



Why the Trans Inclusion Problem cannot be Solved

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Abstract

What is a woman? The definition of this central concept of feminism has lately become especially controversial and politically charged. “Ameliorative Inquirists” have rolled up their sleeves to reengineer our ordinary concept of womanhood, with a goal of including in the definition all and only those who identify as women, both “cis” and “trans.” This has proven to be a formidable challenge. Every proposal so far has failed to draw the boundaries of womanhood in a way acceptable to the Ameliorative Inquirists, since not all those who identify as women count as women on these proposals, and some who count as women on these proposals don’t identify as women. This is the Trans Inclusion Problem. Is there any solution? *Can* there be? Recently, Katharine Jenkins, pointing to the work of Mari Mikkola, suggests that the Trans Inclusion Problem can be “deflated” rather than solved. We will investigate this proposal, and show that, unfortunately, Jenkins is mistaken: Mikkola’s project will not help us answer the Trans Inclusion Problem. After that, we’ll look at Robin Dembroff’s suggestion that we “imitate” the linguistic practices of trans inclusive and queer communities, and we will evaluate whether this would help us solve the Trans Inclusion Problem. Unfortunately, this strategy also fails to solve the problem. By the end, we’ll have a better appreciation of the challenges faced by Ameliorative Inquirists in their project of redefining “woman,” and clearer view of why the Trans Inclusion Problem cannot, in fact, be solved. That’s primarily because, *no matter what it means to be a woman*, it’s one thing to *be* a woman, and another thing to *identify as* a woman.

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1 Introduction: What Is a Woman?

Since at least the crest of feminism's second wave, the definition of its principal concept—*woman*—has become a matter of great controversy within feminism. Prior to that, the question seems to have been much less controversial. If one reads the founding documents of First-Wave Feminism—for example the *Declaration of Sentiments* from the Seneca Falls Convention—there's little question as to whose rights were at issue: those of adult female humans.¹ As Talia Mae Bettcher (2009, 105) put it, “On the face of it, the definition ‘female, adult, human being’ really does seem right. Indeed, it seems as perfect a definition as one might have ever wanted.” But things have changed. Simone de Beauvoir's ([1949]1956) *The Second Sex* sent many in search of a purely social definition of *woman*, in terms of the social processes or conditions by which one, in de Beauvoir's terms, “becomes a woman.” A search, in other words, for “the social meaning of sex,” as Catharine MacKinnon (1983, 635) called it.²

However, despair set in with the rise of intersectional analyses of gender and oppression (cf. Crenshaw, 1989), and the growing realization that there is no *the* social meaning of sex, no *one* social role that all women share across time and space. As Elizabeth Spelman famously argued, due to the diversity and dissimilarity of women's cultural and social experiences, it's simply not the case that “underneath or beyond the differences among women there must be some shared identity—as if commonality were a metaphysical given” ([1988] 1990, 13). At least, not any shared *social* or *psychological* identity.

This is a problem for those who abandoned the biological definition of women, since the concept of womanhood is central to feminism. That is, as Linda Martín Alcoff put it, this concept is “the necessary point of departure for any feminist theory and feminist politics, predicated as these are on the transformation of women's lived experience in contemporary culture and the reevaluation of social theory and practice from a woman's point of view” (Alcoff, 2006, 133). If women are to be defined in terms of a shared social role or psychology, and yet nothing

¹ Even Simone de Beauvoir, in her famous and influential book *The Second Sex* ([de Beauvoir, [1949]1956, 15) says, “Woman has ovaries; a uterus...” and later (ibid., 59) she says, “...there have always been women. They are women in virtue of their anatomy and physiology.” As late as 1976, it seems that de Beauvoir endorsed the traditional definition of “woman,” saying in an interview, “A positive definition of ‘woman’? Woman is a human being with a certain physiology...” (Brison, 2003, 192). For an overview of the reasons and arguments given for the abandonment of these biological definitions of “woman” and “man,” see Bogardus, 2020b.

² For a few examples of such projects, see Friedan, 1963 (now much derided), Rubin, 1975, MacKinnon, 1983, 1987, Haslanger, 2012, Ásta, 2011 (published under “Ásta Sveinsdóttir”), and Antony, 2020. Antony (ibid., 540) argues that “gender” designates a social hierarchy “between those who exist ‘for themselves’ and those who exist ‘for others’,” this hierarchy (ibid., 543) is “erected on...difference in reproductive role,” and that “man” and “woman” name social roles, though she denies “that there is any specific content to these social roles.” For a recent dissent, see Stock (ms).

seems to fit the bill due to intersectionality, then there would be no women. And if there are no women, whither feminism?³

This problem became more pressing with the emergence of trans-inclusive feminism, which seeks to create a political space for trans individuals within the tent of feminism, and especially conceptual space for trans individuals who identify as women to count as genuine women.⁴ That is, lately, some feminist philosophers have sought to revise our concept of womanhood to include trans individuals who identify as women (and to *exclude* trans individuals who identify as men, and those who identify as non-binary), in order to advance the cause of social justice. Following Sally Haslanger, I'll call this deliberate conceptual engineering "Ameliorative Inquiry." The idea is to reflect on which concept we *should* express with the English word "woman," in order to best achieve the goals of feminism, perhaps e.g. bringing attention to unjust discrimination and subordination of women, honoring the gender identifications of trans individuals, and the like.⁵ Then, we're meant to specify the intension of that concept—its meaning—typically via the articulation of necessary and sufficient conditions, and, finally, to appropriate our *word* "woman" to express this revisionary concept. Coming up with a suitable revisionary concept has proven to be no easy task, and, following Katharine Jenkins (2016, 2018), I'll call the problem of conceptually engineering our concept of womanhood so as to respect everyone's self-identification, "The Trans Inclusion Problem."

In this vein, Jenkins (2016, 2018) proposes—as an explicit bit of Ameliorative Inquiry, of conceptual engineering—that being a woman is a purely psychological matter of having an internal 'map' that is formed to guide someone classed as a woman through social and material reality. In other words, to be a woman is to take enough of the right sort of gender norms to be for oneself, to be *about* oneself.⁶ As Jenkins puts it (Jenkins, 2016, 411), "what is important is that one takes [norms of

³ Theodore Bach (2012, 234) calls this the 'Representation Problem': "if there is no real group 'women', then it is incoherent to make moral claims and advance political policies on behalf of women."

⁴ An individual who identifies as a woman is said to be "trans" when this individual was "assigned male at birth." If the assignment was accurate and if sex in humans cannot, at the moment at least, feasibly be changed, this individual remains biologically male. Mutatis mutandis for trans individuals who identify as men, or individuals who identify as "non-binary," i.e. as neither men nor women (nor boys nor girls). As for biological sex, a male is a member of a sub-type of a species whose body is organized toward—i.e. has the function of—producing spermatozoa. (Though not all males actually produce spermatozoa. For any number of reasons, the body may not do what it's meant to do, what it evolved to do. It may malfunction, just as a heart or a kidney may malfunction, or it may not *yet* fulfill its function, due to immaturity.) Similarly with females, though with bodies organized toward the production of ova.

The definitions of "male" and "female" are not mutually exclusive, nor are they exhaustive. Some flowering plants are both male and female simultaneously, as are common garden snails, and many fish "change sex" during the course of a lifetime, and, so, enjoy bodies designed to produce both spermatozoa and ova, though at different times. Other organisms don't reproduce sexually at all, and so are neither male nor female. It's broadly logically possible for a species to reproduce via several sexes, though for convenience evolution seems to have settled on no more than two.

⁵ For a view of the goals of feminism that contrasts with that of Haslanger, Jenkins, et al., see Holly Lawford-Smith (forthcoming).

⁶ True, Jenkins proposes two distinct senses of "gender": gender-as-class and gender-by-identity. But she's quite clear (Jenkins, 2016, 417) that she supports "using the term ['woman'] to refer to people with a female gender identity and not, in general, using it to refer to people classed as women."

femininity] to be relevant to oneself; whether one feels at all moved to actually comply with the relevant norms is a distinct question.” Jenkins proposes this as the concept we should express with the word “woman,” in order to solve the Trans Inclusion Problem, a problem that besets social-role theories like Haslanger’s: namely that such theories exclude a significant number of trans individuals who identify as women.⁷

However, Jenkins’ revisionary definition faces inclusion (and exclusion) problems of its own, and therefore offers no trans-inclusive solution to feminism’s demarcation problem.⁸ First, the proposal seems to exclude many women. For example, a woman, raised perhaps by radical feminists, who has not internalized enough of the right sort of gender norms to meet Jenkins’ definition; a woman who, perhaps due to cognitive impairment, is unable to internalize enough of the right sort of norms to meet Jenkins’ definition; a woman who, due to difficult relocation or immigration, has not internalized enough of the right sort of norms to count as a woman in her new culture. Jenkins’ definition, then, seems to marginalize (or flat-out exclude) women with non-normative backgrounds, cognitive impairments, or difficult immigration experiences.⁹

Also, Jenkins’ revisionary definition will exclude many trans individuals who identify as women. For Jenkins’ *definiens* features Haslanger’s social-role concept of womanhood: someone “classed” as a woman, someone subordinated on the basis of observed or imagined female biological sex. To be a woman, on Jenkins’ definition, is to take enough of the norms about women-in-Haslanger’s-sense to be relevant to oneself. But, then, trans individuals who are excluded from Haslanger’s definition can’t sensibly take norms about women-in-Haslanger’s-sense to be norms about *them*, and so they can’t sensibly be women on Jenkins’ view.¹⁰

⁷ Haslanger’s (2000, 39) definition is this: S is a woman if and only if she is systematically subordinated along some dimension (economic, political, legal, social, etc.), and she is “marked” as a target for this treatment by being, regularly and for the most part, observed or imagined to have bodily features presumed to be evidence of a female’s biological role in reproduction. Jenkins (2016, 399-400) gives examples of trans individuals identifying as women who would be excluded by this definition. For example, trans individuals who do not publicly present as women may well not meet Haslanger’s definition: they won’t “function as women,” in Haslanger’s sense, since they won’t be observed or imagined to have female bodily features. Additionally, Jenkins says (*ibid.*, 400), some trans individuals who do publicly present as women but are nevertheless treated as men wouldn’t meet Haslanger’s definition. And, finally, there may be trans individuals whose gender identifications are respected unconditionally, and not on the basis of observed or imagined bodily features associated with a female’s biological role in reproduction. Though such a person may well function as a woman, Jenkins says (*ibid.*, 400–1), this person would not count as a woman on Haslanger’s definition, since this person would not be treated as a woman on the basis that Haslanger says is essential for womanhood.

