critically discussed in Cosker-Rowland (2023: §5). However, the arguments presented there are not strong enough to take expressivism off the table. First, expressivist accounts of gender discourse other than McGrath’s (2021) G-expressivism are possible. Second, Cosker-Rowland’s concerns about compositionality have been repeatedly and rigorously addressed by expressivists; see e.g. Charlow (2014) and (2015). (I thank one of the reviewers for pressing me on this point.)

³ I think this impression stems from the common assumption of a close connection between gender and certain norms and normative expectations (see e.g. Butler 1990; Witt 2011; Haslanger 2012: 228). If there is such a close connection, then it is easy to get the impression that what is at stake in disagreements about gender somehow touches on normative issues.

(2023) Fitting Treatment Account (FTA), suggests that to say that A is a woman just is to say that it is *fitting* to treat A as a woman.⁴ In appealing to fittingness, Cosker-Rowland’s semantic analysis invokes a particular kind of normativity. The relation of fittingness holds between an object and a response if the object *deserves* or is *worthy* of that response, or if the response is *appropriate* or *correct*, even if, e.g. all things considered or morally speaking, an alternative response might be warranted (see e.g. Howard (2018: 2); Cosker-Rowland (2023: 246–7); Cosker-Rowland & Howard (2022: 1)). Fitting admiration, for example, is admiration that is merited by someone’s or something’s admirable qualities. And while all things considered or morally speaking, a person might have reasons to admire e.g. an evil demon (consider a scenario in which the demon threatens to kill everybody if the person refuses to admire it), there are no *fit*-based reasons to admire the demon. It is not fitting to admire the demon because fitting admiration is admiration of the admirable, and the demon is not admirable.^{5,6}

The idea of fittingness as a distinctive type of normativity is subject to a fair amount of controversy (see e.g. Rabinowicz & Rønnow-Rasmussen 2004; Jacobson 2011; Howard 2018). But for the purposes of this paper, let’s go with the idea. My concerns about FTA revolve around the general strategy of building a certain type of normativity into the semantic analyses

⁴ For Cosker-Rowland’s treatment of the problem of circularity (“woman”, after all, appears on both sides of her analysis), see (2023: 252–3).

⁵ Cosker-Rowland’s idea of incorporating this kind of normativity into an account of gender is not completely new. As she acknowledges (2023: 248), Ásta (2018: 91–2) briefly discusses the view that a person A is of a certain gender if and only if A *merits* the response of being treated in a particular manner. Saul also briefly mentions the idea that by uttering “trans women are women” we might be intending to communicate ‘that trans women *deserve* to be treated as women’ (2012: 208; m.e.). However, prior to Cosker-Rowland (2023), the idea of bringing fittingness into the picture has not been thoroughly expounded.

⁶ For an overview on the discussion of the so-called “wrong kinds of reasons problem” in which the demon case is much discussed see e.g. Gertken & Kiesewetter (2017).

of gender terms. My worries become apparent when focusing on disagreements about gender, such as disagreements about the gender of trans women. According to Cosker-Rowland (2023: 245), such gender disagreements are similar to moral disagreements in that they are inherently normative. They are about whether it is normatively *fitting* to treat trans women as women. While trans-exclusive feminists, uttering “trans women are not women”, say that it is not fitting to treat trans women as women, trans-inclusive feminists say the opposite.

Cosker-Rowland (2023) offers two main reasons for why she takes gender discourse as being inherently normative in the way described. First, she appeals to Moore’s (1903) open-question argument and argues that it seems coherent to doubt any definition of “woman”, just as it seems coherent to doubt any definition of “good”. Second, she notices that gender disagreements can outstrip descriptive disagreements. I am skeptical that these arguments are strong enough to support FTA. Moreover, I worry that FTA is too restrictive. This alone will not bring down the semantic approach, but it should be enough to consider other options.

Let’s take Cosker-Rowland’s arguments in turn.

The first argument that is presented to support the idea that talk about gender is similar to talk about morality in being inherently normative is an *open-question* argument. Open-question arguments have been used to support various theoretical options. Moore (1903) originally introduced the argument to support non-naturalism about morality. But the argument has also traditionally motivated expressivism about moral discourse and equally supports expressivism about gender discourse.⁷ Cosker-Rowland (2023: §5) argues against expressivism and uses the argument to support FTA.⁸ She notes that it ‘seems coherent to doubt and reject any naturalistic

⁷ See McGrath (2021: 27, 30). For a recent discussion of normative concepts and Moore’s argument see e.g. Laskowski & Finlay (2017).

