

A Research Agenda for Formal Gender Theory

V1.0, comments are appreciated

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Abstract

We outline a research agenda for further work on Formal Gender Theory. A number of themes are suggested some of which have a foundational objective while other themes focus on work towards applications of gender theory. These topics have been chosen in such a manner that each of these can be elaborated independently of the other topics, at least initially.

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1 Introduction

Having done the ground work for a formal gender theory in [4, 5] we now face the question how to turn our work in a rather more project oriented form so that increasingly detailed and specialized investigations can be made with higher focus. We also want to think in terms of applications, where applications might be thought of as potential contributions to debates on matters of gender that are not primarily research oriented.

1.1 Objectives of fundamental research on formal gender theory

Formal gender theory (FGT) is not supposed to be a stand alone approach to gender theory, rather we hope to use FGT in order to make progress with resolving one or more academic controversies which have arisen in gender theory thus far. Whether or not that ambition will prove fruitful remains to be seen.

As an example of how FGT may be of use, we mention the Dembroff versus Byrne controversy which centers around the fundamental question “what is a woman?”. This question is answered by Byrne with his assertion AHF (a woman is an adult human female). In [4] we have specified why we believe that AHF is invalid as stated. In fact we do not believe that all women are adult human females, and we do not believe that all adult human females are women. Both claims, however, are sensitive to the precise notion of b-sex which is made use of as a criterion for femality. Then, in [5] we have designed conditional versions of AHF some of which we consider valid, and which (in our view) express Byrne’s intuition more sharply. The Dembroff versus Byrne controversy reappears for each conditional version of AHF, and in this manner the controversy is rephrased as a family of controversies, each with more detail than the original one. As a result we found some criteria for womanhood which we consider to be more convincing than merely being an adult human female.

1.2 Ambitions of applied research using formal gender theory

Applied work in gender theory will, when successful, help persons, organizations, and institutions to develop suitable views on gender theory. Applied work may lead to results or viewpoints which may play a role in specific disputes under specific conditions and which may not easily find a way into the research literature because of the dominance of ad hoc arguments. Typically one may take an interest in the debate on gender as it unfolds within a given country or institution during some specific time frame as a consequence of certain past or forthcoming (expected) events.

2 Themes for basic research on formal gender theory

2.1 Dembroff versus Byrne

We assume that as a philosophical issue the Dembroff ([18]) versus Byrne ([15]) controversy will not easily go away. This is the first systematic approach within philosophy on the questions “what is a woman?” and “what is a man?”. We have made some progress until now: (i) an argument that Byrne’s AHF and AHM are in fact false (where Dembroff only argues that the arguments raised by Byrne for AHF and for AHM are unconvincing). (ii) The design of a family of conditional versions of AHF and AHM some of which (with stronger conditions) we believe to be true.

The approach to this matter will be in a stepwise manner to survey alle relevant arguments and to organize all know arguments in either direction a systematic framework. This work can start with the arguments used by Byrne and Dembroff and can be extended with arguments used by other authors. It is unlikely that a decisive outcome will be obtained any times soon, but it is also unlikely that the issue will become irrelevant any time soon. For a recent contribution to the debate see [24].

2.2 Bogardus versus Barnes

The question is whether or not (Barnes [3]: yes, Bogardus [12]: no) a transinclusive notion of gender can be designed. The boundary condition at hand is that 2G gender protection is somehow guaranteed. We made some progress with the claim in [4] that the arguments of Bogardus are not logically complete, that is the lack of plausibility for the validity of a certain notion of transinclusion which Bogardus claims to see, (and which we agree with) does not imply invalidity. This question is complementary to Dembroff versus Byrne in that the entire issue is about minority cases whereas Dembroff versus Byrne is an issue already with a focus on majority cases.

2.3 Turyn versus Bettcher

Turyn 2023 [32] disagrees with Bettcher on what the adequate understanding of first person authority might be in case of gender self-identification, is this a matter of morality (Bettcher) or rather not (Turyn). Again we find a fundamental controversy which won’t easily go away and which will be of relevance as long as genders are being distinguished (i.e. until gender extinction has become true or at least plausible).

2.4 Plessner versus Bogardus

We view Bogardus as a key representative of the idea that biological determination of gender and social determination of gender can and should be contrasted, with the outcome that the former has priority. Now following the philosophy of Plessner, see e.g. Neuhaus 2023 [27] one may change the debate and take the contrast between *Leib* and *Körper* as a distinction which takes priority over the bio-social distinction in the philosophical foundations of gender theory.