⁸ Jenkins is concerned primarily with revising the concept of womanhood so that it is acceptably inclusive, i.e. includes trans individuals who identify as women. But, of course, one also wants the concept to be acceptably *exclusive*. Presumably, for example, Jenkins would like the concept of womanhood to exclude trans individuals who identify as men, individuals who identify as non-binary, etc.

⁹ See also Elizabeth Barnes (2020, 710-11, and forthcoming) for similar points.

¹⁰ If they do take these norms to be relevant to them, to be about them, this will be a *mistake*, a result of irrationality, ignorance, delusion, or some such shortcoming. And this would count as marginalization, by Jenkins’ own lights. See also a recent objection from Matthew Salett Andler (2017). Andler argues that Jenkins’ account will not be fully trans-inclusive, since “gender maps characteristic of people socially positioned as either women or men only allow a body to be experienced as unified if its features ‘match’ along the axis of a single sex,” and some trans people experience bodily unification without such “matching.” This is possible, Andler says, “[o]nly by adopting a radical gender map—distinct from the gender maps characteristic of people socially positioned as either women or men...” And therefore these trans individuals wouldn’t, on Jenkins’ view, count as women or men.

Jenkins herself (Jenkins, 2018, 733) accepts a criticism from Talia Mae Bettcher (2017), involving the case of a trans individual S who has only just begun to present outwardly as a woman, and so who still has a gender ‘map’ that is organized around the norms that are applied to men in S’s social context, because these are the norms that have been applied to S by others up to the present. Such an individual would count as a man on Jenkins’ view, contrary to this individual’s own self-identification. (By the same token, a trans individual who identifies as a man, or an individual who identifies as non-binary, may, due to upbringing, still have a gender ‘map’ organized around norms applied to women. This individual will count as a woman on Jenkins’ proposal, contrary to the person’s self-identification.) This is a problem for Jenkins, because she asserts (Jenkins, 2016, 396) as a “foundational premise,” that “trans gender identities are entirely valid—that trans women are women and trans men are men.” Further, she says, “[f]ailure to respect the gender identifications of trans people is a serious harm and is conceptually linked to forms of transphobic oppression and even violence.” So, by failing to respect the self-identification of a significant number of those who identify as women (both cis and trans), and the self-identification of many trans individuals who identify as men or as non-binary, Jenkins’ proposed ameliorative definition of “woman” falls short by her own lights.¹¹

This brings us nearly up to date. What I’d like to focus on in this paper is the next step in the dialectic. Jenkins admits (Jenkins, 2018, 733) that her norm-relevancy account “does not entail that everyone is always right about their own gender identity.” (In fact, things are worse: her account entails the people can be *wrong* about their own gender identity. As we’ve seen, someone may identify as a woman without really being a woman, on the norm-relevancy account.) Jenkins takes this to be a serious problem. But, in a footnote to that admission, Jenkins says this:

Establishing that the norm-relevancy account entailed that everyone has the gender identity that they think they have was important for the purposes of that paper because I was seeking to solve the ‘inclusion problem’, the challenge of finding an appropriately inclusive concept of ‘woman’ for use in feminist practice. Since that time, Mari Mikkola has argued, in my view convincingly, that the inclusion problem rests on a confusion and can therefore be deflated rather than solved.

This is an intriguing prospect, “deflating” rather than solving the inclusion problem. Perhaps, as Jenkins thinks, recent work by Mari Mikkola (Jenkins cites Mikkola, 2016, chapter 5) provides a satisfying answer to what Jenkins calls the inclusion problem—but which we’ll call the Trans Inclusion Problem—and even to feminism’s definition problem more generally. Also, more recently, Dembroff (2018) has proposed an “Imitation Approach” for revising our gender concepts in a

¹¹ Jenkins (2018, 739) concedes this is a cost, saying, “[c]ertainly, an account of gender identity that entailed that everyone has the gender identity that they think they have whilst also meeting all of the desiderata... would be preferable to the norm-relevancy account.” But she’s pessimistic that this is possible, and so in that paper she continues to advocate for her norm-relevancy account as “good.”

trans-inclusive way, which one might think offers the prospect of solving the Trans Inclusion Problem.

So, in what follows, I will consider Mikkola's deflationary strategy, along with objections, and then we'll turn to Dembroff's Imitation Approach, along with objections. We will see, in the end, that neither proposal offers a satisfying answer to the Trans Inclusion Problem, or to feminism's definition problem more generally. Mikkola's strategy was simply not intended to solve the Trans Inclusion Problem, so Jenkins seems to be putting it to a task beyond its design. And, as a solution to the Trans Inclusion Problem, Dembroff's "Imitation Approach" suffers from formidable difficulties. Indeed, I will argue that any attempt to solve the Trans Inclusion Problem on behalf of Ameliorative Inquirists faces insurmountable problems. It is impossible, in principle.

2 Mari Mikkola's Deflationary Strategy

Mari Mikkola (2016) sets out to solve two puzzles. The Semantic Puzzle (ibid., 3–4) is this: "Given that ordinary language users tend not to distinguish sex and gender (treating 'woman' largely as a sex term, or a mixture of social and biological features), what precisely are feminists talking about when they talk about women?" And the Ontological Puzzle is this: "How should we understand the category of women that is meant to undergird feminist political solidarity, if there are no necessary and sufficient conceptual conditions underlying our gender talk? Do women make up a genuine kind, or simply a gerrymandered and random collection of individuals?"

Mikkola's main contention is that, as she puts it (Mikkola, 2016, 105), "the semantic and ontological issues are not as pressing as feminists make them out to be. We can talk about women without providing a thick articulation of *woman*, and we can understand the phenomena usually discussed under the rubric of the sex/gender distinction in a way that avoids certain unintuitive and undesirable ontological implications. My aim is to show that we can deflate the ontological and semantic worries, and so there is no need to seek solutions to them." Mikkola understands the semantic and ontological issues as challenges to define "woman" in a satisfactory way, on the assumption that, to do so, one must articulate necessary and sufficient conditions. Instead of answering the challenge head-on, by supplying such conditions, Mikkola says she will "deflate" the worries, by defining "woman" while rejecting the assumption that, to do so, one must articulate necessary and sufficient conditions. The project of feminism can proceed, Mikkola thinks, even without *articulating* a definition of "woman."

How is this "deflation" to be accomplished? In a word, *ostension*. The idea is that we can sidestep concerns about articulating satisfactory necessary and sufficient conditions for our concept *woman* by, instead, pointing at the relevant category, or, more precisely, by deferring to the "reference-fixing extensional intuitions" of ordinary language users. Mikkola says (ibid., 106), "...we need not precisely specify what it takes for someone to count as a woman (or satisfy the intension of woman)

in order to make good our reference fixing. Thus, my proposal is that in order to retain gender talk for politically relevant social explanations, we can merely rely on the reference-fixing extensional intuitions.”

What exactly are these intuitions? She explains (*ibid.*, 109), “our (perceptualist) extensional intuitions about ‘woman’ are simply about which individuals we think the term applies to. They do not, then, inform us about the content of any concept, manifest or operative. ...Extensional intuitions understood as predoxastic perceptualist intuitions give feminists what they need: a way to retain gender talk in a deflated manner.” Finally, she concludes (*ibid.*, 110), “Quite simply: focusing on ordinary language users’ willingness to apply ‘woman’ is enough to pick out women’s type, and this is sufficient to answer the representation problem (how to fix feminism’s subject matter). In order to avoid getting bogged down by conceptual problems, this is what feminist philosophers should settle for.”