⁸ As noted in the introduction, I do not find Cosker-Rowland’s arguments against expressivism persuasive. Nevertheless, for the purposes of this paper, I will set aside expressivism about

or social definition of “woman”, ‘just as it seems coherent to doubt any definition of “right” and “good” in terms of natural or social features’ (2023: 245). I agree. But this observation alone does not establish an inherent normativity of gender disagreements. Following Lewis (1989: 129), it might also look coherent to doubt any definition of “woman” simply because the concept of a woman – like probably any philosophically interesting concept – is very complex, not because the concept is inherently normative. There are ‘interesting’ and ‘unobvious conceptual analyses’ whose denials are not obviously incoherent, as Cosker-Rowland (2023: fn. 47) herself concedes.⁹

Cosker-Rowland’s second, related argument focuses on disputes in which two disputants agree on all of a person A’s biological and social properties, but which still seem to reflect genuine disagreement about A’s gender. In such disputes, she argues, there is nothing descriptive left for the interlocutors to disagree about; therefore, their disagreement must be about a normative issue: is it *fitting* to treat A as a woman? Moreover, if the disagreement about A’s gender is really about whether it is fitting to treat A as a woman, then the concept of a woman will have to be analyzed in terms of fittingness. Thus, to say that A is a woman is to say that it is fitting to treat A as a woman.

Again, I doubt that this argument provides a strong case for FTA. First, FTA seems to imply that even expert speakers are often in error about the contents of their own assertions. Second, I worry that FTA is too restrictive. Normative gender disagreements cannot be normative in only one way. Let me explain the two concerns in turn.

gender discourse. My aim here is to explore whether and how we can best accommodate the normativity of gender discourse within a representationalist framework.

⁹ See also Mikkola (2006) on why womanness is complex and therefore difficult, or even impossible, to reductively analyze.

Disagreements in philosophy, and especially those between metaphysicians, often seem to revolve around the question of whether a particular entity *e* is an *F*, where the disputants agree on all of *e*'s relevant properties. To illustrate, consider a dispute between two social metaphysicians who claim to disagree about whether a particular fox, Roxy, "is a pet". Assume that they knowingly agree on all of Roxy's biological, social and behavioral properties but still continue to dispute whether Roxy's agreed-upon properties "make Roxy a pet". At least according to their own assessments, their disagreement does not concern a normative question. Moreover, we can easily imagine the interlocutors to explicitly *deny* that what they say about Roxy's pethood is meant to imply anything normative about Roxy or pets in general. They can even agree that Roxy should be categorized as a pet and still claim to disagree about whether Roxy "is a pet" due to their more general disagreement about which features "make animals pets".^{10, 11} To be sure, the fact that there *are* pets is dependent on our social practices. Moreover, there are many social norms associated with pets. But the fact that pets are the subject of many social norms, and that categorizing an animal as a pet usually leads people to treat the animal

¹⁰ In a context, in which the interlocutors are using the term "pet" with different meanings, they may be engaged in a metalinguistic negotiation about how best to use "pet" (see e.g. Plunkett & Sundell (2013); Belleri (2017: 2215)). Note, however, that the speakers can apply "pet" to different objects and still use "pet" with the same meaning. One of them could simply be wrong about whether Roxy is a pet or not. It is such a case that I am considering here.

¹¹ Of course, Cosker-Rowland could reply that the social metaphysicians are really disagreeing about whether it is *fitting* to treat Roxy as a pet. And she might point out that metaphysicians can disagree about this normative question even if they agree that, for example, all things considered, Roxy should be categorized as a pet. To say that Roxy is a pet might simply be to say that it is fitting to treat Roxy as a pet. Note, however, that the argument about Roxy could be repeated with numerous other objects of all kinds. To include fittingness in all relevant concepts seems to unduly inflate the domain of the normative.

in accordance with those norms (and differently from animals that are not pets), does not mean that the metaphysicians' disagreement about Roxy must be about a normative issue.

Analogously, even if feminist metaphysicians agree about all of a person A's biological and social properties, the speakers can explicitly *deny* that their conflicting assertions about A's gender are meant to imply anything normative about A or A's gender (see also Dembroff 2018; Jenkins (2023: ch. 8)). Metaphysicians can – and often *do* – take themselves to be in disagreement about whether A *is* a G, due to a more general, metaphysical disagreement about what makes a person a G. The assumption that such speakers must be *in error* about what it is they are asserting seems (at least) controversial and theoretically costly (see also Plunkett & Sundell (2021: 151–2)).¹²

In general, what speakers in all contexts say when talking and arguing about gender is something normative, according to FTA. Gender assertions, after all, are supposed to be analyzed in terms of fittingness. Thus, even when speakers utter ordinary sentences such as “I met this interesting woman who works at Google yesterday” or “This woman seems to follow me everywhere”, the speakers always say something about how it is fitting to treat the relevant person – even if they are willing to explicitly dispute this normative interpretation of their utterances.