In principle this change of perspective might lead to new options for defining and evolving concepts of gender. At this stage we have no opinion on what might result.

2.5 Hsiang-Yun Chen versus Ichikawa

A classic approach to the question “what is a woman” adopts contextualism as formulated in Saul in [30]. Contextualism adopts the proposition that different definitions of woman apply in different contexts. Invariantism applies if the same definition of womanhood applies in all contexts. Objections may be raised regarding original formulations of contextualism, leading to Ichikawa 2021 [20] as a recent reformulation contextualism. Ichikawa suggests that some contexts, for which alternative definitions of womanhood may be more fitting, may turn out to be less appropriate.

Hsiang-Yun Chen 2021 [16], however, raises definite doubts about the very feasibility of contextualism. Is it at all possible to avoid invariantism? The terminology of contextualism versus invariantism is informative: the extreme definitions ‘women are persons assigned female b-sex at birth’ and ‘women are persons who self-identify as women’ are both forms of invariantism and it is an intriguing suggestion that a useful compromise between two vastly different invariantist definitions might be found as a contextualist (non-invariantist) definition.

A derived question is to investigate relations between various forms of contextualist definitions of womanhood with the conditional versions of Byrne’s AHF as surveyed in [6].

3 Topics for applied research using formal gender theory

With applied work we have in mind that work on a topic in gender theory may contribute to a specific debate which is mainly ongoing between two or more sides all of which are primarily motivated by an interest in actual social change (or slowing down or even preventing ongoing or anticipated change) rather than in the further development of academic theory regarding matters of gender.

3.1 Principles of TERF positions

TERF (transexclusionary radical feminist) has become a pejorative phrase which implicitly suggests the some feminists take a negative attitude towards trans persons. For some of these feminists, however, it is not the case that they maintain a negative attitude towards a certain class of persons, on the contrary they are negative about a specific way of labeling these persons, namely as transgender persons. A TERF position may grant that persons adopt a gender identity differing from their gender assigned at birth but may disagree with transgenering as a consequence of said mismatch. More precisely a TERF position will deny the obligations (towards a person P) which are supposed to come with P's adopting a different gender identity.

A TERF position may but need not understand a person who adopts a gender identity differing from their gender assigned at birth as a transsexual or as a person dealing with some form of gender dysphoria. The question we raise is how to render, differentiate and name TERF positions without introducing a pejorative bias arising from the suggestion that some persons are 'excluded'. At the same time TERF positions run the risk of denying trans people rights which these have (by all means legally) acquired with their jurisdiction, and such denial is undeniably deeply problematic.

3.2 Collecting arguments against the essentialist TERF position

The TERF (transexclusionary radical feminist) position takes its clearest form in the minds of self-declared TERF feminists. In The Netherlands, Caroline Franssen and Lydia Daniëls are quite visible on social medals with a pronounced and self-declared TERF position¹ We will refer to that position as the essentialist TERF position. A key tenet of the essentialist TERF position is that, as with RCC (Roman Catholic Church) and ROC (Russian Orthodox Church), there is (or should be) no such thing as changing one's gender.

We may contrast the essentialist TERF position with the non-essentialist TERF position which accepts "classical" transgenering understood as postoperational transsexing while rejecting more unconstrained forms of transgenering (i.e. various forms of self-determination of gender) as running against the primary objectives, results, and perspectives of feminism.

We believe that the essentialist TERF position is misguided and that transgenering ought to be accepted as a realistic phenomenon. At the same time we agree with the TERF position that processes and procedures concerning transgenering urgently require further

¹We acknowledge that speaking of a self-declared TERF position is implausible in the light of the pejorative connotation of TERF. Perhaps a better name for such positions is: gender-critical feminist (GCF) position.

scrutiny and reflection. However, it is a challenge to develop precise arguments against the essentialist TERF position. Doing so may require field work involving interviews in view of the fact that the essentialist TERF position is hardly represented in the research literature on gender.