Here’s how I understand the dialectic at this point. The project of Ameliorative Inquiry—of intentionally revising the concept of womanhood in order to advance the cause of feminism—is meant to proceed in two stages: a Preparation Stage, and then a Revisionary Stage. In the Preparation Stage, we identify what Sally Haslanger (2012, 375) calls “the dominant manifest meaning” of the term “woman,” or what Toril Moi (1999, 8) calls “the ordinary understanding.” This is the subject of our engineering project, the concept which is to be repaired or enhanced. And then, in the Revisionary Stage, the goal is to modify this concept via conceptual engineering, and thereby arrive at an acceptable “target” concept of womanhood, the definition of which draws just the right boundaries. Crucially, though Mikkola was *not* engaged in Ameliorative Inquiry in the passages I’ve quoted, it seems to me that her answer to the Semantic Puzzle and the Ontological Puzzle can help the Ameliorative Inquirer only with the Preparation Stage. Mikkola argues we can identify the ordinary, manifest meaning of “woman” *without articulating necessary and sufficient conditions*. We instead adopt an attitude of deference to ordinary users of “woman,” and resolve to use the term in whatever way they’re using it. We thereby join the conversation, and “fix feminism’s subject matter,” as she puts it. Crucially, for the purposes of conceptual engineering, by using the word “woman” with this intention to use it as the folk do, *we thereby come to use that very concept*. We get the concept on the operating table, as it were, by following ordinary users’ extensional intuitions. And we do all this, to repeat, without articulating necessary and sufficient conditions for the application of “woman.”

As for the second stage of Ameliorative Inquiry, the Revisionary Stage, Mikkola makes no attempt, but seems to think it would proceed in the way commonly envisioned by Ameliorative Inquirers. She says (*ibid.*, 113), “in appealing to extension [sic] intuitions, which I do take to be highly uniform, I am not proposing to cement the kinds’ boundaries. Furthermore, disagreements generated by extensional intuitions that involve trans* people and intersexes are not primarily to be settled by semantics— they are a political issue.”¹² And, later, she says (*ibid.*, 116), “Despite

¹² Citing a Tumblr blog ([http:// youknowyouretrans.tumblr.com](http://youknowyouretrans.tumblr.com)), Mikkola (*ibid.*, 23) explains her use of “trans*”: “In many activist circles, the denotation ‘trans*’ has recently been used to refer to ‘transgender, transsexual, genderqueer, non- binary, genderfluid, genderfuck, intersex, third gender, transvestite, cross-dresser, bi-gender, trans man, trans women, agender’ ... ‘Trans*’ is also considered to be more inclusive than ‘trans’, which is taken to refer to medically or hormonally altered transsexual men and women.”

a high degree of uniformity, extensional intuitions do not deliver rigid kind boundaries since there are times when ‘our’ intuitions come apart. But, as noted, in these cases the debate is not to be had on the level of semantics, but on the level of politics.” In these quotations, Mikkola seems to be alluding to the Revisionary Stage of Ameliorative Inquiry: after “fixing feminism’s subject matter” in the Preparation Stage, one may well go on to make conceptual changes in the Revisionary Stage. She doesn’t mean to “cement” the boundaries of womanhood; those kind boundaries are not “rigid,” and may be changed during Ameliorative Inquiry in light of political (normative) considerations. In these respects, she seems to be on exactly the same page as those who have actually attempted the Revisionary Stage, like Haslanger and Jenkins.

So, this is the deflationary proposal from Mikkola that *Jenkins* points to as an answer to the Trans Inclusion Problem. However, I think there are serious concerns about the prospects of conscripting Mikkola’s project as a satisfying answer to the Trans Inclusion Problem. Indeed, Mikkola did not intend it to do so. Jenkins is mistaken to prescribe Mikkola’s deflationary strategy for uses beyond its officially approved indications.

3 Objection: The Preparation Stage isn’t where Ameliorative Inquiry’s Problems Lie

Recall that Jenkins believes Mikkola has argued convincingly that the Trans Inclusion Problem rests on a confusion, and can therefore be deflated rather than solved. But the problem is this: Mikkola’s project might be repurposed to help, at most, with the *Preparation Stage* of Ameliorative Inquiry, but the Preparation Stage of Ameliorative Inquiry is *not* where Jenkins’ problems lie. It’s fairly commonly granted that the manifest/ordinary concept of womanhood is analyzable as *adult female human*. Though she herself goes on to reject this definition, Jennifer Saul (2012, 196) admits, “According to most ordinary speakers and dictionaries, ‘woman’ is a sex term—a term that picks out those who have certain biological traits.” Mikkola herself agrees. Of the extensional intuitions she points to in order to specify the subject matter of feminism, Mikkola says (2016, 110), “Ordinary language users... apply ‘woman’ with a high degree of uniformity. They are seldom confused about its extension...” What is this extension? Mikkola says (*ibid.*, 21), “Speakers ordinarily seem to think that ‘gender’ and ‘sex’ are coextensive: women and men are human females and males, respectively, and the former is just the politically correct way to talk about the latter.” And, elsewhere, speaking of Haslanger’s proposed target concept (which apparently excludes the Queen, as she’s not subordinated on sex-marked grounds), Mikkola says (*ibid.*, 82), “[Haslanger’s] proposal is strikingly counterintuitive. It seems that most people would be willing to call the queen a ‘woman’, and their willingness to do so might suggest that Haslanger is simply wrong about the content of gender concepts.” So, it’s not difficult to “fix feminism’s subject matter,” as Mikkola puts it; it’s not hard to locate the manifest/ordinary concept of

womanhood. That concept is straightforwardly analyzable as *adult female human*. That's the concept that Ameliorative Inquirists mean to place on the operating table during the Preparation Stage of Ameliorative Inquiry, in order to surgically modify it during the Revisionary Stage.

The Revisionary Stage of Ameliorative Inquiry is the tricky part; that's where the difficulties are. Recall, the Revisionary Stage is where the conceptual engineering is meant to happen. In this stage, we're meant to modify, enhance, or perhaps simply replace the ordinary concept we identified in the Preparation Stage, and come out the other side with our new and improved target concept to express with the word "woman," a concept which draws satisfactory boundaries. There are three challenges associated with this stage of Ameliorative Inquiry. First and foremost, we must *provide an acceptably inclusive target concept*. This is challenging if, from the conceptual engineer's perspective, it's difficult to see what all and only women have in common. If your target extension of "woman" includes individuals from all across each dimension of biological sex, social role, 'lived experience', performativity, sexual orientation, internalized gender 'maps', etc., then it will be very difficult to specify a target concept that draws the boundaries in a satisfying way.¹³ Also, we cannot successfully draw these boundaries if we attempt to specify a target concept in a viciously circular way, as seems to be the case with "sincere self-identification" approaches, e.g. Bettcher's (2017, 396) proposal that being a woman is entirely a matter of sincerely identifying *as a woman*.¹⁴ (No concept is successfully specified by a viciously circular proposal.) As detailed above, both Haslanger's and Jenkins' proposed target concepts founder on this first challenge, since they exclude some trans individuals who identify as women (and, for similar reasons, plausibly *include* some trans individuals who identify as men, and some individuals who identify as non-binary).

Turning now to Mikkola's deflationary strategy, what's important to note for present purposes is that *Mikkola makes no attempt to provide such a definition*. No part of her deflationary strategy speaks to the Revisionary Stage of conceptual engineering, producing a target concept with the right boundaries. Her deflationary strategy of pointing to the extensional intuitions of ordinary speakers yields only the traditional, biologically-based definition of "woman."

¹³ Or, if you prefer to think in terms of intensions—functions from contexts of utterance to referents—it will be very difficult to specify what this function is, i.e. how it works, what characteristics determine the application of the term. Note: not what sort of heuristics or clues we happen to use, psychologically, to apply (or perhaps *misapply*) the concept in thought. But, rather, what characteristics determine the *proper* application of the concept, i.e. what characteristics are necessary and sufficient for genuine kind membership.

¹⁴ Though see Bettcher, 2009, 109ff) recognition and response to the problem of circularity, in terms of "existential self-identification." The idea seems to be that "I am a woman" may be intended to express a *desire* to be treated in a certain way (*ibid.*, 108), or an answer to questions like "What am I about? What moves me? What do I stand for? What do I care about the most?" (*ibid.*, 110). On this account, in either case, the sentence "She is a woman" may be intended to express a proposition that is true of a trans individual who identifies as a woman, but in neither case does that sentence express the proposition that she is a woman.

One might use Mikkola's insights as an acceptable approach to the Preparation Stage of Ameliorative Inquiry, but as a satisfactorily trans-inclusive target concept of the Revisionary Stage, all parties can agree it is surely lacking. So Mikkola's deflationary strategy cannot help Jenkins avoid the Trans Inclusion Problem. It offers no answer at all to this challenge of Ameliorative Inquiry. It was not meant to.

Worse, there seems to be an insurmountable general problem here for Ameliorative Inquiry of gender terms. It is widely agreed by Ameliorative Inquirists that, for an output of the Revisionary Stage to be a satisfactory target concept, it must align with the criterion of self-identification. As Jenkins (2016, 396) puts it, "an important desideratum of a feminist analysis of gender concepts is that it respect these identifications by including trans people within the gender categories with which they identify and not including them within any categories with which they do not identify."¹⁵ And Mikkola (2016, 113) says, "[T]heory of gender that point-blank excludes trans* women from women's social kind is simply unacceptable."¹⁶ But the self-identification criterion itself cannot be used to specify a new target concept, since that would be viciously circular.¹⁷ So, for the Ameliorative project of trans-inclusive feminism to be successful, the engineered target concept must somehow respect self-identification, without using self-identification itself to draw the boundaries.