To be sure, an account need not be wrong just because it predicts that many seemingly competent speakers are wrong about the propositional contents of their utterances. If the account is otherwise highly resourceful and outperforms competing accounts, then all things considered it may be okay to bear the cost (see also Cosker-Rowland 2023: 266). However,

¹² However, see e.g. Thomasson (2017) and Plunkett & Sundell (2021) for potential ways of responding to this kind of “speaker error” objections, which also challenge the metalinguistic approach.

there is not only a pragmatic contender that seems to outrun FTA, as I argue in the next section. FTA is also too restrictive. Let's consider this challenge next.¹³

So far, I have argued that the assumption of an inherent normativity in assertions and disagreements about gender seems theoretically costly. (This is probably why Cosker-Rowland speaks only cautiously of having 'reason to *investigate*' (2023: 245; m.e.) this assumption.) That being said, disagreements about gender can of course be normatively charged, and I think they are in many contexts. But I see no reason to assume that every normatively charged dispute about gender must involve one particular type of normativity. Rather, any theory of gender discourse is well advised to maintain some sort of normative flexibility. There are clearly contexts in which speakers intend to communicate what they believe is morally required about A's gender, what is politically advisable, socially expected, or otherwise. If the context is morally charged, or if the discussion is taking place in a moral philosophy class, for example, then it can be more natural to interpret a gender dispute as being about whether it is morally right to categorize a person A as a woman. And if the context is political, then why shouldn't a dispute be about whether it is politically right or most rational to categorize A as a woman? Interpreting gender disputes as always involving one particular type of normativity seems too restrictive.

¹³ The concerns mentioned are not the only concerns one might have about FTA. Another potential worry is that sentences like "Tessa is a woman and it is fitting to treat her as one" do not sound as redundant as they should, given that, according to FTA, to say that Tessa is a woman is simply to say that it is fitting to treat her as one. A fourth potential concern is that, combined with a reasons-first picture (a picture that Cosker-Rowland has defended elsewhere; see her (2019)), FTA would be committed to the assumption that Tessa is a woman *because* it is fitting to treat her as one, rather than the other way around. To some, at least, this explanatory direction may sound counterintuitive; see Jacobson (2011) for a similar concern about fitting attitude theories of value.

To be sure, accounts that build a certain type of normativity into the semantics of gender terms (such as FTA) have the resources to address this concern by ‘going pragmatic’. Cosker-Rowland, for example, could argue that what speakers *say* in gender disagreements concerns fittingness, but what they *mean*, i.e. what they pragmatically convey, may involve a different type of normativity (e.g. morality). This strategy would allow for gender disagreements of all normative hues. However, if the relevant normative disagreements would take place at the level of pragmatics anyway (as this strategy would suggest), then it seems unclear why we should build any normativity into the semantics of gender terms in the first place. In this case, an account that locates the normativity of gender discourse directly at the pragmatic level seems much more straightforward. This brings me to my own account.

3. A New Pragmatic Contender

Our earlier discussion has led to two desiderata for an account of gender discourse. First, the account should be able to accommodate the common impression that there is something normative about many gender disputes. But in certain contexts (e.g. philosophical classrooms), gender disputes can also reflect non-normative, metaphysical disagreements. Desideratum 1 would be satisfied by a view that can account for such cases, while also explaining which contexts are likely to involve normative disagreement and why. Second, it seems plausible that gender disputes can involve different types of normativity, depending on the context. They can be about what is morally or politically best, best all things considered, and so on. It would be preferable to have an account of gender discourse that can readily ascribe a certain kind of normative flexibility to gender disputes. This is desideratum 2.

A view that meets the second desideratum is the metalinguistic account (see esp. Plunkett & Sundell 2013), an often discussed pragmatic contender to the semantic approach. The metalinguistic account sees disputes about gender (such as, e.g. those between trans-inclusive and trans-exclusive feminists) as *metalinguistic negotiations*. Metalinguistic negotiations are

normative disagreements about whether a particular term (e.g. “woman”), which interlocutors use differently (rather than explicitly mention), is best used for a particular object A in a particular context. Such negotiations can incorporate different types of normativity (see Plunkett & Sundell 2023): disputants can disagree about whether it is best to use the relevant term from an epistemological or methodological perspective, about whether it is morally right to apply it to A, about whether, all things considered, it is best to use it for A, or otherwise. This is why the metalinguistic approach satisfies desideratum 2.

However, many worry that the metalinguistic strategy overgeneralizes. Some gender disagreements are metalinguistic negotiations. But that *every* normative disagreement about gender is a normative disagreement about language – even in situations where the speakers involved explicitly *reject* a metalinguistic interpretation of their dispute – seems theoretically costly.¹⁴

Fortunately, adopting the metalinguistic account is not the only possible way to ‘go pragmatic’. In short, I propose that gender-attributing sentences of the form ‘A is a G’ are often used to communicate *more* than just descriptive information about someone’s gender. They are used to pragmatically convey that *A should be categorized as a G*, where the type of normativity involved (“should”) can vary across contexts.¹⁵ Thus, like the metalinguistic approach, my proposal locates the normativity of gender talk at the level of pragmatics. Unlike the

¹⁴ This overgeneralization problem for the metalinguistic approach is often discussed under the heading of ‘speaker error’. See e.g. Abreu (2023) or Odrowąż-Sypniewska (2023) for recent discussions. For a critique of the metalinguistic account in the context of gender disagreements see e.g. McGrath (2021) and Cosker-Rowland (2023).

