

Gender Orientation and the Gender Orientation Hypothesis

V1.0, comments are appreciated

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October 8, 2023

Abstract

Contemplating neutral (i.e. non-binary) gender leads to the introduction of gender orientation as a possible (though yet hypothetical) state of a human being, and to the gender orientation hypothesis regarding the origination of gender orientation.

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1 Introduction

In this paper we will discuss in some detail the notion of neutral gender. In [2] and in more detail in [3] we have motivated why we prefer neutral over non-binary as a gender label. We will not repeat these arguments at this place. Now our choice to prefer the phrase “neutral gender” over the phrase “non-binary gender” unavoidably comes with an acceptance of the existence of persons of neutral gender. Indeed if the gender kind neutral (or non-binary for that matter) were considered vacuous (by us) having a preference for either label would be meaningless. In other words, by having a strong opinion against the use of the label non-binary at the same time we adopt the very relevance of the gender kind non-binary. All we claim is that we strongly prefer neutral gender as a label for that same gender kind. Below we will speak of neutral where other authors would use non-binary.

We will first discuss the observation that acceptance of neutral gender as a meaningful gender kind is by no means uncontroversial. As we have discussed in [6] both the RCC¹ and the ROC deny the existence of gender neutral persons, and so do various Evangelist protestant groups. One may say that the conservative part Christianity constitutes a world-wide stronghold of opposition against adoption of neutral gender as a meaningful gender kind besides man and woman. A similar dismissal of gender neutrality seems to be present in the Islamic world. However, unlike the situation for traditional Christianity, 2G transgenering is fully accepted by leading Islamic communities.

At first sight asking for a definition of non-binary gender while male gender and female gender have not yet been defined in a satisfactory manner seems to be unfeasible. But clearly it matters a lot for the definition of male gender and female gender whether or not one assumes the coexistence of these gender kinds with a gender kind neutral. The

¹See e.g. [20].

endurance of a hardly resolved dispute about the notorious question “what is a woman?” as highlighted by the Dembroff versus Byrne controversy² in gender theory must not stand in the way of attempting to define or characterize neutral gender for the simple reason that, possibly, only by adopting a third gender a satisfactory resolution of said controversy may be obtained.³

Claim 1.1. *The question “what is a gender neutral person?” can be meaningfully analysed under the awareness that the questions “what is a man?” and “what is a woman?” are still partially undecided and even controversial.*

However, providing answers to the question “what is a gender neutral person?” is impossible without giving at least partial answers to the questions “what is a man?” and “what is a woman?” .

Claim 1.2. *An answer to the question “what is a gender neutral person?” can hardly be given without providing answers to both questions “what is a man?” and “what is a woman?” as well. In other words: each answer to the question “what is a gender neutral person” has significant implications for the other two questions.*

1.1 Extending Byrne’s AHM and AHF with AHN

Byrne’s assertions AHN and AHF, as introduced in [13], can be extended with AHN as follows:

Definition 1.1. *AHN is the assertion that an adult person of neutral gender is and adult human who is neither male nor female.*

AHN must be read by way of (implicit) universal quantification: for all adult humans P it is the case that P is gender neutral if and only P is neither male nor female. It follows from AHN that man, woman, and neutral are three mutually exclusive classes and that all humans are categorized in either of these.

Claim 1.3. *It is consistent with adopting AHF and AHM that AHN may be inhabited (i.e. non-empty).*

²Starting with Byrne [13] and Dembroff’s reply in [15]; and see [11] for additional relevant detail.

³In [5] we have argued that we do not agree with Byrne that AHF (a woman is an adult human female) and AHM (a man is an adult human male) are valid characterizations of man and woman. In other words both AHM and AHF are false. In [7], however, we have formulated conditional versions of AHF and AHM some of which we consider to be true, and some of which express the central intuition behind AHF and AHM in better ways. For more comment on this matter we refer to the Appendix.

To see this we notice that some persons cannot be assigned a b-sex at birth, and are ANAB for that reason (assigned neutral (b-sex) at birth). If no transition is made by an ANAB person the person is and stays cis-neutral and thereby becomes included in AHN.