The problem is, it sure looks like any other criteria will not be necessarily co-extensive with people's self-identifications: no matter which criteria we choose, whether someone meets those criteria seems to have no necessary connection with her *identifying* as a woman, in the sense of "woman" cashed out by those criteria. In that case, there will always be a failure to respect self-identification, and so the Ameliorative project of trans-inclusive feminism is bound to fail. This would explain why proposals such as Haslanger's and Jenkins' have both failed (by their own lights) to correctly draw the boundaries: because they used, as criteria, features that do not necessarily covary with self-identification, and this is *verboden* for the trans-inclusive Ameliorative

¹⁵ Later (Jenkins, 2018, 723), Jenkins gives this as her second desideratum for an account of gender identity: "D2: The definition should be compatible with a norm of FPA." Of this desideratum, Jenkins says (ibid.), "This demand can be understood as a call for what Bettcher (2009) has described as a norm of 'First Person Authority' (FPA), a principle stating that a person should be treated as the final and decisive authority on their own gender identity." Jenkins proposes her norm-relevancy account as an account of gender identity, the same concept which she proposed we should express with the word "woman," in her earlier work (Jenkins, 2016, 417). So I take it that, in her 2018 paper, Jenkins remains committed to the importance of including trans people within the gender categories with which they identify and not including them within any categories with which they do not identify.

¹⁶ In passing, let me mention a second general problem in the neighborhood, suggested to me by Alex Byrne (though any infelicities in its expression are my own). If at least some trans individuals are self-identifying using Preparation-Stage concepts, then no novel ameliorative concepts emerging from the Revisionary Stage will succeed in respecting *this* self-identification. And insofar as Ameliorative Inquiry necessarily originates novel concepts (see below), there looks to be an insurmountable problem for Ameliorative Inquiry here—at least if it really is the case that at least some trans individuals self-identify using our ordinary Preparation-Stage, pre-ameliorated concepts.

¹⁷ Or, if not viciously circular, then trans-exclusive. For details, see Bogardus (2020a).

Inquist. ¹⁸ In any case, nothing about Mikkola's deflationary strategy will help us surmount this difficulty. And so, again, contrary to Jenkins' claim that Mikkola answers the Trans Inclusion Problem—by 'deflating' it rather than solving it—it seems that Mikkola's project offers no answer at all to the Trans Inclusion Problem, because that problem arises during the Revisionary Stage of Ameliorative Inquiry, and Mikkola was concerned only to pin down the ordinary meaning of "woman," which could help at most with the Preparation Stage of Ameliorative Inquiry. ¹⁹

The second challenge facing the Revisionary Stage of Ameliorative Inquiry is this: *don't change the subject*. That is, those engaged in Ameliorative Inquiry intend to continue a long-standing conversation about gender, men, women, etc. They don't mean to simply borrow the words "gender," "man," and "woman," and use them to express novel concepts, and to speak, rather misleadingly, of new topics. This is challenging because it's quite plausible that, like words, concepts are individuated by their origins, and originating uses of concepts—that is, mental acts that instantiate new concepts, rather than existing concepts—are marked by *an intentional lack of deference to established practice*. As Mark Sainsbury and Michael Tye put it (Sainsbury & Tye, 2012, 42), deference occurs when "we aim to conform in our usage to our previous usage, and to the usage of those in our conceptual community... This is typical of non-originating uses. The deference takes the form of intending to use the concept as it has been used by oneself or others on previous occasions... One characteristic of originating uses is the absence of any such conformist requirement." ²⁰

Since it is a self-aware project of conceptual engineering, Ameliorative Inquiry evidently lacks any intention to conform to the usage of those in our conceptual community. That is, those engaged in Ameliorative Inquiry lack, as Sainsbury and

¹⁸ As another example, consider Bach's, 2012 proposal, on which gender is a natural kind with a historical essence. Bach is quite explicit that this proposal won't respect everyone's self-identification, saying (Bach, 2012, 269), "Because one's status as a man or woman is conditional upon historical relata, individuals cannot simply stipulate their gender status as 'woman' or 'man'. Indeed, individuals do not have privileged access to historical processes, and it follows that they can be mistaken about their own gender status..." Though he goes on to say that it's less likely that they are mistaken about their gender identity, their internal sense of what gender they are, Bach's view seems to be that one's gender identity can be mistaken. The view also entails that there are women in the United States if and only if there are no women in Japan. Though he uses both "American women" and "Japanese women," the sad fact is that, on Bach's view (ibid., 262), these groups "do not descend from the same ancestral population of women and are therefore not members of the same historical gender kind." Though the groups are members of the same *teleofunctional* kind, this will not help rescue the view, since, for Bach, "woman" is not (merely) a teleofunctional kind. It's a *historical* kind, it has a *historical* essence, and these groups do not have the right histories to be members of the same historical kind. So, again, on Bach's view, there are women in the United States if and only if there are no women in Japan. This is an implausible implication, to say the least.

¹⁹ To forestall possible misunderstanding here, allow me to reiterate that I am *not* saying that Mari Mikkola was engaged in Ameliorative Inquiry in her 2016 work. She wasn't. Rather, she was aiming to "deflate" what she calls the Semantic Puzzle and the Ontological Puzzle, roughly, the challenge of defining "woman" by articulating necessary and sufficient conditions. She "deflates" the challenge by instead defining the ordinary use of "woman" via *ostension*. This move could be used by one so inclined during the Preparation Stage of Ameliorative Inquiry. But it will be of no use at all during the Revisionary Stage.

²⁰ As to why this view is plausible, confer Sainsbury and Tye (2012) to see how it offers elegant solutions to seven traditional puzzles of thought and language, including the puzzle of Hesperus and Phosphorus, the puzzle of Paderewski cases, and the puzzle of empty thoughts.

Tye say (ibid., 70), “the recognition that others already use a concept, together with the desire to use the very concept they use, with the very reference it has in their uses.” Ameliorative Inquirists certainly recognize how others already use the relevant concept—in the case of our concept of womanhood, we’ve seen the widespread concession that the manifest/ordinary concept refers to the property of *being an adult female human*—but they have no desire to use the concept with the very reference it has in common uses. So, the worry is that the Revisionary Stage of Ameliorative Inquiry necessarily originates a new concept, appropriates an existing word to express this new concept, and therefore equivocates, changing the subject.²¹

Mikkola herself seems to agree (Mikkola, 2016, 110): “The prospects of an adequate revisionary analysis of woman also look unpromising since this tends to make gender terminology unfamiliar to ordinary speakers. Common gender terms become feminists’ theoretical terms, which ... is politically unhelpful.” And the problem is that Mikkola’s deflationary strategy offers no solution to this problem of changing the subject. (As I said before, it was not meant to solve this problem.) While deferring to ordinary users’ extensional intuitions may help fix the subject of feminism during the Preparation Stage of Ameliorative Inquiry, such deference ceases in the Revisionary Stage, when we self-consciously attempt to alter, modify, or engineer that concept. And, so, it continues to look as though the output of Ameliorative Inquiry is a *new* concept, not a modified old concept. In which case, we’ve changed the subject, and introduced ambiguity.²²

²¹ This is a well-known concern about conceptual engineering in general. See, for example, Part III of Cappelen, 2018.

²² Herman Cappelen (2018) takes seriously the concern that conceptual engineering necessarily changes the subject, and proposes that there are cases in which two subjects can be truly said to be saying the same thing, even though they use a context-sensitive expression that has a different extension in each of the contexts (and therefore, he says, different intensions as well). His example (ibid., 110) is light on details, but the idea focuses on the context-sensitive term “smart,” and seems to be that subject A might truly utter, in one context, “Serena is really smart,” and subject B might utter, in a different context, “Serena is really smart,” and we can truly say, in some contexts, “A and B said the same thing about Serena.” And then Cappelen concludes, “These descriptions of them as samesayers are true even if it turns out that A’s and B’s respective contexts fix somewhat different extensions and intensions for ‘smart’.” So two people can say the same thing—and therefore speak to the same topic—even if the relevant term differs in extension and intension, Cappelen reasons. By way of reply, we might first point out that, even if A’s and B’s uses of “smart” have different extensions in these contexts, this is not enough to prove that they have different *intensions*, since intensions are functions from *contexts of utterance* to extensions, and A and B are in different contexts. And the claim that A and B are samesayers is plausible only when we assume sameness of intension. But if they are in fact using the words (to express concepts) with *different* intensions, it’s not at all clear that they really are saying the same thing, *pace* Cappelen. Secondly, as Mark Schroeder (2020) put it, “In general, appeals to semantic context-dependence are illuminating when they appeal to a common core meaning.” Think of the relevant common core meanings revealed by Kaplan’s treatment of the “character” of indexicals, Kratzer’s treatment of modal verbs like “must,” DeRose’s theory of “knows,” etc. In a similar way, any illuminating treatment of context-sensitive expressions like “smart” will reveal a *commonality* between A’s utterance and B’s utterance. Cappelen prefers not to speak of concepts (he’s non-committal on their existence), but this seems like a grand opportunity to appeal to them: A and B are expressing the same concept with “smart.” If they do succeed in saying the same thing, sameness of concept will help explain why. But, in that case, we won’t have an example here that could help us see how Ameliorative Inquirists might originate a *new* concept (with a new intension and extension), and yet manage to stay on the same topic, because, in Cappelen’s example, A and B *are* using the same concept. Neither A nor B originates a new concept, while nevertheless staying on topic.