Some additional remarks concerning TERF positions:

- The presence of feminists with an essentialist TERF position gives rise to a remarkable challenge. They deny the plausibility (right, legality, validity) of the very existence of all transgender persons. At the same time many jurisdictions protect the right of existence of transgender persons (thereby usually at the same time constraining the scope of transgenering by imposing quite strict requirements on transgender persons). Nevertheless, the essentialist TERF position seems to deny certain individuals the validity of some of the rights which these have legally (and thereby indefinitely) acquired in a democratic state. The moral validity of the essentialist TERF position requires thorough attention.
- As a derived question we may ask: how, in the eyes of feminist advocates of the essentialist TERF position should transgender persons react whose legally acquired rights to their (second) gender are put into question by said feminists. Is it conceivable that striving for cancellation of the visibility of said feminists is to be considered a reasonable option for the transgender person who consider their rights having been violated? If not, are legal steps reasonable?
- A discussion about the foundations of TERF views may perhaps be initiated with collecting critique from the essentialist TERF perspective on [1]. Our critique on the essentialist TERF position is based on [5].
- We propose to refer to essentialist TERF positions as essentialist gender critical feminist (EGCF) positions and to refer to non-essentialist TERF positions as non-essentialist gender critical feminist (NGCF) positions. By using a simplified terminology in this manner we expect that the pejorative connotation of TERF can be mitigated.

3.3 Roman Catholic Gender Theory

Roman catholic Gender theory such as outlined in [33] (GT[RCC,CfCE] in the notation of [?]) is gender protectionist and is gender essentialist, moreover there is neither recognition for F2M/M2F transgenering nor for any role for a neutral gender.

At the same time the German bishops in [23] have outlined an agreement with a version of gender theory that may be considered gender extinction indifferent, and in which F2M

and M2F transgenering is simplified to the extreme and in which transition to and form neutral gender is virtually unconstrained.

We will try to find out how the internal debate on gender theory within the RCC works and how it can be possible that the RCC is so self-assured in its external presentation while being so utterly divided at closer inspection.

3.4 Commenting the proposed German *Selbstbestimmungsgezet*

The proposed German *Selbstbestimmungsgezet* gives rise to many comments and we will try to integrate these comments into a unified framework in such a manner that, whenever possible, connections with recent literature are made. We expect to be able to suggest extensions/modifications to the proposed law which might be helpful for the debate.

We have some objections against the proposal which we claim to be gender extinction indifferent. It seems to us that rather minor adaptations might change the proposal in such a manner that its legal effect remains unchanged while certain opponents might become convinced of its value.

3.5 Detailing gender entanglement

The notion of gender entanglement as introduced in [7] deserves further attention. Gender entanglement consists being subject to simultaneous forces of gender erosion rebellion and gender erosion indifference.

We feel that gender entanglement explains why the gender debate is so complex and so controversial. Escaping from gender entanglement may be needed in order to arrive at a widely supported consensus on matters of gender.

The entanglement issue may be explanatory for the remarkable misunderstandings about gender theory that confuse the debate.

It is popular to claim that acceptance of transgender persons is a logical and necessary step after the acceptance of homosexual persons. This is a wrong argument: because for transgenering the distinction between ‘acceptance of’ and ‘definition of’ is significantly less clear than for homosexuality. There are no definitions of gender and of transgenering which one may first learn (and agree with) then to think about forms of acceptance for persons thus classified.

Proponents of new laws on transgenering claim that they want to demedicalize the process of transgenering. Again there is confusion: new laws (e.g. the proposed law in Germany) aim at demedicalizing the concepts (of gender and of transgenering, thereby constituting a step in the direction of gender erosion) rather than the process, whereas other

forces prefer to demedicalize the concepts proper (not necessarily a step in the direction of gender erosion). For the notion of gender erosion see [7].

The debate is not about the acceptance of neutral gender persons per se, not about the (de)medicalization of the process of transgending but rather about the demedicalization (and in fact bio-decoupling) of the concepts of gender and transgending. There has been no comparable controversy in the path towards acceptance of non-heterosexual sexual orientations, as sexual orientation has always been ‘about sex’.

3.6 Gender theory from the perspective of androgyny

Following our exposition on AGT a systematic approach to non-3G gender theory, where a spectrum replaces the discrete gender labels of 3G makes much sense. The roots of non-3G gender theory are to be found in the large literature on androgyny. Applications of this work may eventually find their way in consulting and psychotherapy, following the tradition of analytical psychology. A key reference is [31], for recent work on androgyny see e.g. [2] and [35]. Our own initial position concerning the role of androgyny in gender theory has been set out in [14].

3.7 The evolution of the neutral gender

We will plan to follow the international literature on the neutral gender in order to find out if, when and where conceptual problems arise. We will look at quantitative data as well as at conceptual progress/developments. Initial remarks on this topic by author LB can be found in [13], though much more work must be done in order to obtain a grounded view on the status and development of the neutral gender kind.