¹⁵ I will use “pragmatically communicating” (or the synonymous “pragmatically conveying”) broadly throughout this paper. (Cf. Potts (2015) for a helpful overview of implicatures and presuppositions.) But see below for a possible reconstruction of the relevant pragmatic content as a conversational implicature (Grice 1989).

metalinguistic approach, however, I avoid interpreting every normative gender disagreement as a normative disagreement about language. My proposal satisfies desiderata 1 and 2. Here are some more details.

As before, consider a dispute in which two disputants *agree* on all of a person's relevant biological and social properties, but which still seems to reflect genuine disagreement. In my view, such cases typically give rise to a pragmatic communication of normative content. To illustrate, consider one such case in more detail, a typical argument between a gender-critical feminist, Kate, and a trans-inclusive feminist, Tom:¹⁶

Kate: "Tessa is not a woman."

Tom: "Yes, she is! Tessa is a woman."

In the context I will focus on, Kate and Tom agree on all of Tessa's relevant biological and social characteristics. Yet intuitively, their dispute not only reflects genuine disagreement; it also reflects a *normative* disagreement. I suggest that this disagreement is about Tessa (a trans woman) and whether she should be categorized as a woman. More precisely, I suggest that when Kate utters "Tessa is not a woman", she is pragmatically conveying that Tessa should not be categorized as a woman. Tom pragmatically conveys the opposite. Consequently, Tom and Kate pragmatically communicate conflicting normative propositions about Tessa. Although Kate and Tom's normative disagreement lies at the level of pragmatics, they are not discussing language.¹⁷

¹⁶ To keep things manageable, I will follow the literature and focus on the gender term "woman". I am confident that the following considerations also apply to "man". I am less sure about other gender terms such as "trans (person)" or "non-binary (person)", but will leave that discussion for another occasion.

¹⁷ My proposal differs from the account developed by Barnes (2020). Barnes briefly remarks that a speaker like Kate typically communicates 'many things' with her statement, 'over and

In general, when someone *categorizes* a person A as a woman, they are placing A in the same category as other women. The consequences of such a psychological act of categorization can become apparent in many different ways, including: using certain pronouns for A, calling A a woman, allowing A into certain spaces, etc. Moreover, gender categorizations typically ‘bring with them normative expectations and evaluations’, as Sally Haslanger (2012: 87–8) puts it. (See also Dembroff 2018: 44.) I suggest that because a dispute such as Kate and Tom’s is about whether a person A should be categorized as a woman (and because as a matter of fact all of these ‘normative expectations and evaluations’ typically apply to women), what is also at stake in such disputes is whether A should be seen as part of the class of people to whom these ‘normative expectations and evaluations’ typically apply. Categorizing A as being or not being of a certain gender can carry with it normative expectations about A, such as being interested in family rather than career, or wearing certain clothes; and it can carry with it evaluations, such as being bad at logic. It can function to justify certain behaviors (e.g. excluding A from certain spaces, or using certain pronouns for A) and it can help reinforce existing social hierarchies.¹⁸ In this paper, I intend to remain neutral on the question of whether being subject to certain social expectations and evaluations is a defining feature of being a woman. But I contend that, given the way our society is actually structured, categorizing A as a woman is in fact categorizing A as a person to whom certain expectations and evaluations typically apply. In this

above the basic content’, including ‘things like “Gender is determined by biology”, “There is a correct way to express and experience gender”’, and else. ‘Thus [...] much of what one typically communicates by such an assertion will be false’. (2020: 722) Barnes remains unclear on the linguistic details of her account, e.g. how this kind of communication is supposed to work; see also Zeman (2020b: 760) for critique.

¹⁸ Butler speaks of the ‘coercive and regulatory consequences’ of constructing the category of woman. Even with the most emancipatory purposes in mind, defining who is the subject of feminism has ‘constitutive powers’ that ‘inevitably generates multiple refusals to accept the category’ (1990: 7–8).

sense, disagreements about whether best to categorize a person as being of a certain gender are not merely theoretical. Categorizing a person as being of a particular gender has real-life consequences, and failing to categorize the person as being of the gender with which the person self-identifies can constitute a blameworthy error.¹⁹

In my view, when speakers utter gender-attributing sentences of the form ‘A is a G’, they are often pragmatically communicating a certain *type* of normative content. All occurrences of this type refer to the idea that A should be categorized as a G. But across contexts, the exact contents that an individual speaker pragmatically communicates can differ with respect to the normativity involved. Let me explain.