The third and final challenge for the Revisionary Stage of Ameliorative Inquiry is that of *avoiding a circular methodology*. During the Revisionary Stage, we're meant to engineer a target concept with an eye toward advancing the cause of feminism. The problem is that, in order to understand the cause of feminism, it seems that we must use some concept of womanhood, since feminism is the cause of women. But which concept of womanhood shall we use when evaluating how well these proposed, ameliorative target concepts advance the cause of women? We can't use the novel target concept itself at this stage of Ameliorative Inquiry, because we're still not sure whether it's a good concept to use; it's the concept we're evaluating, not yet employing. But if we use the ordinary, biological concept of womanhood in this evaluation process, the challenge is to explain how the revisionary target concept advances the cause of adult female humans. To my knowledge, nobody engaged in Ameliorative Inquiry has tried to spell out exactly how this would go. For it seems somewhat obvious that, if the goal is to advance the cause of women, understood as adult female humans, then probably the best way forward is to reserve the word "woman" to express the concept of an adult female human. If things are not how they seem here, one should like to know why.

Mikkola demurs, saying (Mikkola, 2016, 116), "if one takes feminism to be organized around women, and if extensional intuitions provide a way to pick out this kind, not being able to articulate a solution to the semantic puzzle by explicating the applicability conditions for *woman* does not present a serious political concern." On the contrary, I think it does, at least if one intends to engage in Ameliorative Inquiry, revising the concept in light of political or normative concerns, e.g. respecting self-identification. For, if Mikkola is right about extensional intuitions, one would have to explain how modifying the definition of "woman" for political reasons benefits the cause of women, understood in the sense expressed by ordinary speakers' extensional intuitions, which is, according to Mikkola, *adult female humans*. Mikkola makes no attempt to do this. So here, too, her deflationary strategy provides no answer to the challenges besetting the Revisionary Stage of Ameliorative Inquiry. Mikkola did not intend it to.

After I presented an ancestor of this paper last year (February 2021) at a symposium together with Katharine Jenkins, Jenkins updated the paper she presented there with a substantial section on this issue of deflation. In this recently published work, Jenkins (2022) seems to indicate that this point from Mikkola is what she (Jenkins) had in mind in her 2018 footnote, when speaking of Mikkola's deflationary strategy. In that more recent work, without providing any direct quotations from Mikkola, Jenkins says (Jenkins, 2022, 250), "Mikkola argues that rather than starting from the idea that feminist action must be justified by some sort of significant commonality between women (that we urgently need to locate), we should think of feminist action as justified by the recognition that people are wronged by sexism." For reasons given above and below, I don't think this is an accurate characterization of Mikkola's project. But notice Jenkins' talk of *justification* here. Jenkins here seems to change her conception of the Trans Inclusion Problem from what she

said in 2016 and 2018.²³ In this more recent work, Jenkins (2022, 238) characterizes the problem as the thought that “our account of gender kinds should capture a commonality between women that justifies the formation of a social movement.” Notice, again, Jenkins’ shift to a characterization of the inclusion problem as one of *justifying* feminist action, instead of, as she put it in 2018, “the challenge of finding an appropriately inclusive concept of ‘woman’ for use in feminist practice.”

Jenkins (2022, 250) then argues—*contra* no one, as far as I can tell—that we need not rely on a definition of “woman” to *justify* a feminist social movement. That’s true enough. “For that,” she continues, “pointing out the many wrongs of sexist societies—wronges that affect people who are not women as well as many who are women—will do just fine.” Well, there I’m not so sure. It seems to me that would depend on what sort of feminist movement one would like to justify. Who is included in this movement, and who is excluded? Identifying the goals of feminism—for example, the goal of eliminating sexism—will require some understanding of *feminism* and of *sexism*. Both of those concepts bear a priori entailment relations to our concepts of women, of men, and others. Depending on what concepts we use—for example, if we use the traditional, biological concepts of womanhood and manhood—the sort of *feminism* justified by the wrongs of *sexism* may not be as inclusive as philosophers like Jenkins would prefer, or at least explicitly *did* prefer in her 2016 and 2018 papers.

Jenkins remains sensitive to this concern, and she is still engaged in Ameliorative Inquiry in her 2022 paper; indeed, she offers a new, pluralist account of gender.²⁴

²³ In the abstract of her 2016 paper, Jenkins characterized the problem this way: “Feminist analyses of gender concepts must avoid the inclusion problem, the fault of marginalizing or excluding some *prima facie* women.” Later (*ibid.*, 396), she argues against Haslanger’s proposal for target gender concepts on the grounds that it “does not in fact solve the inclusion problem because it does not include trans people within their identified genders.” In footnote 24 her 2018 paper, Jenkins characterizes the inclusion problem as “the challenge of finding an appropriately inclusive concept of ‘woman’ for use in feminist practice.” Notice that there’s no talk here of *justifying* feminist action, there’s talk only to the effect that “an important desideratum of a feminist analysis of gender concepts is that it respect these identifications by including trans people within the gender categories with which they identify and not including them within any categories with which they do not identify” (Jenkins, 2016, 396).

²⁴ Jenkins’ new pluralist account is, in general form, this: “to be a member of a gender kind is to be constrained and/or enabled in the ways characteristic of that kind” (Jenkins, 2022, 247). These constraints and enablements can, according to Jenkins, vary by context, by type, and by granularity. So, she says (*ibid.*, 247): “A given gender kind is to be understood as an explanatory kind where what the members have in common is that they fall under a particular bundle of constraints and enablements that has a certain scope, breadth, and granularity.” Which particular bundle, you ask? The bundle *characteristic of that kind*. So, for example, to be a woman is to be constrained or enabled in ways characteristic... of *women*. Taken at face value, then, this pluralist account of gender looks to be viciously circular: the concept to be defined shows up in the definition. But, for reasons given above, even if “is a woman” as Jenkins proposes to use it expresses some genuine feature or set of features, it will not necessarily co-vary with self-identification as a woman, and therefore will not “avoid the inclusion problem, the fault of marginalizing or excluding some *prima facie* women,” as she put it in the abstract of her 2016 paper. Because, again, it will be one thing for a person to be constrained or enabled in a particular way, and another thing for a person to *identify* as being constrained or enabled in that particular way. Whatever exactly Jenkins’ new pluralist proposal amounts to, then, it will suffer from the same fault that Haslanger’s proposal does, according to Jenkins (2016, 396), namely that “it does not include trans people within their identified genders.” And this is a serious problem according to Jenkins (*ibid.*), because “[f]ailure to respect the gender identifications of trans people is a serious harm and is conceptually linked to forms of transphobic oppression and even violence.”

So, which concept of womanhood does she propose to use when evaluating whether new, revisionary definitions of “woman,” like her new pluralist account? That is, we’d like to check whether Jenkins’ new pluralist account of gender helps advance the cause of feminism, or helps eliminate sexism. But, to think about feminism or sexism, we must exercise some concept of womanhood. What will that concept be? Our ordinary, *biological* concept of womanhood, i.e. the one exercised in ordinary language users’ extensional intuitions, as Mikkola says? If so, again, it’s hard to see how a revisionary concept of womanhood will better advance the cause of feminism than the traditional, biological concept. But we can’t use Jenkins’ novel pluralist concept itself at this stage of Ameliorative Inquiry, because we’re still not sure whether it’s a good concept to use; it’s the concept we’re evaluating, not yet employing. That methodology would be circular, and impossible to complete.

In conclusion, then, Mikkola’s proposal offers no answer to any of the problems of the Revisionary Stage of Ameliorative Inquiry. But those are all the problems distinctive of Ameliorative Inquiry. So, although Jenkins points toward Mikkola’s deflationary strategy as the next step in the dialectic related to the Trans Inclusion Problem, Mikkola’s proposal does not advance that dialectic one step. Jenkins’ hope that Mikkola’s project could be applied to the problems besetting Ameliorative Inquiry is, I believe, misguided.

The reason is not far to seek. Mikkola is quite clear that she was addressing what she calls (2016, 3) “gender skeptic” views, which say both that, “*woman* is ultimately meaningless and necessarily open-ended, which renders any attempt to define it futile and even politically counterproductive,” and also, secondly, that, “the social kind of women does not exist in any meaningful sense: either its existence is illusory (Butler, 1999) or the kind is so hopelessly fragmented that any talk of women in plural is meaningless (Spelman, [1988]1990 [original 1988]).” Mikkola aims to prove that (ibid., 6), “this dispute is theoretically bankrupt and intractable,” but that, “we can provide a theory of injustice from a feminist perspective without having to elucidate a thick social conception of *woman*.” This project could help the Ameliorative Inquirer with, at most, the Preparation Stage of Ameliorative Inquiry: identifying the ordinary, biological concept of womanhood exercised by ordinary speakers, and corresponding concepts of feminism and of sexism. But this biological concept of womanhood that Mikkola points to won’t help solve or deflate the Trans Inclusion Problem. It’s the *source* of the Trans Inclusion Problem. And that problem could be solved only via successful completion of the Revisionary Stage of Ameliorative Inquiry. But Mikkola offers no guidance on that stage.

So, it is no surprise that Mikkola’s work will not avail us during the Revisionary Stage of Ameliorative Inquiry; it wasn’t intended to. But since the Revisionary Stage is where Jenkins’ problems arise, Jenkins is mistaken to think that Mikkola’s deflationary strategy will provide an answer to the Trans Inclusion Problem. So, Jenkins and other Ameliorative Inquirists must look elsewhere for a satisfying answer to the Trans Inclusion Problem, and to feminism’s definition problem more generally.