3.8 The role of gender in pageants

In beauty contests female candidates may or may not be transwomen. Miss Holland 2023 is a transwoman. The Miss Italy pageant requires candidates to be female at birth, and apparently allows transmale candidates for that reason.

3.9 The development of a MotR version of gender theory

We believe that the best way forward for gender theory is to work towards a MotR (middle of the road) version of gender theory, so as to avoid various extreme positions. The development of an MotR gender theory is a challenging task towards which only partial and inconclusive steps have been taken so far.

3.10 The role of gender in sports

It is unclear to what extent gender (in whatever interpretation) has a role to play in admission to sports events, at least on the long run. If gender merely replaces biological sex as a categorization principle then both gender and b-sex seem to be useless as a means of categorization with the intent of achieving fair sports events. Is sports a scene of ongoing gender erosion, and if so is that a problem? Or, alternatively are gender based distinction in sport in essence outdated and to be replaced by other methods of categorization and differentiation?

To begin with some reliable literature survey on gender in sports will be needed, as we could not find a document of that sort. For instance the EIGE 2017 Report “Gender in sport” [19] pays no attention to the difficulties of gender categorization. The IOC has since 2015 made use of bounding testosterone levels (and requiring such bounds to have been maintained for one year at least). A revision of the IOC admission policies has now opened the option for international sports federations/organizations to revise, and even delete, such constraints. In current practice the new policy gives rise to a fragmentation of testosterone level based admission policies over different sports, see also [17]. The IOC position is explained in some detail in [25], where, however, remarkably, the intended and still quite significant role of gender (b-sex?) categorization in elite sports is left largely unexplained. It seems to be the case that gender (b-sex?) has been dropped by the IOC as a meaningful classification paradigm for elite sports, leaving it up to the IFs (International Federations for each sport) to figure out why and how to take gender into account when designing admission rules for particular sports events.

3.11 The development of gender laws in the UK

In the UK, after Scotland adopted the gender recognition bill which is based on gender self-recognition (Gender categorization follows gender self-identification), in England the discussion has become more polarized. The Guardian of July 26 2023 quotes labour leader Keir Starmer as follows:

Firstly, a woman is an adult female, so let’s clear that one up . . . We don’t think that self-identification is the right way forward. We’ve reflected on what happened in Scotland . . . We’ve set out that we want to modernise the process, get rid of some of the indignities in the process, keep it a medical process. We’ve always said, I’ve continued to say, and Sunday, when we completed our policy forum, allowed us to be clear that there should be safe places, safe spaces, for women, particularly in relation to violence against women and girls.

Labour in Scotland, however, disagrees with these views. It seems that the PM Rishi Sunak agrees with Starmer on matters of gender. See also [26] for an account of Starmer’s views.

The position of Starmer requires further investigation, for instance: is Starmer supporting AHM and AHF as formulated by Byrne in [15], or is he in agreement with our criticism AHM and AHF as given in our [4] and as further detailed in our [5]? We (as authors of [4] and [5] are in agreement with Starmer if Starmer’s quote may be understood as “a woman is a(human) adult of female gender”, while we would disagree if Byrne’s interpretation is meant.

Some historic information on the rise of UK transgenderism can be found in Biggs 2019 [?]. Biggs hypothesises (and in fact claims) that feminism might have paved the way for what we call gender erosion indifference. Biggs claims that the transgender movement primarily advocates the right of males to have their (self-adopted) gender admitted without bodily inspection, and, more importantly without bodily constraints. Advocates of unconstrained transgenering are mainly women (and in fact cis-women), according to Biggs, so Biggs is puzzled by the fact that women fight for male rights. This puzzle has a simple solution as a male person having self-identified as a woman has become a woman (in the eyes of the advocates of the proponents of unconstrained transgenering) by that very state of affairs (and as a consequence of said act of self-identification), so that the debate is merely about the acquisition of legal status and rights upon undoubtedly having transgenered (say from male gender to female gender).

3.12 Modularizing LGBTQIA+ into: LGBA and TQI+

The cluster LGBTQIA+ mixes gender diversity with sexual orientation diversity. Understanding asexuality as a sexual orientation LGBA arises as a plausible cluster, and a modularization of LGBTQIA+ into LGBA and TQI+ comes to mind. TQI+ may not be a stable cluster in terms of naming in view of the fact that (i) neutral (non-binary) is missing (though it might be subsumed under Q), and (ii) different categories of transgender persons may give rise to different components of the envisaged acronym. The open extension “+” may contain P for pansexual, where P differs from B only if more than two gender identities are distinguished. LGBA refers to cis-gender persons. We notice that for transgender persons notions of sexual orientation have not yet been convincingly developed.