I have said that in a context in which two speakers agree on all of a person’s biological and social properties but still utter conflicting gender-attributing sentences, they typically intend to pragmatically convey a certain type of normative content: that the person *should* or *should not* be categorized as being of the ascribed gender. What kind of normativity is to be read into this “should”? As previously emphasized, there are good reasons to think that gender discourse can involve different kinds of normativity, depending on context. Briefly put, “should” is context-sensitive.²⁰ For example, if the dispute about Tessa takes place in a moral philosophy class, it might well reflect conflicting judgements about whether it is *morally required* to categorize Tessa as a woman. In a sociological context, the dispute might concern whether Tessa should be categorized as a woman *given existing social norms*. And in a context in which Kate and Tom are religious scholars, their argument might reflect disagreement about whether Tessa

¹⁹ See e.g. Kapusta (2016) and Dembroff & Wodak (2018) on the harms of misgendering.

²⁰ This assumption fits into the Kratzerian orthodoxy of a contextualist semantics of modals; see e.g. Kratzer (1981).

should be categorized as a woman *according to the Bible*.²¹ The reality of human interactions is colorful. Not all gender disagreements involve the same type of normativity. My pragmatic account can easily accommodate this.²²

Let me emphasize again that my view is intended as an account of what *typically* happens in cases like the one of Kate and Tom. First, then, my claim is not that every disagreement about someone's gender is a normative disagreement. Disagreements about someone's gender are usually due to disagreements about whether the person has a particular biological and/or social characteristic or characteristics (e.g. a female gender identity). Accordingly, I focus on cases in which there is no such descriptive disagreement in the background (i.e. on cases like the one of Kate and Tom).²³ Second, I propose that these particular cases should *typically* be interpreted as normative disagreements in the sense described above. The claim that the relevant normative propositions are typically communicated in the relevant cases leaves room for the observation that not all gender disagreements have to be about how we should categorize someone – even if the speakers agree on all of the person's biological and social characteristics.

²¹ In general, my proposal would also be compatible with the idea that there are contexts in which Kate and Tom's dispute is about whether it is *fitting* to categorize Tessa as a woman.

²² Many pragmatic implicatures possess 'a kind of indeterminacy' as Grice (1989: 40) has noted. Thus, even if we are confident that a speaker in a given context pragmatically communicates content of the relevant normative type (A should be categorized as a G), we might not always be able to find a *specific* normative content that is pragmatically communicated (see also Potts 2015: 183). What kind of normativity is involved can remain indeterminate to a considerable extent.

²³ This is not to say that cases where there is descriptive disagreement in the background about the person's social or biological characteristics should never be interpreted normatively in the pragmatic way suggested. It's just that such disputes are usually resolved when the descriptive disagreement is resolved. They are therefore not cases that are likely to involve normative disagreement.

The question of which particular pragmatic mechanism is at work in these cases cannot be resolved in the present paper. This is partly because feminist theorizing about language is methodologically distinctive (see e.g. Mikkola (2009) and Saul (2012) for discussion). Our intuitions about gender are likely to be politically influenced and can be politically corrupted. The question of which gender-attributing utterances sound linguistically felicitous, for example, would deserve a more thorough investigation than I can devote here. Furthermore, in order to reliably identify the relevant pragmatic mechanism, we also need information about what speakers *say* when they ascribe a gender to someone (e.g. to test whether the pragmatic content is detachable; cf. Grice 1989: 39). Again, this discussion is beyond the scope of this paper. (But see my brief remarks on the semantics of gender ascriptions in section 4.)

Nevertheless, let me sketch at least one possible, Gricean story of how normative gender disagreements might often arise. In the relevant cases, speakers may *conversationally implicate* that a person should be categorized as being of a particular gender. According to Grice (1989: 28–40), conversational implicatures are calculable. That is, they must be capable of being worked out by assessors who reconstruct the implicatures with reference to certain conversational maxims. One of these maxims is *Relation*: ‘Be relevant.’ (Grice 1989: 27) I would argue that Tom can calculate Kate’s implicature by relying on this maxim. Assuming an invariantist semantic account of “woman”, Tom might reason as follows (knowing that Kate knows that he is fully capable of working through the following four steps):

- (i) Merely adding the proposition expressed by Kate’s utterance ($\sim q$: that it is not the case that Tessa is a woman) to the common ground would not address all the *relevant questions under discussion* in this context. After all, this is not an academic context. We are not primarily arguing about the ontological question of what makes a person a woman. Our dispute is also about our social practices regarding Tessa: how to call her, what pronouns to use for her, what spaces (e.g. restrooms) to open,

etc. If Kate were only communicating $\sim q$, Kate would not be addressing these issues. For what our social practices should be is independent of Tessa's gender. Even if $\sim q$ were true, it could still be best to categorize Tessa as a woman, and for our social practices to follow suit.²⁴

- (ii) However, I should avoid attributing to Kate any violation of *Relation*. Kate certainly wants to address all relevant questions under discussion in our dispute.
- (iii) Kate's violation of *Relation* would be merely apparent if she pragmatically communicated not only $\sim q$ but also a normative proposition $\sim p$. In the context of our discussion, this proposition $\sim p$ is likely to concern the normative question of whether Tessa should be categorized as a woman.²⁵ If Kate were to communicate $\sim p$, she would not violate *Relation*.
- (iv) I therefore conclude that by uttering "Tessa is not a woman", Kate is implicating that Tessa should not be categorized as a woman.