4 Robin Dembroff's "Imitation Approach"

Mikkola's appeal to ordinary language users' extensional intuitions may help us settle the subject matter of feminism *prior* to engaging in conceptual engineering, but it cannot guide us *during* that engineering process toward an appropriately inclusive target concept. However, Dembroff (2018) has recently proposed an alternative strategy. In this section, I would like to explain that strategy. In the next, I will share some concerns about the strategy.

Dembroff's idea is that we might improve dominant gender kinds via *imitation* of trans inclusive and queer communities. Perhaps—one might think—we could thereby solve the Trans Inclusion Problem. In brief, the suggestion is that the conceptual engineering process has already been accomplished by these communities, in a way that draws the boundaries of gender terms in acceptable ways, and so all that's left for us to do is start using the concepts developed and in use by these communities. As Dembroff, (2018, 37) puts it, "why reinvent the wheel when it is spinning and fabulous?" Why try to manufacture what we can easily import? Dembroff acknowledges concerns that such imitation might destroy trans and non-binary gender kinds, but Dembroff (*ibid.*) says that at least *trying* to import such kinds is preferable to the status quo.

Here's how Dembroff (*ibid.*, 36) describes the approach:

On this different approach—the 'imitation' approach—classification practices can be revised based upon those that already exist within other communities. Given that operative gender kinds vary across contexts, looking at other communities will reveal alternative gender kinds and corresponding classification practices. From here, those in one context can attempt to revise their operative gender kinds by mirroring or otherwise imitating the structures and practices that already exist in other contexts. To improve dominant gender kinds, trans inclusive and queer communities are obvious places to begin. The operative gender kinds in these contexts are markedly different than those in dominant contexts. For one, within these communities, nonbinary gender identities have intelligible social meaning because of systems that accommodate these identities... Similarly, within these communities, membership criteria for *men* and *women* differ from the corresponding criteria in dominant contexts. Genitalia—much less natal genitalia—does not determine gender classification... Gender classification practices in such communities defer to self-identification, and do not take anatomical information or gender presentation to determine gender.²⁵

²⁵ In a much earlier work, Bettcher (2009, 108) also directs our attention to how gender terms are used in "subaltern contexts." In these contexts, Bettcher says, "gender presentation is not understood to communicate genital status but, instead, indicates how persons want to be treated. Individuals' self-identifications are generally accepted at face value." This much sounds in accord with Dembroff's proposal. Bettcher, however, seems less sanguine about importing any of these concepts "as is," since their use even in these subaltern contexts are not "politically ideal." In particular, Bettcher says, "even in these subaltern contexts, some interactions continue to reflect mainstream transphobic attitudes. I mention two examples. First, despite the fact that gender presentation isn't taken to communicate genital status, the importance of genital status has not been abolished. Sometimes transpeople inquire about somebody else's status inappropriately and freely circulate information without consideration. Second, it is a sad, peculiar fact that some MTFs (who have no difficulty referring to each other with appropriate pronouns) when first learning to interact with FTMs can't or won't transfer the practice."

So, to repeat, the idea is this: these trans inclusive and queer communities have already performed the labor of conceptual engineering, and the target concepts they've produced are appropriately inclusive (and exclusive). They draw the boundaries in satisfactory ways, in ways that “defer to self-identification.” So, Dembroff recommends that we at least *try* to improve dominant gender kinds by “imitating”—or, more accurately, by incorporating, taking up, employing—the concepts and use-patterns that we observe in these other communities.²⁶ One can understand it in this way: instead of using ostension to specify a concept *prior* to Ameliorative Inquiry, as Mari Mikkola proposes, Dembroff suggests we instead use ostension to specify concepts that have *already* completed the process of Ameliorative Inquiry. And, just as we defer to medical experts regarding what arthritis is, we might defer to trans-inclusive and queer communities regarding what women are, and thereby use these concepts that these communities have developed. The question now is, could this proposal offer a satisfying solution to the Trans Inclusion Problem, and to the problems facing Ameliorative Inquiry in general?

5 Problems for Dembroff

I believe that Dembroff's Imitation Approach cannot help us surmount any of the three challenges of the Revisionary Stage of Ameliorative Inquiry. Recall, those three challenges are: (i) provide an acceptably inclusive target concept, (ii) don't change the subject, and (iii) avoid circular methodology. Let's look at each of these three challenges in turn, to see whether Dembroff's Imitation Approach could help us meet the challenges.

Our first Revisionary Stage challenge is: *Provide an acceptably inclusive target concept*. With regard to womanhood, what exactly *is* the acceptably inclusive target concept that we are meant to imitate and take up from trans inclusive and queer communities? What concept, exactly, do these communities express with the word “woman,” or the predicate “is a woman”? A genuine predicate expresses a function from objects to TRUE or FALSE (in Frege's terms), or IN or OUT with regard to an extension. In these trans inclusive and queer communities, what function is expressed by “is a woman”? How does it work?

Dembroff gestures toward a Bettcher-style sincere-self-identification definition, saying that, in these communities, “[g]ender classification practices in such communities defer to self-identification.”²⁷ The problem is that, as mentioned above,

²⁶ Dembroff (ibid., 37) responds to the question “whether trans and nonbinary gender kinds could be incorporated within dominant structures... without being destroyed.” Dembroff (ibid., 38) concludes that, “In the end, we may find that there is no true middle ground between destructive oppression and destructive assimilation. But I think working to find one is preferable to the status quo...”

²⁷ See also Dembroff and Wodak (2018, 374), where the authors say, “[Catherine] McGregor, for instance, is a transgender woman because she identifies as a woman, but she was assigned the sex *male* at birth... For one to be transgender (as opposed to cisgender) is for one's gender identity to (sometimes) differ from the sex they were assigned at birth.” Here the authors seem to endorse a Bettcher-style self-identification definition.

attempting to define a concept in terms of self-identification in this way is viciously circular, and therefore unintelligible. To see this, suppose that, since I'm not sure what concept "woman" is being used to express in these communities, I ask Dembroff for clarification. If Dembroff answers that, on this concept of womanhood, someone is a woman if and only if she identifies as a woman, in the very sense to be defined, we've gone in a circle. I still would not know what concept is being expressed, since the term to be defined has shown up in the *definiens*. Insofar as this was an attempt to convey the meaning of this new target concept, the attempt fails.²⁸

Of course, we should be careful to avoid the Socratic fallacy: just because we cannot *articulate* necessary and sufficient conditions for some term does not mean the term fails to express any coherent concept. Just because the attempt to *convey* the definition of this concept failed (due to circularity), maybe there *is* a definition nonetheless. Perhaps there are necessary and sufficient conditions for the application of "woman" in these trans inclusive and queer communities, even if these conditions are difficult to articulate, difficult to communicate to someone who doesn't already grasp the concept. Just as Mikkola proposes using ostension to "fix feminism's subject matter"—in the "settle" sense of "fix"—perhaps Dembroff's idea here is to use ostension in order to fix feminism's subject matter, in the "repair" sense of "fix." Mikkola points to ordinary use of "woman" in the general population to sidestep giving necessary and sufficient conditions for the ordinary concept, while Dembroff points to alternative use in trans inclusive and queer communities to sidestep giving necessary and sufficient conditions for the revised, engineered, ameliorated concept.

There remains a general worry. Let's suppose that the predicate "is a woman" expresses some function in these communities, and "woman" expresses a satisfactory target concept in these communities. That is, suppose the meaning of the predicate successfully picks out some feature (or set of features) *W*, that is necessary and sufficient for the concept to apply.²⁹ Let's grant that it would be difficult to *articulate* this feature (or set of features) *W*, as this would require a careful combination or disjunction of, perhaps, age, species, biological sex, sexual orientation, social role, mental state, etc. Perhaps we're too conceptually impoverished to do so; fair enough. But the suggestion is there *is* some such feature (or set of features) *W*, and *that's* what it is to be a woman, according to these communities, and *W* will necessarily co-vary with identifying as a woman.

²⁸ If "woman" in the *definiens* expresses the very concept that was being defined, and I do not yet grasp that concept, then the definition is of no help to me in understanding or grasping the concept. If, on the other hand, "woman" in the *definiens* expresses some *other* concept with which I'm already familiar—perhaps the ordinary, *adult female human* concept, or Haslanger's social role concept—then, while I can understand the definition, it will not be trans inclusive (or appropriately exclusive), for reasons given above and in Bogardus 2020a.

²⁹ One sometimes hears allusions to "cluster concepts" at this point in the dialectic. (See, for example, Hale, 1996 and McKittrick, 2015.) But, if "woman" names a category, there are necessary and sufficient conditions for membership in this category, even if those conditions are something like *sufficient resemblance to certain paradigm cases*. So I don't think that an affinity for cluster concepts will absolve one of the commitment to necessary and sufficient conditions for category membership. There is also a serious worry about circularity, when selecting the paradigm cases: *S* is a woman if and only if *S* sufficiently resembles paradigm cases... *of women*.

To recapitulate the general worry expressed earlier, there are reasons to be pessimistic about this idea, since it seems fairly obvious that any woman—or, indeed, any person at all—could identify as having feature W, or not. Because of the contingency of human mental states and our powers of attention and conceptualization, there seems to be no necessary connection between having feature W—which we’ve supposed is necessary and sufficient for the application of whatever concept is expressed by “woman” in these trans inclusive and queer communities—and the criterion of self-identification. This is no stainless realm that we inhabit; we occasionally make mistakes. One might have feature W and fail to identify as having feature W; or one might identify as having feature W and yet not really have feature W. This is why any coherent concept of womanhood, used in any community whatsoever, will fail to necessarily co-vary with self-identification.