In some cases a person is AMAB or AFAB while the assignment was wrong and ANAB status may be retrospectively declared in order to undo a categorization fault at the time of birth. Like all instances of human judgement assignments AMAB, AFAB, and ANAB may be in error and revision of the outcome may be needed. Such revisions do not count as gender transition, in spite of the immutable value often assigned to AMAB and AFAB (an expectedly also to ANAB once that classification becomes standard). AMAB, AFAB, and ANAB are immutable in the sense that these categorizations exclusively depend on the condition of a person at the time of birth. We believe that a change in the definition of b-sex may bring about a change (in retrospect) in the choice of status AMAB, AFAB and ANAB for a specific person.

1.2 An assessment of AHN

As mentioned above we consider both AHF and AHN to be wrong as stated, this irrespective of the the convincing underlying intuitions for both assertions. The same holds for AHN:

Claim 1.4. *AHN is false.*

We hold that some AMAB or AFAB (i.e. non-ANAB) persons, suffering from gender dysphoria as a medical condition, may resolve their problem by medical and bodily interventions which bring about a situation in which gender neutral is their most appropriate as well as desired gender label.

A person who is gender neutral in this form may be called transneutral and more specifically medically transneutral. With this argument for Claim 1.4, and by speaking of a medical transneutral status as different from cis-neutral, we do not in claim to exhaust the options for gender neutrality, at least not by matter of principle.

2 The medically affirmed transneutral condition

A man may be in a psychological need for doing away with being a man and at the same time see no solution of his problems in becoming or being a woman. Symmetrically a woman may be in a psychological need for doing away with being a woman and at the same time see no solution of his problems in becoming or being a man. the case is purely mental gender dysphoria. Becoming transneutral may be an option and now it may be

indicated by means of professional therapeutic advice to pursue gender affirmation towards neutral gender which comes with surgery aimed at making (both) male and/or female body characteristics less prominent, possibly in combination with long term hormonal therapy. The person acquires neutral gender and this becomes transneutral. We may speak of a psychomedical transneutral status.

2.1 The bio-transneutral condition

Persons who are cis-neutral, medical transneutral, or psychomedical transneutral are may collectively be classified as bio-transneutral in view of the fact that in each case the neutral status (after transition) is compatible with (and may be explained by) a (perhaps renewed) b-sex assignment, assuming that one adopts a transition permissive notion of b-sex.⁴

3 The psycho-transneutral condition

Some persons adopt a neutral gender identity, by claiming that neither male nor female gender fits their persona.⁵ Following [1] we view gender identity as a personal characteristic which is, in principle, though perhaps not always in practice, independent of the judgements of other persons.

Co-essentialism on gender categorization indicates that (for all humans P) whenever a person p adopts 3G gender identity g precisely the gender label g must be accepted as the appropriate gender categorization of P . We have not discussed gender identity when speaking of cis-gender, medical transgender and bio-medical transgender because we assume that in each of these cases the relevant gender identity may be assumed to be neutral. However, co-essentialism dictates that if at some stage a psychomedical transneutral person

⁴We refer to [2] for the distinction of notions of b-sex in transition permissive and non-transition permissive.

⁵We use gender identity in a specific technical sense, referring to a person's view of their own gender. This usage which deviates from several of its original and historical usages as surveyed in [17]. We do not follow the preference for norm-relevancy as the target concept for gender identity as proposed in Jenkins 2018 [18], mainly because we do not agree with [18] that norm-relevancy delivers clarity. The following quote from [18] highlights our problem.

According to the norm-relevancy account, to have a certain gender identity ('woman', for example) is to experience one's actions as norm-compliant or norm-violating with respect to the norms for that gender, rather than the norms for any other gender.

The above description seems to be symmetric in male versus female, and is hardly informative in the case of gender neutrality.

(say P) comes to the conclusion that they are male after all, the appropriate gender categorization will be man from that moment, in spite of any up to date evaluation of b-sex of P .