Let me add three more comments to complete the picture.

First, note that Tom need not consciously go through this reasoning process in order to understand what Kate conversationally implicates. Implicatures can be grasped intuitively, as Grice (1989: 31) points out. But even so, there must be a maxim-related argument that would

²⁴ See Dembroff (2018) against what they call the 'Real Gender Assumption' (gender classifications should track gender kind membership facts) and Jenkins (2023) against the so-called 'Ontology First Approach' (we should first establish the correct metaphysical account of gender and then use this account as a guide for our social practices concerning gender).

²⁵ The propositions semantically expressed by the speakers concern Tessa, not "woman". Thus, in the present context, there is little reason for Tom to assume that Kate is pragmatically conveying a *metalinguistic* proposition about how best to use "woman". (This is likely to be different in a context in which questions of language use are already salient and in which "woman" involves expression focus; see also Mankowitz 2021.)

allow Tom to reconstruct the relevant normative implicature. Steps (i) to (iv) provide such an argument.

Secondly, there can be contexts in which Tom may not feel the need to doubt that Kate is merely communicating $\sim q$. Consider, for example, the context of a philosophical classroom in which Kate and Tom are social metaphysicians who are seriously interested in theorizing about whether Tessa is a woman. In such a context, $\sim q$ would directly address the relevant question under discussion, given the metaphysical aim of their exchange. In this case, Kate would not be violating *Relation*. Consequently, there would be no need for Tom to interpret Kate as conversationally implicating any normative content.²⁶

Thirdly, with (i) to (iv) I have provided a reconstruction with reference to *Relation*. In other contexts, however, other conversational maxims could be used. For example, in a context in which Tom knows that Kate believes that Tessa is a woman, *Quality* – ‘[t]ry to make your contribution one that is true’ (Grice 1989: 27) – could be the maxim to calculate with. To illustrate, consider a scenario in which Kate knows that Tessa is a woman, but believes that, all things considered, Tessa should not be categorized as a woman. In such a scenario, Kate would not mean what she says (that Tessa is not a woman) and Tom could calculate the implicature (that Tessa should not be categorized as a woman) using *Quality*.

In sum, my alternative, pragmatic picture of gender disagreements finds some support in a classical Gricean picture of conversational implicatures.²⁷ Moreover, it satisfies both of the

²⁶ This is not to say, of course, that Kate and Tom’s discussion would be a valuable or legitimate discussion to have.

²⁷ As such, it is concerned with how to accommodate our sense of normativity with respect to *talk and disagreement* about gender (i.e. gender discourse). I leave for further discussion whether a pragmatic account of gender discourse also works at the level of *thought* (but see Williamson (2009), Copp (2009), Strandberg (2012) and Deamer (2021) for some

desiderata mentioned at the beginning of this section. First, many disputes about gender reflect normative disagreement about whether a person A should be categorized as being of a certain gender G. My account explains which contexts are likely to involve such normative disagreement, while also allowing for metaphysical disagreements about A's gender in selected contexts (e.g. the philosophical classroom). Second, my pragmatic view is normatively flexible. The "should" in the conveyed normative content of the form 'A should be categorized as a G' is construed as context-sensitive. My account therefore allows for changes in the type of normativity across contexts. As a result, my account accommodates the common observation that many gender disagreements are heated and normatively charged, while avoiding the problems of FTA.

4. A Note on the Semantics of Gender Terms

So far, my main focus has been on the pragmatic dimension of gender discourse, not on its semantic side. I have questioned the idea of building a specific type of normativity into the semantics of gender terms (as Cosker-Rowland (2023) suggests). But a better semantic alternative still remains to be found. Fortunately, my pragmatic account is compatible with a number of semantic options. In fact, it could be a valuable addendum to invariantist and variantist accounts of gender terms. This section explains why. The next section briefly concludes.

encouragement). That said, I don't think there is the same need to accommodate a sense of normativity at the level of gender discourse as there is at the level of gender thought. (Note that this seems to be different with respect to moral talk and thought, for example; see e.g. Fletcher 2014.) The topics of gender disputes often seem to be normatively charged, whereas thinking that *A is a G* seems much more innocent (on at least most occasions). So even if pragmatic approaches to gender discourse ultimately don't extend to gender thought, I would argue that this probably wouldn't get pragmatic approaches into too much trouble. However, a substantive discussion of this issue must be left for future work.

According to *invariantist views*, the semantic values of gender terms remain stable across contexts. As we saw in section 3, my pragmatic proposal is compatible with this view. Further, my proposal could be a helpful addendum to descriptive invariantism, as I will call the view (see Zeman (2020b: §5) for discussion). Unlike normative invariantists, such as Cosker-Rowland (2023), descriptive invariantists are reluctant to incorporate normative considerations into the semantics of gender terms. On its own, then, descriptive invariantism struggles to accommodate the impression of normativity surrounding many gender disagreements. This is problematic. But if the view is pragmatically enriched by my proposal, it can predict normative disagreements expressed at the level of pragmatics. And it can do so without overgeneralizing every gender disagreement as inherently normative. If descriptive invariantism is combined with my account, then Kate and Tom, for example, would not only disagree about whether Tessa is a woman. They would also disagree on the normative question of whether Tessa should be categorized as a woman, where this normative disagreement is expressed at the level of pragmatics.