But, of course, it may be that, really, I merely fail to appreciate the impossibility of womanhood and self-identification as a woman coming apart, and I mistake that for seeing the possibility of these two things coming apart. I suggest, though, that the onus is on those who champion this allegedly satisfactory target concept to explain what it means, and how it necessarily co-varies with self-identification, rather than on the agnostic.

Here’s another way to put the worry. Suppose someone new enters one of these trans inclusive or queer communities. There should be something that determines whether or not this person is a woman. What would this be? The answer is the meaning of the predicate “is a woman” in these communities, and the answer must be a set of necessary and sufficient conditions, even if these conditions are ineffable due to our conceptual poverty.

Suppose we’re given this answer: our newcomer is a woman if and only if she identifies as a woman. The problem is that we seem to be getting *two* answers to our question, which is one too many. This person would have to identify *as* a woman, in order to *be* a woman. What would she be identifying as? A woman, evidently. That’s one sense of “woman” that this answer presupposes: the sense that gives the content of the intentional state of *identifying as*. Yet we’re also told that to be a woman just is to *have* that intentional state: *identifying in that way* is what makes her a woman. This is a second, distinct sense of “woman” that the answer proposes. These two senses appear to be distinct, not necessarily equivalent, and this is the source of my confusion.

Consider the definition in the form of this (implicitly necessitated) biconditional:

S is a woman if and only if S identifies as a woman.

If I’m told that the occurrence of “woman” in each bijnunct of the proposed biconditional expresses the same concept, the same sense, then the biconditional looks necessarily false. For how could it be, for any feature at all, that to have this feature is to identify as having it? It seems that, in the case at hand at least, each bijnunct

could be true while the other is false.³⁰ I conclude, then, that Dembroff's Imitation Approach won't help us solve the first challenge of the Revisionary Stage of Ameliorative Inquiry, which is the provision of a coherent target concept.³¹ Indeed, it looks as though it *must* fail to solve this challenge; that challenge looks to be broadly logically insurmountable. And, if so, the Trans Inclusion Problem cannot be solved.

Let's move on, then, to the second challenge of the Revisionary Stage of Ameliorative Inquiry. That challenge, recall, was: *Don't change the subject*. I believe that, if put to the use of the Ameliorative Inquirer, Dembroff's Imitation Approach will face a trilemma: either these trans inclusive and queer communities are originating a new concept (and, with a new referent) and therefore changing the subject, or they're not originating a new concept, and therefore, *either* misapplying the mainstream concept, or changing the subject via organic reference shift.

It's more difficult, in this case, to determine which lemma will hold for these communities than it is in the case of philosophers we've discussed. Typically, philosophers working in this area are self-consciously engaged in the revisionary project of Ameliorative Inquiry. In their use of "woman," they knowingly and intentionally depart from the mainstream, traditional, biologically-based use. So, it looks rather obviously like they are originating new, 'target' concepts rather than (mis)applying the original, mainstream concept. In the case of trans inclusive and queer communities, though, it's *less* clear that the use of "woman" is intentionally revisionary. These communities chose to appropriate existing terms like "man" and "woman" for a reason, and they often appear to disagree with ordinary users of those words about the extensions of those words, etc. Yet insofar as their use is revisionary, it looks like a new concept has originated, the subject has changed, and we've introduced ambiguity and merely verbal disputes.

We've already explored above the implications of the first possibility, on which the primary intention of users in these communities is to depart from the common use. On this possibility, there is origination of a new concept (one with a new referent), and therefore subject change, equivocation, merely verbal disputes, and the like. So, let's consider the second possibility: members of these communities do not mean to depart from the mainstream use of "woman"; their primary intention is to stay on topic, and engage with mainstream and traditional conversations about women. If so, then—and bear with me now—there are two further possibilities. On both possibilities, the deference shown by these communities to common usage ensures that they are using the same concept as are mainstream communities. But does this concept retain the same extension, the same referent?

One possibility is that it does. If so, it looks as though the use of "woman" in these trans inclusive and queer communities involves a degree of deference, an intention to conform

³⁰ There might be *recherché* features like that of *identifying in some way*, such that if one identifies as having that feature, then necessarily one has that feature. But surely the other direction of the (implicitly necessitated) biconditional will be false: it will be possible to have this feature without identifying as having this feature. Also, notice that the concern is not that, as David Lewis (1986, 26) put it, the predicate picks out a property, but the property makes for an "unduly miscellaneous class of things." Rather, it's that the alleged predicate fails to pick out any property at all, due to vicious circularity. It specifies no extension. It's not a genuine predicate. In that case, the proposal has the unwelcome implication that there are no women. Or, if "is a woman" does specify a predicate, the biconditional "S is a woman iff S identifies as a woman" will be necessarily false.

³¹ I'm grateful to Alex Byrne for a series of questions he raised to me that pressed me to think more carefully about this point.

usage to mainstream usage. This is typical of uses of terms that do not originate a new concept (cf. Sainsbury & Tye, 2012, 42ff). But, if there has been no shift in reference, then use of “woman” by these communities would be like Arthritis Man’s (Burge, 1979) use of “arthritis.” Arthritis Man defers to his doctor, accepts correction, and thereby manifests his the desire to use the very concept his doctor uses, with the very reference it has in his doctor’s uses (cf. Sainsbury and Tye, *ibid.* 70). It is on this basis that we judge Arthritis Man to be using our common concept of arthritis, instead of a novel, idiosyncratic concept, *tharthritis*.³² But, if this is right, then although these trans inclusive and queer communities have not changed the subject, they stay on topic at the cost of saying many false things about women. Just as Arthritis Man says, falsely, that he has arthritis in his thigh (instead of saying, truly, that he has *tharthritis* in his thigh, using a novel, idiosyncratic concept), members of these communities are frequently saying, falsely, that so-and-so is a woman, or that so-and-so is not a woman.³³

³² Though, notice, that accepting correction from an expert is just one way of exhibiting an intention to conform in one’s usage. Arthritis Man may instead have replied to his doctor in this way, “Yes, I know what *you* think arthritis is, and that it can’t be in my thigh, but your corrupt modern medicine misunderstands arthritis. Actually, arthritis *can* be had in the thigh.” I think that we’d still judge, in this case, that Arthritis Man uses the common concept rather than an idiosyncratic concept. It’s his intention to engage and correct with the doctor that inclines us in this direction, intentions that one also observes among many users of revisionary gender concepts. But, if that’s the case, then it looks like the Imitation Approach reaches a bad result: just as Arthritis Man is misapplying the common concept of arthritis, and saying things that are false—e.g. “there’s arthritis in my thigh”—these communities are misapplying the common concepts of manhood and womanhood, and thereby saying things that are false, e.g. “trans women are women.”

³³ I take it this was perhaps the crucial point of contention between Alex Byrne (2020 and 2021) and Robin Dembroff (2021) in their recent exchange. Byrne (2021) thinks that many individuals—philosophers and otherwise—in trans activist and queer communities often have “simple disagreements” about women, with mainstream and gender-critical folks: “there is a single proposition expressed using the word ‘woman’, which one party believes and the other does not.” This would require that all parties to the debate share a single concept (or, at the very least, concepts with the same referent). Dembroff (2021) disagrees, and points to “the language use of feminist philosophers, as well as entire linguistic communities where ‘woman’ is explicitly not used to mean ‘adult human female.’” It seems that Dembroff’s interpretation of “women” in such uses is motivated primarily by a principle of charity, or truth-maximization. That is, Dembroff seems to assume that *because* statements like “trans women are women” express true propositions in these contexts, “woman” must not be expressing the ordinary concept. But, as we’ve seen, the cost of this view is a change in subject, a shifting of concepts resulting in equivocation: those who say “trans women are women,” using this new concept, are not contradicting those who say “trans women are not women,” using the ordinary concept. If we instead want to maximize *relevance*, and make sense of what seem to be genuine disagreements about women among different communities, we are pushed rather in the direction of sameness-of-concept. But, the cost there is that, if there has been no reference shift, many members of the communities Dembroff invites us to imitate are frequently saying false things about womanhood, e.g. “trans women are women.” And, if there has been a reference shift, then there has been a change in subject, and there is really no substantive disagreement after all, only ambiguity and equivocation.

Although, the claim that e.g. “Trans women are women,” or “I am a woman” (said by a trans individual who identifies as a woman) would be false when using the ordinary, biological concept of womanhood depends on a face-value interpretation of that sentence. But perhaps Bettcher (2009, 108) is right in saying that, in these “subaltern contexts,” gender presentation generally, and self-descriptions in particular, are not meant to indicate genital status, but instead to indicate “how persons want to be treated.” In that case, if “I am a woman” does not express the proposition that *I am an adult human female*, but instead a proposition more like *I wish to (or should) be treated like a woman (should be treated)*, then such utterances may well express true propositions, propositions featuring the ordinary, biological sense of “woman.” Bettcher’s suggestion here may better explain the loci of contemporary debates over gender identity, access to shared spaces, etc., and, so, in my opinion it deserves more attention and development than it has so far received.