The simplest interpretation of co-essentialism is that it expresses the right of a person to determine their own gender categorization. At this stage we leave the question unanalyzed whether or not a society must respect that particular right for each of its participants. On the websites of Stonewall and GLAAD one finds many rules of engagement with trans people. An important rule is that one should not speak of a person's preferred (gender) pronouns because with choosing such pronouns a person communicates who they are, and not merely what they prefer to be seen as.

3.1 Gender orientation

Underlying the imperative to understand gender pronouns as a matter of fact rather than as a matter of preferences is the idea that there is some underlying fact of the matter regarding gender. We will analyse the situation by introducing a notion of gender orientation.⁶

Definition 3.1. *The (3G) gender orientation of a person P is the gender g in 3G to which P belongs 'as a fact of matter'.*

Proposition 3.1. *The gender identity of P is, at any time, their best guess of their gender orientation.*

3.2 The gender orientation hypothesis and its consequences

The notion of a gender orientation is hypothetical in the sense that one may or may not believe in the existence of a gender orientation for a person.

Definition 3.2. *The gender orientation hypothesis asserts that at any time of any person P is equipped with a gender orientation.*

A person's gender identity may deviate from their gender orientation, in which case the person's gender identity is mistaken.⁷

⁶We view gender orientation as a new phrase in (theoretical) gender theory. Gender orientation is mentioned on many websites as another phrase for gender identity but we make a distinction between both. Gender orientation has been used extensively in the 2G based tradition of Sandra Bem. In that tradition gender orientation rather indicates a position in the spectrum of androgyny. We assume that both uses are consistent, with our use in a 3G setting.

⁷Assuming the gender orientation hypothesis comes close to, but goes beyond, adopting a dispositional account of gender as explained in [19].

Claim 3.1. *In some transactivist circles (Stonewall, GLAAD) the gender orientation hypothesis is adopted and moreover it is taken for a moral principle that by default one assumes that a person's self identification of their gender identity conforms with the underlying gender orientation.*

Needless to say Stonewall and GLAAD make no mention of gender orientation as a concept that might differ from gender identity (and from gender categorization as well). Texts from GLAAD and Stonewall are written as if theory underlying ideology has eternal validity, is on no need of reflective analysis, and cannot and should not be challenged. Gender theory cannot possibly follow such opportunistic shortcuts. We view the notion of gender orientation as a tool for making sense of the positions of Stonewall and GLAAD as theoretical positions in gender theory.

3.3 Sexual orientation (and the sexual orientation hypothesis)

Sexual orientation is a seemingly obvious concept that is exemplified by traditional lesbian and gay behaviour and life-style. As it turns out defining sexual orientation in detail turns out to be exceedingly difficult, and recent views on the matter are so complex that these are becoming uninformative for and outsider the specialist research on sexual orientation.⁸

Nevertheless the current views are these:

(i) any person is likely to “have” a sexual orientation (SO), which describes the b-sex (not gender) of individuals they are physically attracted to.⁹

(ii) the word orientation, being used instead of preference, expresses that SO is an innate property of a person which is not amenable to modification by a mere act of free will,

(iii) SO demonstrably exists and in most cases is determined before birth. Thus the sexual orientation hypothesis (when formulated as the existence of a SO) is true in a very strong sense (stronger for instance than PTSS which is acquired during a person's lifetime).

(iv) So-called conversion therapies aimed at changing a person's SO (as if SO were a preference which may be updated) do not work. This negative outcome may be the most important result of science based sexology since its inception around 1880.

(v) A person may be misinformed about their SO (for instance a man who has not yet found out about his gay SO).

⁸We refer to our XXXX for a brief discussion of the history of the conceptualization of sexual orientation.

⁹Finding a precise descriptive wording for ‘a person's SO’ which will meet general acclaim is a hopeless challenge.

(vi) A person may detect (find out) at some (st)age their SO. A person may dislike what was found out, nevertheless in most cases the person must live with their SO (which can be done in many ways).

(vii) The SO of a person may change, but such changes are rare and far between and cannot be brought about by any known form of conversion therapy.

(viii) We view asexuality as an SO in order to simplify the conceptual framework, but that view seems not to be generally shared.