Secondly, my account could also be a helpful addendum to descriptive *variantist* accounts of gender terms, such as Jennifer Saul's (2012) contextualism or Talia Bettcher's (2013; 2017) and N. G. Laskowski's (2020) polysemy views.²⁸ What drives variantist accounts? There is some variability in how the English-speaking linguistic community uses gender terms. Broadly speaking, some speakers appear to use biological sex as the primary criterion for applying gender terms, while other speakers base their usage on gender identity.²⁹ Cosker-Rowland's FTA explains this variability by claiming that some people mistakenly believe that it is fitting

²⁸ So far, no one has defended a relativist variantist account of gender terms, but see Zeman (2020b) for a brief discussion.

²⁹ See e.g. Ashley (2023) for a descriptive account of gender identity, and Zeman (2020b) and Barnes (2022) for discussions of views based on self-identification.

to treat certain people as not being of the gender with which they identify (cf. 2023: 254). The explanations offered by semantic variantists are more charitable. According to Saul's (2012) contextualist account, the relevant standards for whether someone is of a particular gender simply vary from context to context. And according to Bettcher's (2013; 2017) and Laskowski's (2020) polysemy views, gender terms can be used with different semantic meanings across contexts.

However, while variantist views are particularly charitable about usage patterns, they need further enrichment when it comes to disagreement (see also Dembroff 2018: 44). Taken alone, variantist views have difficulty explaining how some of the disputes between gender-critical feminists like Kate and trans-inclusive feminists like Tom can express genuine disagreement. To take the polysemy view as an example, suppose that Kate and Tom use "woman" with two different meanings, one trans-exclusive and the other trans-inclusive. This would make each of their statements true. However, the propositions expressed by "Tessa is not a woman" (Kate) and "Tessa is a woman" would not be in conflict. Using "woman" with different meanings, what the speakers *say* would be compatible. Without further enrichment, then, the polysemy view would not only struggle to incorporate any form of normativity into gender disputes. On its own, it struggles to accommodate our impression of *disagreement* in the relevant cases. (*Mutatis mutandis* for the contextualist picture, according to which Kate and Tom are merely appealing to different standards.)

Variantists could, of course, try to get around this problem by adopting a metalinguistic strategy. That is, they could argue that the relevant disputes (like Kate and Tom's) are actually metalinguistic negotiations about how best to use the term "woman". As explained earlier, however, 'going meta' may not be the variantists' best option in all relevant cases. Yes, some normative gender disagreements are best interpreted as metalinguistic negotiations. But to

assume that every disagreement like Kate and Tom's is really about words often goes against the speakers' own judgments about what it is they intend to communicate.

Fortunately for variantists, my account can offer a new solution to their problem.³⁰ Suppose, for the sake of argument, that some form of semantic variantism is correct, and that the propositions semantically expressed by the speakers are therefore not contradictory. If variantists enrich their account with my pragmatic approach, they can explain why the speakers genuinely disagree and why their disagreement strikes us as normatively loaded. After all, on my account, Kate and Tom disagree about how best to categorize Tessa. Yes, this disagreement is not semantically reflected. If the meaning of "woman" is fixed by an appeal to different standards (contextualism), or if the speakers use "woman" with different meanings (polysemy view), then what Kate and Tom *say* is compatible. But what they *mean* would be in conflict. And since the conflicting propositions that the speakers pragmatically convey would have normative contents, descriptive variantists could accommodate the impression that Kate and Tom's disagreement concerns a normative matter (in the relevant contexts).³¹

³⁰ This is not to say that *only* a pragmatic account can keep variantism out of trouble. There is much debate about how contextualist accounts can handle disagreement data. See e.g. Zeman (2017) for a helpful literature review.

³¹ Dembroff (2018: 43–5) briefly alludes to a solution to the problem of missing disagreement for semantic variantists that seems similar to mine. They interpret a dispute about a trans man, Chris, in which the disputants semantically express non-contradictory propositions, as a disagreement 'about whether Chris – and people like Chris – should *be conferred the social associations that come with being classified as a man*' (2018: 44–5; m.e.). Although Dembroff refers to Plunkett's (2015) work on metalinguistic negotiations, their solution seems to lie closer to my proposal than that of the metalinguistic approach. After all, to *categorize Chris as a man* (my approach) results in conferring Chris the relevant social associations. Pace Dembroff, the speakers would not disagree about how best to categorize people *like* Chris, if my account is correct. But also on my account, it seems plausible that the speakers' normative beliefs about

This is not the place to unpack all the details of this variantist solution to the problem of missing normative disagreement. But let me at least briefly sketch some possible avenues. In general, variantists would have to take two steps.

