

Gender as function: A radical human category

## Introduction

Much like race and class, “gender” is an umbrella concept that hides much of its true meaning in its overuse. But what is gender? Some say “Sex is biological and gender is social.” Others argue gender comes down to social presentation. Still others, such as those in trans and gender nonconforming communities, seek to talk about gender in terms of “gender-identity.” As modern legal and cultural debates attest, these many uses of gender lead to confusion when we conflate different meanings in different contexts. The solution I propose lies in thinking about gender differently.

In this paper, I propose a functional account of “gender”<sup>1</sup>. What we commonly think of as “gender” is instead better understood as its functions (presentations, internal processing, social position, oppression, etc.). This functional account will improve upon other more essentialist accounts according to which gender is taken to be a thing, substance, property, or kind of “identity.” But mainly I will argue against opposing accounts, rather than argue for the account itself. I will present a common principle to these other accounts, and then demonstrate by example how this principle fails to explain major ways in how we think about gender. Then I will address more fully how when these accounts delve deeply into semantic issues, they fail. Next, I briefly discuss the importance of function to gender and how it avoids the pitfalls of the other views. Finally, I will conclude with a discussion about how my account is intended to be

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<sup>1</sup> Using “ ” to represent when I am talking about gender-in-itself (metaphysic and independent) and not our common understanding of gender (social and dependent).

consistent with modern views of gender, especially those found in transgender and gender nonconforming communities, which have long sought to defy traditional notions of gender.

## **Overview**

In the main body of this paper, I will argue against two main views of gender: 1) a sex-dependent view of gender and 2) an identity-based view of gender. On the sex-dependent view, gender is necessarily related to sex and encompasses a broad spectrum of views ranging from biologically essentialist to social constructionist views of gender which treat sex as a necessary precondition for gendered social phenomena. On the identity-based view of gender, gender is a matter of identity first (social elements of gender are either secondary or absent entirely), where identity is broadly construed as “an individual sense of having gender.” Various social constructionist views of gender that may fall into either of these categories will only be discussed tangentially, but are hopefully subject to the same issues I raise. And while these two broad views will cover several different conceptions of gender, they share a common individualistic principle I will address.

## **Critique of Authenticity**

One common principle shared by both views of gender I critique, is the principle of “authenticity” of self.<sup>2</sup> This principle maintains that there is an essence or truth to one’s “self,” which in this case can be extended to gender. We debate what it means to be a “man” because we already have the preconceived notions, whether societally or biologically provided, of what actions and thoughts are related to “manliness.” We have notions that the “self” for a biological formulation of gender is based on sex, and defined by hormone levels, bone structure and

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<sup>2</sup> Appiah, Anthony. *The Ethics of Identity*. Nachdr., Princeton Univ. Press, 2007.

density, chromosomes, reproductive role, and other genetic factors. For the sex-dependent view, these may imply that for who society views as a “man,” who we might view as a “man,” and how we view ourselves should all be authentic to the biological truth. From the social perspective, we consider how “men” are portrayed in media, pop culture, history, and in our daily lives based upon gendered presentations. This includes divisions (toys for boys, men’s clothes, etc.) found in all aspects of our upbringing and culture, and from even before our babies are born (i.e. gender-reveal parties, it’s a “boy”, it’s a “girl”). For some constructionist views and the identity view of gender, that “self” is dependent on our environment and how we are socialized or socially aware of our gender. And so this view would conclude, to be a “man” is to be authentic to either how you were initially socialized or how you view yourself as a certain gender.

The problem with “authenticity”, however, is that it reifies both social and biological notions of what is true and possible for humans and gender. Simply the social and biological do not even scratch the surface of the extent to which gender informs our daily life. If we are expected to believe gender is substantive in any of the ways just described, then we will find ourselves with explanatory gaps in how we use gender. We do not only experience gender by considering what our society expects of us and a response of either affirmation or negation of this gender. In fact, we may expect our society to conform to us, we may experience and construct our gender in opposition to what we see in society, or we may experience our gender as more than just one gender at a time. These negative formulations, or reflective views, of identity form in response to society, social or biological concepts, and even the way we view ourselves. For the purpose of this paper, the negative formulation is to escape a substance-based definition, which cannot properly account for all of these ways in which humans’ express gender. As the

description of what makes up “not a man” is much harder to define than “man” under our current framework, as we shall see further in the paper.

