The Metaphysics of Discrimination:

from Aristotle to hard shell tacos

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PREFACE

Many years ago, as I was finishing my PhD studies in Bloomington, Indiana, I took a wonderful course on feminist art. I had already met and was fond of professor Peg Brand, and she was teaching this class with other two professors: the artist Judy Chicago and the art historian Jean Robertson. The idea was to have an art historian, a philosopher and an artist collaborate on the class. We also had a couple of top-notch guest lectures: Lucy Lippard and Edward Lucie-Smith, both also excellent persons.

I was already working on finishing my dissertation so I did not need the credits and therefore sat in the class. I learned a lot of aesthetics and feminism in that class, both theoretically and from first hand experience. I saw first hand the difficult tensions between feminists from different generations, and I became good friends with Judy and Peggy. From Judy, I also learned first hand about the importance of women re-appropriating the representation of themselves and, specially, of their bodies (one of the main topics of her "Dinner Party").

However, there were mostly a lot of questions that remained open at the end of the class and that have been going around in my head ever since (for the last twenty years). In particular, there seems to be a presupposition among many feminist artists that part of the importance of women re-appropriating their own artistic representation is that these representation play an important role in shaping our expectations of women, so that if we had an artistic canon where women are only represented as subject in the works of male artists, we are in fact letting these men determine what to expect of women and thus define what it is for a woman to be a real woman. However, I found very little theoretical detail on working out how exactly this works.

Fast forward to the second decade of the new millennium and a lot of the topics in feminism we used to discuss in the late nineties are starting to become more common in philosophical discussions in Mexico – at least at my place of work, the *Instituto de Investigaciones Filosóficas* at the National University. So in 2015 I

started trying to finally put my thoughts into words. Chapter three was written at that time ... and shelved. A new turning point happened in 2017 when I attended Sally Hasslanger's Gaos Lectures entitled "Structures of Injustice." Those lectures helped me finally structure my thoughts and the first two chapters of this book originally started as notes to Hasslanger's lectures, which I also discussed briefly with her (that is the main reason they were written in English, and therefore, why the book ended up written in English as well).

Sometime in 2015, I met with a couple of my colleagues to go to the theatre and we started talking about this project of mine and I told my friend Moisés Vaca that the plan was to give it a formal treatment. He strongly advised me against it. He said that it would reduce the text's potential impact. And it is true, I always tell my students, in class and talks, that one of the disadvantages of systems of representations that strongly rely on general semantic conventions – natural and formal languages, and other symbolic systems, etc. – is that they can hardly be understood but by those who know the relevant conventions. But I also tell them that they also tend to be very advantageous in terms of precision and expressive power. There are plenty thoughts that we cannot communicate but with the aid of these sorts of representational systems. Thus even though my approach to these phenomenons was very formal – I am after all, foremost a logician and an analytic philosopher, even though one trained in deconstruction and post-structuralism – there are no formulas or any of the typical representational conventions of analytic philosophy.

In the end, this book is dedicated to those who have had the most patience to teach me about the importance and commitment to social justice: Estefana Barceló, Cony Aspeitia, Alicia Silva, Nazan Ustundag, but I am also thankful to the many other people who have taught me so much about these topics: Orfe Castillo, Peggy Brandt, Karen Hanson, Ángeles Eraña, Judy Chicago, Laura Lecuona, Daisy Løvendahl, Benjamin Buckley, Bree Morton, and many others whose names I am missing right now.

I. HABITABLE KINDS

A. What are Habitable Kinds?

In early drafts of this book, I used to call the topic of my interest "social categories" because that was the usual moniker in most of the literature I was used to. However, I have since changed it to "habitable kinds" to signal my interest in talking of these categories, not only as they are socialized, but mostly as they are inhabited by us. In other words, yes, I am interested in the categories we use to talk about humans (yet not only humans),[1] but mostly in so far they are also used to talk about ourselves, about who we are, and who we are not, who we want to be and who we do not want to be, etc.

In general, habitable categories are important because they play a central role in at least three important sorts of human practices which I will call theoretical, normative and subjectivizing practices. Habitable kinds play an important roles in our theoretical practices because they figure centrally in the many ways we try to describe, explain and predict the world, specially the human world. Habitable kinds figure prominently in many of our scientific practices, not only in the human sciences – economics, anthropology, sociology, linguistics, etc. – but also in the medical and biological sciences. Consequently, it is not surprising that much fundamental work on the ontology and epistemology of this sort of categories has been done within the field of the philosophy of the human and social sciences. However, not all the theoretical work habitable kinds do has scientific pretensions. Outside the sciences, we usually appeal to these categories to make sense of the world. We expect people to behave in certain ways because we identify them as belonging to one kind or another similarly as we use other categories to generate expectations in other aspects of reality. As Muhammad Ali Khalidi has correctly stated, our "folk categories do not play [only] an epistemic role, [and thus] we should not expect them to correspond to natural kinds, and we should not expect the folk to defer to the experts." (Ali Khalidi 2013, 64)