(ix) there is no generally acknowledged notion of sexual identity. Perhaps it would be useful to speak of a sexual orientation identity for that matter, which may or may not determine sexual orientation categorization.

(x) Sexual orientation is usually not included in the formal categorization schemes of institutions (or states). This is a significant difference with gender. There is no practice of research based confirmation of a person's SO.

3.4 Comparing gender orientation with sexual orientation

We speak of gender orientation because it might be the case that like in the case of SO some innate personal condition dictates or at least strongly influences the gender identity to which a person will converge. However, a significant difference is that the gender orientation hypothesis is wholly unconfirmed as yet.

Clearly the gender orientation hypothesis might be valid, and it might become confirmed with widely accepted research methods. If said confirmation materialises that will provide an undeniable justification for the approach to gender theory on which Stonewall and GLAAD seem to ground their current (2023) information packages on matters of gender.

Transactivist writing on neutral gender seems not to pay any attention to the bio-transneutral condition, which may be taken for marginal comments on a story line that is firmly (though implicitly) based on gender orientation. Transactivist writing seems to indicate that adopting the gender orientation hypothesis (and acting in conformance with that adoption) is a moral imperative, where the imperative is claimed to be based on scientific insight, in particular on gender theory as it was developed between 1980 and 2000. About these matters we formulate the following claims:

Claim 3.2. *There is no scientific confirmation available for the gender orientation hypothesis.*

Claim 3.3. *There is no moral obligation for anyone to act in conformance with adopting the gender orientation hypothesis.*

Claim 3.4. *The gender orientation hypothesis may be granted the status of a belief so that those who adopt the gender orientation hypothesis may not be discriminated against.*

Claim 3.5. *Assuming a discourse in which adoption of the gender orientation hypothesis underlies the dominant rationale and explanation of neutral gender is valid to state that there is no scientific basis for the notion of neutral gender. (Of course once the bio-transneutral condition is taken as the point of departure is is definitely less valid to claim that there is no scientific basis for the notion of neutral gender.)*

We claim that one of us (LB) was right in assuming that he was speaking (writing) in [12] about neutral gender in a context where ‘adoption of the gender orientation hypothesis underlies the dominant rationale and explanation of neutral gender’, and for that reason we consider his claim that ‘neutral gender is not based on science’ to be sufficiently grounded not to be in any need of revision at the time of writing this text.

Moreover, reading ‘accusation’ in the light of the accusation theory of [9, 10] we hold that the subsequent accusations that by writing about the scientific status of the concept of neutral gender (as being not scientifically grounded) he was disrespectful is unfounded.¹⁰

4 Gender identity confirmation

Although the number of notions related to gender is already exploding in an unfortunate manner, we feel that a nearly complete gender theory is in need of one further notion which we have not yet come across in our work: *gender identity* confirmation.

This idea is this: suppose person P states their 3G gender identity g (in a certain context, at a certain moment in time). Now various questions arise:

(i) Is g correct i.e. is it the same as P ’s gender orientation (P may be uninformed about that issue as well)?

(ii) Must g be taken as the valid gender categorization for P ?

(iii) Is g trustworthy? That is: is g to be trusted as an expression of P ’s gender identity? Possible reasons for doubting the trustworthiness of g are for instance:

¹⁰Of course these matters might be open for debate but each suggestion from the side of LB that there would be some form of academic debate on gender theory with the members of the Faculty of Social Science (FS) was either firmly rejected or completely ignored. Moreover, JAB was publicly ridiculed in a tweet by a staff member of the FSW after the first four papers on formal gender theory had been written and posted on the website of LB; not a big deal but a clear indication that an academic debate on gender theory was considered unhelpful if not detrimental to the interests of the FSW of the University of Amsterdam.

- (a) P is physically forced to choose g ,
- (b) P expects material, financial, or social incentives when choosing g ,
- (c) P chooses g as a political act, for instance in order to demonstrate a lack of freedom, or to pave the way for less risky self-identification for other persons), and
- (d) P 's self-identification as of gender g is insincere.