### **Non-standard gender and Schrodinger’s Man**

The following example, I affectionately call “Schrodinger’s Man.” The reason for this name is because the person under observation may be treated as any gender under different lens of analysis. Much like Schrodinger’s cat, who can experimentally be said to be in both a state of alive and dead until observed. We may describe by analogy, gender as being more akin to the multitudinous gendered ways in which a person may be treated at any given time. Although the original physics thought experiment limited the scope to a binary, this example examines how at any given moment, our gender is defined in terms of how we present, how we identify, the social position society takes us to occupy, and etc. and how they all may be different from one another. And from studying this example, we may see that our gender is not truly characterizable by any single substance account of gender.

Take a person born and described as “male” at birth by the doctor, born in a traditional American household and is raised as a “man.” This person’s gender, which we may often describe as “male,” is not wholly determined by the biological or social factors which build the “self.” Rather, there is a significant portion of his identity which manifests as opposed to these factors and something not captured by being “male”, in other words an opposite way of being: “not female.” This portion of his identity is contingent on the most basic view of gender we are first introduced to, the social relation we perceive very young between “male” and “female” as being two opposed genders.

As this person grows up, they may come to realize they do not conform to many traditional masculine-gendered expectations, nor even to certain biological expectations such as physical strength and high-levels of testosterone production. They may also learn that gender is possibly not as binary as believed, and come to realizations about which masculine and feminine norms they may or may not identify with. They may even learn that some people are nonbinary or agender and reject the ascription of traditional gender properties to themselves<sup>3</sup>. But this hypothetical person exhibits all traditionally masculine signs of physical presentation, playing the part if you will, of the average man. They may identify as a man and disidentify with certain masculine norms, decrying “toxic femininity”<sup>4</sup> for enforcing impossible standards of virility and emotional depth upon men. Or they may identify as a man and be disidentified as such by society, as is the case for trans men, but also for categories across gender boundaries, such as gay men, and stay-at-home dads. The latter two of which are considered too “feminine” in their social role and are thus identified as targets for discrimination.

### **Problems with the Sex-dependent view**

This case is important for a few reasons. First, if gender is truly the same as or based upon biology, then we would have a hard time explaining why many people choose to identify as a gender they do not have the qualifications for. The person described here is not a hypothetical, but a real person attempting to navigate the world. And the sex-dependent view does a disservice to this person’s lived experience in attempting to classify reality. If the sex-dependent view were true, then the following three cases would be unexplainable. There would be little we could say about the fact that many people experience gender by shifting between social

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<sup>3</sup> such as use of gendered pronouns, use of gendered labels for objects, use of gender in relevance to the ways in which they socially operate in the world.

<sup>4</sup> Neither a technical nor intelligible term, but a socially salient one

presentations and roles in society and how society may treat them. We would be unable to understand when it is unclear how a person wishes to present their gender or identity. And that is without even mentioning culturally distinct non-standard gender, such as in the cases of two-spirit in Native American and hijra in Indian communities.

In each of these cases, we have people who are attempting to navigate a complex social reality in which they identify their gender and themselves in one way, but are perceived by society in another. For the first case, we may describe someone as “masculine” because of their athletic ability, and the same person as “feminine” because of their nurturing demeanor. And this would be regardless of whether they intended to present as a specific gender by adopting these social activities. But for the sex-dependent theorist, what would the adoption of both of these activities mean? The unenviable conclusion, it would appear, is that even for people who do not question their gender, we are constantly lying all the time about what gender we are, and people are constantly misidentifying us on this basis. In fact, because we may be both purposeful and not in our gender presentations, we would be guilty of lying both unintentionally and intentionally. As we play with being both masculine and feminine in activity and presentation, we may inaccurately portray to others what our true biological sex is. This raises the question: is there any meaning to being “truthful” about presenting your gender as your sex, as the sex-dependent view would like to suggest? This point thus appears self-defeating when we consider the abundance of times people gender each other incorrectly without knowing (think of tropes of women on motorcycles being mistaken for men) and people who are consistently taken for being a different gender from their assigned sex.