A second possibility is that, due to their deference to use in mainstream communities, users of “woman” in trans inclusive and queer communities express the ordinary concept. Yet, on this second possibility, there has been an organic reference shift, as discussed by Saul Kripke (1980, 93) with respect to the name “Santa Claus,” and by Gareth Evans (1973, 195-196) with respect to the name “Madagascar.” Prior to the year 1800 at least—and even today in other cultures—cognates of the name “Santa Claus” express a concept that refers to St. Nicholas, the historical bishop of Myra. But, in contemporary mainstream North American cultures at least, that same concept, expressed by “Santa Claus,” has shifted its reference, to a creature of fiction. If something like this happened with terms like “woman,” as used by trans inclusive and queer communities, then there is no risk of widespread misapplication of the concept within these communities. But the specter of a change in subject has returned. Plausibly, those who use “Santa Claus” to talk about St. Nicholas and those who use “Santa Claus” to talk about a jolly Nordic elf are talking about different things, different subjects. If one says, “Santa Claus is not alive” and the other says “Santa Claus is alive,” there is no deep disagreement here, since they’re talking about different things. The same would be true, *mutatis mutandis*, with terms like “woman” in these trans inclusive and queer communities. In which case, this proposal entails a change in subject.

It seems, then, that no horn of this trilemma is an attractive one for the Ameliorative Inquirer who wishes to employ Dembroff’s Imitation Approach: the use of “woman” in these communities originates a new concept, and therefore changes the subject, or the use of “woman” in these communities is non-originating, and, therefore, *either* these users are saying many false things concerning womanhood, *or* they’re saying many true things, but about a new, changed subject. So, I conclude that the Imitation Approach does not offer a satisfactory answer to this second challenge of the Revisionary Stage of Ameliorative Inquiry.

Finally, let’s consider the third challenge of the Revisionary Stage of Ameliorative Inquiry: *Avoid circular methodology*. Recall that, in the Revisionary Stage, we are meant to evaluate proposed target concepts that “woman” might come to express in light of advancing the cause of feminism. And the concern was that we cannot evaluate how well a proposed meaning of “woman” will advance the cause of *feminism*, unless we already know who the *women* are. Because feminism just is the cause of women.³⁴ So it seems that the process can’t get going, due to these recursive instructions.³⁵

What does the Imitation Approach have to say about this? While introducing the approach, Dembroff (*ibid.*, 36) says, “looking at other communities will reveal alternative gender kinds and corresponding classification practices.” But the problem is: how do we know these kinds and classification practices that Dembroff points to in these other communities are *gender* kinds and *gender* classification practices? What

³⁴ Even if you construe Ameliorative Inquiry as intending to advance the cause of social justice generally, and not feminism in particular, you will still run into this worry of circularity, assuming that your conception of social justice includes women. And it does, doesn’t it?

³⁵ Or, if we’re meant to evaluate proposed revisionary meanings of “woman” in light of how well they will advance the cause of women in the traditional sense of “woman,” i.e. adult female humans, then it’s rather doubtful that we will select a trans-inclusive target concept to be expressed by “woman.” For how would letting “woman” express any concept other than *adult female human* advance the cause of adult female humans better than the status quo? See Bogardus 2020a.

is gender? No doubt these communities use the *words* “man” and “woman,” but, surely, merely using those words is not enough to ensure that their referents are *gender* kinds, or that one has expressed *gender* concepts. As a quick and silly example to help see why, suppose I decide to use the words “man” and “woman” in an unusual way, classifying everything in the east half of my house “the men” and everything in the west half “the women,” deferring not at all to normal uses of these terms, and thereby originating unusual new concepts to be expressed by these words. Obviously, I have not thereby created alternative gender kinds and classification practices. I have not expressed gender concepts at all with this use of “man” and “woman.”

But a similar point holds with regard to the trans inclusive and queer communities that Dembroff suggests we imitate. If the ordinary definitions of “man” and “woman” are correct, and these are gender terms, then gender is a matter of only age, species, and biological sex: men are adult male humans, and women are adult female humans.³⁶ But, in that case, there are no “alternative gender kinds” at all, and a fortiori there are none in the communities that Dembroff points to, for there remain in those communities only adult male humans and adult female humans.³⁷ In other words, by claiming that there are alternative gender kinds in these communities, Dembroff is already presupposing a revisionary definition of gender, revisionary definitions of “man” and “woman.”

But that’s what the Revisionary of Ameliorative Inquiry is meant to give us as an *output*. Here, Dembroff is using it as an *input*. At the start of the Revisionary Stage of Ameliorative Inquiry, we are not yet in a position to say that these communities have alternative gender kinds. We couldn’t sensibly do that until the Revisionary Stage is completed, and we have a revisionary concept of gender that would deem the alternative kinds in these communities *gender* kinds. But, if we were to follow Dembroff’s Imitation Approach, completing the Revisionary Stage would require that we already know that these communities feature alternative gender kinds: we would be meant to look to these communities, recognize that these alternative kinds are indeed *gender* kinds, and then take up the corresponding concepts. But, in that case, we would have to have already completed the Revisionary Stage of Ameliorative Inquiry before we started it. And, thus, we have not escaped the worry about circular methodology that plagues the Revisionary Stage of Ameliorative Inquiry. The proposed

³⁶ We’re setting aside for the moment “girl” and “boy,” if those are gender terms. But what goes for “man” and “woman” here also goes for those terms, if these are all gender terms. Also, if you believe that at least some intersex individuals are neither men nor women (nor girls nor boys) and yet have genders, then I suppose you’ll think there are additional gender categories comprised of intersex individuals. However these categories are defined—perhaps in biological terms (to reflect the biological characteristics of their members)—so long as they also apply in these trans inclusive and queer communities, then this argument against the Imitation Approach will go through. Also, even if you use “gender” in a more traditional way, to mean something like “the social meaning of sex,” then gender is still defined in terms of sex. And, since there are no additional sexes in these communities, there are no additional genders in these communities. There will remain only norms about males (i.e. masculinity), norms about females (i.e. femininity), etc., just as there are outside of these subaltern contexts, even if the norms vary by context.

³⁷ And, as mentioned in the previous footnote, you may wish to add additional categories for intersex individuals. Still, these categories also apply in these trans inclusive and queer communities. These communities may feature classificatory practices that differ from mainstream classificatory practices, but if the mainstream use of gender terms is the correct use, then these communities will be systematically *mis*classifying many people.

Imitation Approach would be impossible to complete, due to circularity: we must complete the Preparation Stage before completing the Revisionary Stage, but we also must complete the Revisionary Stage before completing the Preparation Stage. This is impossible.

In other words, Ameliorative Inquirists are trying to engineer a revisionary ‘target concept’ to be expressed by “woman,” which best advances the cause of feminism (or social justice generally, which includes the cause of women). And, if they try to do so by following Dembroff’s Imitation Approach, they face another dilemma. The first horn is: If we use the traditional concept of womanhood to evaluate whether adopting the “woman”-using practice of these other communities, we’ll need to see a reason why doing so would advance the cause of *adult human females*. (But what could that reason possibly be?) The second horn is: If we instead bracket off any particular understanding of womanhood, how can we discern whether these communities are using a concept that should interest us? They may well be using some other, irrelevant concept, expressed by the *word* “woman.” But such a concept may be of no use or interest to women. For we’re interested in concepts expressed by “woman” only if they *mean* the right thing, i.e. only if they’re concepts *of women*. But if we genuinely set aside our concept of women to evaluate the language-using practices of these communities, we’ll be unable to tell if their practices are of any use or relevance to the cause of women.

So, Dembroff’s Imitation Approach does not provide satisfactory answers to any of the three challenges of the Revisionary Stage of Ameliorative Inquiry. But that was the goal of the Imitation Approach: to provide improved, revisionary target concepts for our gender terms (in addition, perhaps, to additional gender kinds). So, like Mikkola’s proposal before it, Dembroff’s proposal would offer no way forward for the Ameliorative Inquist. In that case, Ameliorative Inquiry’s Trans Inclusion Problem remains undeflated, unanswered, and unsolved.

We’ve also seen reason to believe that the Trans Inclusion Problem *cannot* be solved, at least so long as one criterion of success for any conceptually engineered, appropriately inclusive concept of womanhood is that it necessarily covaries with self-identification as a woman. And that’s because, *no matter what it means to be a woman*, it’s one thing to *be* a woman, and another thing to *identify* as a woman. This follows from a more general principle: it’s one thing to be some way, and another thing to identify as being that way. So the project of crafting a concept of womanhood that necessarily respects everyone’s self-identification is doomed to fail. The Trans Inclusion Problem cannot be solved.

Though the project of this paper was largely negative, I hope that, by clearing away proposals that cannot succeed, we have a better view of the challenges facing Ameliorative Inquiry, and the options available. It looks as though the only way forward for the Ameliorative Inquist involves abandoning the idea that gender self-identification is infallible.³⁸

³⁸ In a recent paper, Elizabeth Barnes ([forthcoming](#)) targets the claim that self-identification as a woman is *necessary* for being a woman, since (ibid., 16) “cognitively disabled females *are women*,” even if they are unable to identify as such. But Barnes endorses the sufficiency of self-identification for gender classification, saying (ibid., 3), “we need to say that self-identifying as an *x* is at least sufficient for being categorized as an *x*.” Though it may look like this variable is bound by an implicit universal quantifier ranging over an unrestricted domain, I believe the most charitable reading requires that we restrict the domain to *gender* kinds, since it’s quite implausible that, in general, for any *x*, self-identifying as an *x* is sufficient for being categorized as an *x*, and certainly not for actually *being* an *x*. One main purpose of this present paper is to point out that self-identification as a woman is neither necessary nor sufficient for being a woman, no matter what “woman” means.

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