First, assuming that Kate and Tom conversationally implicate the relevant normative propositions, variantists would have to provide convincing maxim-related, Gricean calculations for the speakers' implicatures. The last section presented a possible calculation based on a descriptive invariantist account of "woman" (see (i) to (iv)). In the relevant contexts, this calculation could remain unaffected even if a form of variantism is correct. To illustrate, take the polysemy view as an example and suppose that Tom does not know that Kate uses "woman" with a different meaning than he does. To calculate what Kate means, Tom can appeal to *Relation* in the way outlined in section 3. What about a case where Tom *knows* that Kate, unlike him, uses "woman" with a sex-based meaning? In this case, the Gricean maxim of *Quantity* might come into play: '[m]ake your contribution as informative as is required (for the current purposes of the exchange).' (Grice 1989: 26) If Tom knows that Kate uses "woman" with a sex-based meaning, then he is aware that what Kate says is true. However, since the common ground already contains all the agreed-upon biological information about Tessa, what Kate says might not be particularly informative. (In most cases, it would also not be relevant.)

In a second step, variantists would have to explain why the normative contents pragmatically conveyed by the speakers conflict. Take again the example of polysemy. If Kate and Tom use "woman" with different meanings, then at first glance the interlocutors' normative implicatures "Tessa should not be categorized as a woman_{sex}" (Kate) and "Tessa should be categorized as a woman_{gender}" (Tom) would not conflict. So how could my proposal predict any kind of

Chris would generalize to other trans men. (If you believe that Chris should be categorized as a man, you will usually also believe that other trans men should be categorized as men.)

disagreement for variantists? According to my proposal, the normative contents pragmatically conveyed by the speakers are of the type ‘A should (not) be categorized as a G’. But if “G” is polysemous, then it is unclear how two speakers using “G” with different meanings can disagree on any level, semantic or pragmatic.

Again, this is not the place to discuss this challenge for variantists in detail. But here is one promising strategy that they could use to get around this problem.³² Variantists could tailor the pragmatic content to their particular needs. Using my account, they could interpret the speakers in the relevant gender disagreements as pragmatically conveying normative content of the type ‘A should (not) be categorized as a G’, but read ‘categorizing A as a G’ as ‘categorizing A as a *paradigmatic* G’: Kate would pragmatically convey that Tessa should not be categorized as a paradigmatic woman_{sex}, while Tom would pragmatically convey that Tessa should be categorized as a paradigmatic woman_{gender}. In this way, Kate and Tom could be understood as pragmatically communicating conflicting normative contents. This is because the category of paradigmatic women_{sex} might be identical to the category of paradigmatic women_{gender}, such that Tom and Kate would disagree about whether or not Tessa should be placed in this category. Situating her account within an externalist framework, Sally Haslanger notes that we ‘usually select paradigms from commonly and publicly recognized cases’ (2012: 372). Thus, variantists might argue that unfortunately, it is still those women_{gender} that are also women_{sex} that are selected as paradigmatic women_{gender} in our society, and *mutatis mutandis* for paradigmatic women_{sex}. So even though Kate and Tom use “woman” with different meanings, they disagree

³² A second variantist strategy might be to accept that the normative contents that the speakers pragmatically convey are not in conflict, and to try to accommodate the sense of disagreement in some other way. See e.g. my (2022) for an explanation of how interlocutors in metalinguistic negotiations can disagree about the best way to use a particular term even though they speak different languages (i.e. even though what they pragmatically convey is not in conflict).

about the same normative issue. They are pragmatically communicating conflicting thoughts about whether Tessa is best placed in the category of people who count as ‘paradigmatic women’ – *sex and gender* – in our society. Thus, if variantists enrich their account with my pragmatic view, they can explain how speakers in gender disputes disagree although they use gender terms variably.

In sum, the pragmatic proposal developed in this paper is not only highly resourceful for descriptive invariantist accounts of gender terms. Slightly adapted, it could also serve as a useful complement to variantist semantic views.

5. Conclusion

Disputes about people’s genders are often intense and polarizing. As Sarah McGrath (2021: 30) puts it, ‘most people will agree that there is something normative in the[ir] vicinity’. As feminist philosophers, however, we should avoid the infamous ‘unbalanced diet’ of looking at only a few kinds of examples. Not all gender disputes are alike. There seem to be contexts in which a question under discussion is metaphysical but still concerns a person’s gender. And questions can be non-normative even though their answers have the most serious normative implications. I think we should be attentive to the subtleties of existing disagreements and prefer a theory of gender discourse that is flexible enough to work for all kinds of contexts. Not all disagreements about gender strike me as being about a normative issue. But many are. The pragmatic view I have developed in this paper can explain how normative disagreements about gender arise and in what contexts they are likely to arise. This alone does not prove that my account is correct. But I hope to have shown that my view is among the serious contenders that we have reason to explore further.

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