For the second case, we may consider people who are nonbinary or agender. They may actively wish to present as androgynous, choose to adopt male and female presentations, or be

agnostic about gender presentation. Similar to the above example, the conclusion of lying is reached. As such, in both these cases, the sex-dependent view fails to explain how a person may engage in presenting very differently from their birth-sex, without supporting extremely normative gender values or the idea that we are all engaged in constant self and societal deception. The third case follows this same argument, but with the added wrinkle of cultural and historical context. In other cultures, “third” gender or alternate gender roles may exist outside of or in-between the gender binary Western countries have traditionally offered, and a sex-dependent view of gender appears to be one inserted by colonialism. And so there is grounds for believing the sex-dependent view oversimplifies our explanations of gender.

Furthermore, there would be nothing the sex-dependent distinction could say about qualifications for discrimination and oppression. For trans men, a definition centering “biological sex” as a source of oppression would ignore unique aspects of their oppressive experience, such as not being a target of cat-calling or other misogynistic social practices. And it can say even less for gay men and stay-at-home dads, who despite the fact that they identify as men, are viewed as less “masculine.” Gender clearly plays an important role here, as in the corresponding female case. Lesbian women and stay-at-home moms experience an analogous type of discrimination, but it will not be the same because of a differing expectation based on their perceived gender.

The uniqueness of gender then lies in its “inbetween-ness,” that most people, whether they realize or not, are subject to and evaluable under in everyday life. This is an “inbetween-ness” that is not fully captured by a sex-dependent account of gender that focuses on defining the strict boundaries between our gender categories, while the reality of gender and the ways which we associate with people on its basis are much more complex.

### **Problems with the Gender-Identity view**

Similarly, “Schrodinger’s Man” also problematizes one of the more popular views of gender as gender-identity. While gender-identity constructions may be useful for explaining why it is people may treat us differently if we have a different gender from what sex we are assigned at birth, they are still lacking in some cases. Consider, for example the case of having less boundaries around gender-identities, where we prescribe a gender spectrum to encompass an infinitude of human genders. While this may initially seem like a workable theory of gender for gender nonconforming people, it has a few problems.

The first of which, is that if we take authenticity to be meaningful, then every trans person may only be authentic to themselves but fails to be authentic to the expectations of others. It seems plausible to attribute authenticity only to the individual under question from an ethical standpoint. However, this leaves open questions from the position of the theorist who examines systemic qualifications for oppression and discrimination. Under this view, putative social and biological views of gender do not align with one’s own gender-identity, and now we are left unable to explain in a meaningful way how one’s gender identity may inform their own discrimination. After all, gender-identity authenticity does not rely on presentation or other social considerations, and so it may appear that some gender-nonconforming people do not experience oppression or experience it very differently. That is, these people may even take performance or expression of their gender more seriously than a gender identification, which marks them as targets for discrimination. The nonbinary person who dresses androgynously and takes hormone therapy to appear less like a cis person is thus harassed in social interaction, but their nonbinary cis-presenting friend is not. Both these individuals have largely similar gender identities, and yet are found to be inauthentic to their identity in very different ways. The first person may never receive uptake of their identity while the second may “pass” arbitrarily in most settings, while

remaining active in retaining their nonbinary identity. Thus, accounts of passing appear to drive a wedge in the experience of people who have very similar gender-identities and problematizes how we may wish to group them in accounts analyzing oppression.

The second problem of the binary gender spectrum can be discussed in two forms: the static form and dynamic form, where gender-identity does not change or does change throughout life. I will take the static and dynamic theories separately at first, but in the next section will I will address the larger question at hand that they both fail to explain.

If gender-identity is largely static and unchanging at birth; the gendered ways in which we think of ourselves are not necessarily so. As described in the “Schrodinger’s Man” case, even cis men or trans people who present as cis men may fail to identify themselves with some parts of masculinity. This is even while still identifying as or being socially interpreted as men. Even more troubling are cases of what we call gender questioners, or people who describe themselves as not knowing what gender they identify with. For this form, authentic gender-identity appears problematic because the question of what it means to “identify” with a gender is far from clear. In these cases, it appears we must necessarily delve into the boundary work that underlies the semantic issues I wish to avoid.

And if gender-identity changes throughout our life, we may answer the gender questioning case, but we may find gender-identity as a theory constricting in many senses for many of the same reasons as the sex-dependent view. This is partially because it appears initially that those who do not change their identity, or have very stable gender views, are not authentic. And even more problematically, this theory may prescribe that our authenticity is contingent on the putative definitions of male and female that bracket the gender spectrum. Because the gender spectrum account still identifies gender as being between male and female, it brings up the moral

concern of complicity in oppressive forms of gender. As some have argued, a gender-identity view reifies the normative views of gender. Examples provided, are that trans women encourage normative and oppressive forms of femininity by identifying with a certain gender or that trans men may dis-identity with femininity because of the oppressive form of masculinity.