(iv) Is P accountable for self-identification of gender (P may for instance lack the cognitive abilities to appreciate what is at stake, see also [1] for related considerations).

Now gender identity confirmation is about an assessment of questions (iii) and (iv) from this list. We assume that whenever self-identification of gender plays a key role some form of “objective” gender identity confirmation will be in place. We notice that the relevance of gender identity confirmation is independent of the truth of the gender orientation hypothesis.

Gender identity confirmation is independent of subsequent gender categorization, and a positive outcome of gender identity confirmation must not be understood as an argument that g is correct (as P 's answer to the question “what is your gender?”)

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A More on Dembroff versus Byrne

The arguments in both directions regarding the validity of Byrne’s AHF and AHM in Byrne’s [13] (2020) and Dembroff’s [15] (2021) are difficult to compare and to reconcile and to evaluate. In Byrne [14] a response is given to criticism made by Heartsilver in [16]. As is to be expected the notions of adult, human, and female each are discussed in detail as potential sources of disagreement or lack of clarity. Now as written above we deny both AHF and AHM and the following quote from [14] sheds light on that matter:

Heartsilver argues that AHF is false. The extent of our disagreement may not be completely evident, since Heartsilver departs from the usage in Are women . . . ?, in effect understanding AHF to be the sentence ‘S is a woman iff S is an adult human female’, writing at one point of “interpretations of AHF.” This is why, after arguing that woman is a social category, Heartsilver says that “Byrne can concede that woman is a social category and still defend his thesis that AHF is true or at least a close approximation.” But AHF was intended to be the proposition expressed by ‘S is a woman iff S is an adult human female’ with the words on the righthand side interpreted as indicated in the previous paragraph. “My thesis” is false if this proposition is false.

The disagreement we find with Byrne can be traced back to this fragment. Let’s consider the sentence sFDTS = “Filing documents takes a lot of physical space”. With sFDTS we refer to the sentence and with FDTS we refer to the corresponding proposition. Reading sFDTS would make people think in terms of paper documents shelves and physical

libraries. Reading the same sentence in 2000 would make people think of electronic documents in the cloud. Both document and space have changed meaning. Nowadays “Filing documents does not take a lot of physical space” (instead it costs money). Now suppose we ask say person P to agree or disagree with FDTS, that is with what we assert when making the utterance sFDTS. P may have no clue, because the proposition FDTS depends on which meaning we (when saying sFDTS) attach to the word document (and to some extent also to space).

Translating the case to AHF and AHM: if when understood as propositions (wo)man is understood (by Byrne in this case) as ‘adult human female’ then everybody must (by definition) agree with that proposition because that is what (according to Byrne) is meant to be referred to. We assume that around 1900 both AHF and AHM would be considered truisms, literally corresponding with the definitions of woman and man. What makes AHF and AHM intriguing is the change of meaning of man and woman between 1900 and 2000 which so it seems exceeds by far the simultaneous change of meaning of male and female (which were kept closer to biological sex).

We consider AHF and AHM false given the change of meaning for man and woman that has actually taken place between 1900 and 2000. The disagreement is about the semantics of (wo)man. We are unconvinced that it is plausible for Byrne to claim that AHF and AHM must be read as propositions. If we were doing mathematics so that figuring out the meaning of the LHS ‘woman’ and of the RHS ‘adult human female’ were a lot of technical work leading to an assessment of the equation LHS = RHS (i.e. the proposition AHF) then we might agree that AHF refers to the underlying proposition rather than to the sentence at hand.

Our idea is that the following are true: AHF’: a woman is an adult human of female gender, and AHM’: a man is an adult human of male gender. Given the gap between biological sex and gender which has arisen accepting the truth of AHF’ and AHM’ comes with a rejection of AHF and of AHM. However, in [7] we have argued that AHF and AHM may not be the best expressions for the underlying intuitions.

Byrne [14] mentions Stonewall’s slogan: ‘transwoman are woman, get over it’ which he finds unconvincing. We adopt the same slogan, though we do not adopt Stonewall’s understanding of transwoman. We do not agree with their intended propositional meaning of an assertion which may be attributed a much more plausible meaning just as well.