Apparently there is more consensus about the situation and existence (as well as academic theory) of LGBA persons than about situation of TQI+ persons. Remarkably those who advocate LGBA rights need not support any extension of TQI+ rights or may be quite selective concerning which TQI+ rights they may acknowledge or support.

The research question at hand is whether or not (and if so, how) it is useful to (re)structure the underlying concept and thereby the acronym for what is currently denoted with TQI+?

3.13 Survey of gender theory related accusations

The heated debate on gender features a range of accusations, e.g. of being gender critical or of being a TERF accusation, and of being woke (see e.g. [13]). Accusations have been studied in considerable detail in [9, 10, 11] as an extension of the promise theory of [8]. We feel that gender theory related accusations must be taken seriously in view of the prominent role these play in the debates on matters of gender. An initial, yet incomplete, survey of such accusations has been given in [4].

3.14 Creating space for gender theory within gender studies in The Netherlands

Looking at the academic scene in the Netherlands we are puzzled concerning the objectives of so-called gender studies' In recent years (say after 2010) we did not find any contributions whatsoever by NL based academics to the foundations of gender theory, that is contributions to the deeply controversial themes which cannot be written about without engaging in positions that are disliked or dismissed by some or even by many participants in the academic debate.

We consider gender studies in The Netherlands (around 2023) to constitute a highly risk averse operation where most if not all participants take care to steer widely around controversial themes, and at best portray controversies where these are either absent or outdated, or without risk of sparking heated debates. Of course one may agree or disagree about the precise role of decolonial thinking in the reception of ecofeminist philosophy etc. but such themes do not focus on the pressing controversies around gender that currently divide western societies.

Gender theory seems to be a topic outside what is called gender studies in the Netherlands (at least in the summer of 2023). Gender theory cannot be studied with a claim that all is simple and obvious if only (i) one's views are sufficiently transinclusive, and (ii) one agrees with and actively supports the current group thinking that everyone who dares to disagree with so-called up to date gender thinking can be dismissed as being transxclusionary.

The question is then how to create space for gender theory in the NL academic scene of gender studies. We assume that for gender theory to flourish some room for disagreement must be provided, more room than is nowadays visible in Dutch academia.

4 Concluding remarks

4.1 Gender futurology

It is quite unclear how practices and concepts of gender will develop in the future, and how disparate such developments may turn out to be. Gender futurology is about characterizing pathways for future development of gender theory and of related practices. Gender futurology is a worthwhile research topic but probably not a research topic for which an approach based on formal gender theory may be especially helpful.

One option for future development lies in the further evolution of manhood and womanhood in the direction of extremes of classical perception thereof. Indeed if the notions of man and woman erode to such an extent that those who would best fit to these descriptions don't feel at home with such vague gender identities anymore a new brand of gender identities may emerge meant of provide a best expression for the identities of categories of classical adult human males and adult human females. One may imagine A-male, B-male, C-male,...A-female, B-female, C-female etc. as novel gender identities with various meanings. A key question regarding gender futurology is to what extent gender and sexual orientation will remain decoupled. As is stands "straight male" is not a bona fide gender identity, though such things may change. Application of gender futurology may be found in a variety on debates concerning gender policy development.

4.2 How to proceed?

The collection of research questions listed in this paper has been made up with the idea that the different questions can be investigated independently. We feel that formal gender theory has been developed in sufficient detail to allow its use in each of these issues, and that none of the questions is dependant on other questions being resolved, or even investigated first.

4.3 Priorities

We will not indicate priorities regarding research efforts concerning the listed collection if themes and questions. However, it seems to us that Turyn versus Bettcher (concerning the status and relevance of first person authority, FPA) is the most relevant theme of the four theoretical themes, because FPA lies at the roots of the arguments in favour of gender self-determination. Further developing positions concerning (and against) the essentialist TERF position (essentialist gender critical feminist position) is a key practical research question because essentialist TERF positions represent the canonical opposition to gender

erosion indifference. We expect, however, that a non-essentialist gender critical position will turn out to be close to an attractive MotR position, which we hope to develop in due time.

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