

# Contra-essentialism and the Neo-gender-binary

V1.0, comments are appreciated

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September 12, 2023

## Abstract

Two terms are coined: contra-essentialism and the neo-binary. Contra-essentialism, a new brand of essentialism, consists of the conviction that gender is exclusively determined by self-identification. The neo-binary consists of the idea that gender is either 100 % determined by biological factors or alternatively gender is for 0 % determined by biological factors, there is no intermediary option.

## 1 Neo-essentialism on gender

Classically essentialism in the context of b-sex and gender amounts to the point of view that a person's body determines their b-sex and/or gender in an unambiguous manner. In other words biological features are the exclusive determinants of gender. A recent description, as well as motivation for (classical) gender essentialism is given in [8].

Since around 1990 a completely different perspective has gained ground: the determination of gender of a person  $P$  is exclusively a matter of acts of free will by  $P$ : the idea is that (i) by definition  $P$  determines their own gender identity, and that (ii) gender identity, again by definition determines gender categorization (using the terminology of [2]).

**Definition 1.1.** (Gender contra-essentialism.) *Contra-essentialism is the viewpoint that the essence of gender is gender identity, i.e. an expression of the subjective experience of one's gender.*

## 2 The gender neo-binary

Contra-essentialism constitutes one of two options resulting from the adoption of what we will call the gender neo-binary. The contra-essentialist option has (though not with that name) been formulated for instance in [1]. The gender neo-binary expresses that only two options out of a possible spectrum of options really matter.

**Definition 2.1.** (Gender neo-binary.) *The gender neo-binary amounts to the viewpoint that either for all humans their gender is determined exclusively by bodily (i.e. biological) features and aspects, or alternatively for all humans their gender is determined exclusively by their mind, i.e. by psychological and social (in other words non-biological) aspects and factors.*

The gender neo-binary appears as a motive in the proposed German ‘Selbstbestimmungsgesetz’ (self-determination act). In the explanation of the proposal it is stated that it is known as a scientific fact that gender (Geschlecht) is not fully determined by biological factors, then to propose a law by means of which determination of gender will not take any biological factors into account at all.

## 3 Assessment of gender neo-binary

In [3] a rejection of the gender neo-binary is formulated and plausible arguments for an intermediary (hybrid) position on gender are provided. Unfortunately finding a widely applicable and convincing intermediate position on gender, that is a compromise between bio-essentialism (classical essentialism) and psycho-essentialism (what we call contra-essentialism) is difficult. To the best of our knowledge such a compromise has not yet been proposed. The quest for a compromise between essentialism and contra-essentialism is stated as problem 3.9 in [5].

The position of the RCC (Roman catholic Church) is remarkable. On the one hand the official position as explained in e.g. [10] adopts the classical gender binary, and thereby supports the gender neo-binary as well, while gender contra-essentialism is rejected. In Germany, however, one finds an opposite state of affairs. A majority of the German bishops supports both the gender neo-binary and gender contra-essentialism (see [9]). Another recent German source, [11], seems not to adopt the gender neo-binary, at least not as an initial assumption.

## 4 Assessment of contra-essentialism

Contra-essentialism is the position advocated by trans-activists and organizations like Stonewall. Given that contra-essentialism is one of the two options allowed by the gender neo-binary, rejecting the neo-binary comes with rejecting contra-essentialism. Contra-essentialism is often advocated as a self-evident principle, as if it were easily derivable from a modern perspective on human rights. Gender contra-essentialism has been convincingly refuted in [6]. Another rejection of the gender neo-binary is given in [7].

We consider contra-essentialism to be an implausible viewpoint and we believe that attempts must be made to overcome the gender neo-binary. When doing so a compromise will be needed, but there will be no other way. We believe that adopting contra-essentialism may well lead to gender erosion, see also [4], a tendency which we think should best be avoided.

## References

- [1] Claire Ainsworth. Sex redefined –The idea of sex is simplistic, biologists now think there is a wider spectrum than that. *Nature* 518, 288-291 (2015).
- [2] Elizabeth Barnes. Gender without gender identity: the case of cognitive disability. *Mind*, 131 (523) 838-864 (2022).
- [3] Jan A. Bergstra and Laurens J. Buijs. Biological sex as used in Dembroff versus Byrne. AGTRT Report 4, <https://gender-theory.org/reports/agtrt-4-biological-sex> (2023).
- [4] Jan A. Bergstra and Laurens J. Buijs. Gender Erosion Rebellion versus Gender Erosion Indifference. AGTRT Report 7, <https://gender-theory.org/reports/agtrt-7-gender-erosion-rebellion> (2023).

- [5] Jan A. Bergstra and Laurens J. Buijs. A Research Agenda for Formal Gender Theory. AGTRT Report 8, <https://gender-theory.org/reports/agtrt-8-research-agenda> (2023).
- [6] Tomas Bogardus. Why the trans inclusion problem cannot be solved. *Philosophia* <https://doi.org/10.1007/s11406-022-00525-9> (2022).
- [7] Laurens Buijs. Wokeness threatens academic freedom in social sciences. *Folia* (Univ. of Amsterdam; 18 January 2023 ) <https://www.folia.nl/international/155132/wokeness-threatens-academic-freedom-in-social-sciences> (2023).
- [8] Alex Byrne. Are women adult human females? *Philos Stud*, 177, 3783–3803 <https://doi.org/10.1007/s11098-019-01408-8>, (2020).
- [9] Kommissariat der Deutschen Bischöfe. Stellungnahme des Kommissariats der deutschen Bischöfe – Katholisches Büro in Berlin zum Referentenentwurf eines Gesetzes über die Selbstbestimmung in Bezug auf den Geschlechtseintrag und zur Änderung weiterer Vorschriften. [https://www.kath-buero.de/index.php/stellungnahmen/items/stellungnahme\\_referentenentwurf\\_selbstbestimmungsgesetz.html](https://www.kath-buero.de/index.php/stellungnahmen/items/stellungnahme_referentenentwurf_selbstbestimmungsgesetz.html) (2023).
- [10] Giuseppe Versaldi and Angelo Vincenzo Zani. Male and Female he Created Them-towards a path of dialogue on the question of gender theory in education. Congregation for Catholic Education, Vatican Press [https://www.vatican.va/roman\\_curia/congregations/ccatheduc/documents/rc\\_con\\_ccatheduc\\_doc\\_20190202\\_maschio-e-femmina\\_en.pdf](https://www.vatican.va/roman_curia/congregations/ccatheduc/documents/rc_con_ccatheduc_doc_20190202_maschio-e-femmina_en.pdf) (2019).
- [11] Wissenschaftsrat. Empfehlungen zur Weiterentwicklung der Geschlechterforschung in Deutschland. [https://www.wissenschaftsrat.de/download/2023/1385-23.pdf?\\_\\_blob=publicationFile&v=12](https://www.wissenschaftsrat.de/download/2023/1385-23.pdf?__blob=publicationFile&v=12) (2023).