Finally, I come to a larger question about authenticity in gender-identity. For a gender-identity theorist, what does it mean to say that a person identifies as bigender (having two genders), multigender (having many genders), or gender-fluid (switching between genders)? I shall take on this question more thoroughly in the next section, but for now, it appears this question remains intractable.

### **Problems with both Sex-dependent and Gender-Identity**

Returning to the questions in the previous section, they appear to identify large problems in how both views explain gender. If the sex-dependent is taken to mean that one must identify as a gender that is related to sex, then gender nonconforming views such as nonbinary are unintelligible. If the gender-identity view is taken to mean every person has a “true” or authentic self as an individual, then it appears very difficult to include many gender nonconforming people who do not identify with a single gender or who may perhaps not wish to “identify” (agender, questioning, etc.). How, then, do we evaluate claims of multiplicative gender, or where people identify as more than one gender at any given time, or across a period of time? How do we evaluate one of my initial claims, that our gender may be defined in opposition to our putative understanding of gender? It is unclear how the gender-identity view can answer these questions without falling into deeply semantic issues about what “is” gender or the related operators of identity and authenticity. Or alternatively, as discussed in the next paragraph, it may result in having to give up on a certain explanatory goal of the theories.

So if we refer to the question of explanation, and how gender might be used to explain certain social facts, we will come across even more problems. If we allow social factors to define gender, we will be forced to choose either identity or social position as a dominant factor in a theory that wishes to explain gendered facts (for example, about how gender is oppressive). The problem here is that for a given social fact, identity or social position may be the dominant factor necessary for a satisfying explanation. But if we were to hold a gender-identity or socially constructed view, it would appear we have to give up on either the claim of authenticity or a fully satisfiable explanation of social facts. Then, if we allow biology to define or inform gender, as discussed earlier, we would be forced to bring the accusation of lying to virtually anyone at given points within their life or to reduce the ways in which gendered oppression occur to only how they are related to sex. This latter case meaning we are unable to understand the oppression of assigned male at birth people, including male-assigned intersex people, who will face societal discrimination that a male sex identifier does not insulate them from. And so it appears, we have gaps, however small, within both views.

### **Explanatory gap in Sex-dependent and Gender-Identity views**

Hence we come to the precisification issue and the semantic issues that characterize our gender discussion. Precisification has failed so far in this regard, with our most general theories of gender being unable to encompass all the levels of biological role, social role, identity, and so forth at one time. Thus, I argue our semantic issues with gender will persist at these explanatory levels. Being “precise” about the terms “gender”, “identification”, and other terms entails a certain amount of boundary work and category definition that rides the line between allowing for authenticity in identity and determining qualifications for one’s biological or social category membership. These definitional issues will in turn cause issues at the pragmatic level of

discussing the legality and ethics of category membership and identity concerning gender. And we have already seen the consequences of this in our modern debates about transgender identity in law, ethics of transracial identity, lawsuits about discrimination, and others.

I will argue now that these issues are due to a commitment to authenticity in our essentialist view of gender as sex or identity. Consider Appiah, who notes “the way much discussion of recognition proceeds is at odds with the individualistic thrust of talk of authenticity... attending to the oppositional aspects of authenticity would complicate the picture, because it would bring sharply into focus the difference between two levels of authenticity that the contemporary politics of recognition seems to conflate” (105)<sup>2</sup>. In short, the way we normally talk about identity centers the individual and the experience of the individual as should be considered by society. We may consider a person’s active externalization of gender-identity to be most salient, or their biological sex, or how their social role informs presentation or oppression. But so long as we consider gender as “authentic” to a human category or a claim to category membership, we will find ourselves pulled in all different directions at once.

We may also consider how an individual may disidentify or reject gender norms they still recognize as salient to themselves, while also investing in a construction of their identity as being “not” or the negation of something else. This disidentification is often not simply binary, as “not man” and “not woman” are not as clear as they initially appeared to be. Instead, the negative may be more accurate than just “man” or “woman” concerning some intersex people, who may be regarded biologically as “more” male or female, but not perfectly residing in either category. Implying we may be “authentic” by not being within a category. Thus, it appears that we (as a society) may have incorrect views about gender identity’s relation with sex, presentation, and social position, because none of these aspects of gender are actually more “true” about gender. If

we were to retain authenticity, this would entail that normative social and legal definitions about who is “truly” a certain gender are guaranteed to exclude some people who would otherwise belong.

Our current view then entails the following problems. That we are unable to account for the fact that transmen are oppressed both for being both “women” and “trans men” under a patriarchal social lens, while being treated socially in either respects. We are unable to make legal strides as we fail to consider intersectionality and how other social roles inform gender. We then instead fixate on oppressive social role operating on the singular aspects of being a “woman” or being “black”. Currently we consider cases where black women are discriminated against dually, but are protected under neither legal provisions for “black persons” or “women.” And instead they are conveniently disidentified with either position for the purposes of oppression. And we are unable to describe in any sense how nonbinary people who do not wish to present androgynously are socially considered, without invalidating the ways in which people’s identities and gender presentation do not necessarily align.

### **Functional Account**

Finally, I return to the broader question of the paper. Namely how do we evaluate claims of multiplicative gender, where people identify as more than one gender at any given time or across a period of time, or the case of “Schrodinger’s Man”? I answer, we should let go of authenticity and regard them by the separate ways they operate within context and by taking “gender” to be insubstantial and relative to the agents considered.

Consider a bigender person. We can describe a bigender person as someone who takes their gender identity to be both male and female at the same time, and cash this out as the

relation: “to take both putative male and female social norms as relevant to oneself.” This avoids the problem of having to refer to gender statically as a single thing someone should hold themselves true to, while also emphasizing the social contingency in how we view gender (an agent-to-social norm relation). Furthermore, we may take this example in terms of systemic oppression, and consider how although this individual identifies as both male and female, it appears difficult to describe how the male form of identity may be discriminated against. Particularly if the individual does not present as both male and female. In this case, the person’s general social position would be cashed out as the relation: “to be taken and treated as not putatively male or not putatively female” in an agent-to-social role relation. Notice, this relation is not intended to say anything about the identity of the subject, nor is it in conflict with the above example. The relation could have just as easily been “to be taken and treated as not putatively male”, which instead describes a more specific kind of discrimination where the individual is taken to be presenting as not male, and is thus discriminated on that basis. Rather, this relation is simply a different one from the identity relation, although it is gendered, and describes how society may not provide uptake to the individual’s identity. Instead, society treats the individual as deviant to both male and female norms, in general in this case, although degree and what norms would depend on context.

By considering multiple relations, we may account for explanations of nonstandard gender, without attempting to outline strict category membership, and by emphasizing distinctions between each relation and the context (agents involved and general social norms) for each, we can become clearer about how gender operates in different contexts. I move to conclude by remarking that these examples are not meant to be exhaustive or even fully accurate, but rather are a demonstration of how we might begin to describe gender in this way.

## Conclusion

We have examined how gender is non-substantive in some cases, and how substantive definitions fail to explain the ways in which gender is boundary-less and not boundary dependent. If my argument holds, then it appears a new way of thinking about gender is in order. A definition of what gender “is” that wishes to be explanatorily relevant at all levels is likely not possible. It appears then that we have to abandon a conception of gender as such, which may entail forming an account of what gender “does.” This account should then acknowledge the wide and varied experience of humankind. It should also acknowledge that, as we grow and learn as a species, we should expect that we will continue to transgress across boundaries, either natural and social, and seek to become undefinable. Gender may then be broken up into each of the separate explanatory levels we wish to address.

What I term the functional aspects of gender<sup>5</sup> all entail a certain amount of cross-category traversal that substantive accounts of “gender”, the sex-dependent, or gender-identity views cannot provide. In this way, we may continue to add to a corpus of our understanding of “gender,” but instead of understanding gender as a human category, we will describe new ways in which gender (as a putative category) informs our lives. Instead, the functional definition examines each case for which gender works for every individual, and each function may operate at a different degree and level for a given individual. Thus, for the purposes of both clarity and explanatory power, it is better to think about “gender” as these functions of putative definitions of gender as the sex-dependent or gender-identity views.

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<sup>5</sup> being oppressed by gender norms, presenting or occupying a certain gender role, having a certain gender identity, and etc.