Besides these theoretical uses, habitable kinds play a central role in all of our normative practices. How we evaluate someone's actions is deeply interwoven with what kind of person we think hey are. How we evaluate our own actions is deeply interwoven with what kind of person we think we are. Inhabiting a kind usually entails duties as well as

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[1]. After all, we also inhabit categories inhabited by non-human animals and it is not rare por some of us to identify with these categories even more that with exclusively human categories like gender, class, race, etc. A close friend once reported to me that she identified not as a woman, or Mexican or *morena* – even though her material circumstances would have grant her such identities –, but instead identified herself as a micro-organism, *a la par* with other animals.

obligations, and there are duties and obligations that are conditional on our habitant some kinds or others. Minors commonly have different rights than grown ups, aliens have different duties than citizens, etc. Even the most abstract theories of obligation recognize this (Demolombe & Louis 2006). And even though most of the literature has focused on ethical and political normativity, after the foundational of work of Bourdieu (1979), there has been a raising awareness that habitable categories affect and are affected by our aesthetic judgments (Lamont and Molnár 2002, Bennett *et al.* 2009). In a now classic 1996 paper, Bethany Bryson has convincingly argued that "individuals use cultural taste to reinforce symbolic boundaries between themselves and categories of people they dislike." (Bryson 1996, 885). To put it bluntly, people like or dislike certain, say, musical styles, not so much because of how those styles sound, but of how they see themselves in relation to those who stereotypically like or dislike those styles (Weinstein 2000).

Finally, habitable kinds are key to a series of practices through which we develop our own subjectivity.By inhabiting certain categories and not others, we identify with some people and not with others; we make sense of our own existence and experience. As Mady G. has noted, "the main purpose of self-identification and classification is to foster community and counteract feelings of confusion, otherness, and shame." (G & Zuckerberg 2019) "I never spent anytime whatsoever contemplating the subject of femaleness – wrote Elizabeth Gilbert in her 2009 autobiographical essay – For that reason ... I never became very familiar with myself" (Gilbert 2010, i) The question of *who* one is is usually answered by giving a list of categories one identifies with. Even on he negative side, resisting the pull of certain categories we assert our own subjectivity. Literary critic Stephanie Burt calls this aspect of subjectivization "the resistance to memoir, to narrative" – which echoes Paul De Man's deconstructive resistance to theory –, that is, the resistance "to identifying your true self with one story" even while referring to such stories in the search for this elusive true self (Burt 2012). The categories we inhabit also shape our desires, our thoughts and actions. As Burt herself writes, the desire to look pretty has a different significance when one is a woman that when one is a man, or neither (*ibidem*).

In sum, habitable kinds live extremely heterogenous lives and a good philosophical account of them should recognize it. It is tempting to think that one could just *divide and conquer* between these fields and talk about theoretical, normative and subjective habitable kinds. However, concepts are not that well-behaved and they cannot be contained within one single field, and the functions themselves are also deeply interwoven. One might think that the subjectivizing functions are quite independent from the theoretical ones, for example; however Felwine Sarr (2016) and other have

argued that in order to heal the effects of colonization, third world subjects must also develop the sort of intellectual sovereignty that requires a decolonization of the theoretical scholarship on the categories we inhabit. This means that for categories to play the role we want in building our subjectivity, we must also change how we theorize about them, thus bringing together their subjectivizing and theoretical roles. Precisely one of the reasons why it is such a pressing issue to be clear on the metpahysics of habitable kinds is precisely because they are the vehicles of cross pollinization between domains. Scientific theories, for example, have the sort of authority that makes them very attractive for ethical and political normative co-option (López Beltrán 2004). As we will see, different theoretical stances tend to stress different uses and functions, yet the goal of our exploration has been to develop a metaphysical account of categories of this sort that recognizes the heterogeneity of their uses.

B. What is for a Habitable Category to be Marginalised?

It has been argued that a mark of social and structural oppression, marginalisation and injustice is that it targets not only individuals but groups (or individuals *as members of a* group). Adopting such a stance, as I will do here, requires clarifying what is meant when we say that a certain human (or even, perhpas, a non-human animal) group *X* is marginalised (in a context *C*). After all, this later claim is substantially ambiguous. It could be a descriptive claim, meaning that:

> A. A (generic) *X* is at a disadvantage with respect to a (generic) non-*X* (most commonly a hegemonic group *Y*) in a common context *C*.

For example, to say that women are marginalised in Mexico might mean that women make less money that men, are less represented in positions of power, receive less education and health services, etc.

But it could also be an explanatory claim like

> B. A (generic) *X* is at a disadvantage with respect to a (generic) non-*X* (most commonly a hegemonic group *Y*) in a common context *C* because she is *X* (and not *Y*).

In other words:

> B. A (generic) X is A-marginalised (with respect to Y and C) because she is an X.[2]

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[2]. From now on I am going to obviate saying that these claims must be read as generic and with respect to a hegemonic group in a common context. Also, in theses B onwards, marginalisation will mean A-marginalisation

However, B itself can be read, and has been read in at least two senses:

Weak-B. At least some of the causes of why the Xs are marginalised are that the Xs have certain properties that the Ys do not or they have them more frequently.

Prima facie, A is very good, yet defeasible, evidence of B. It would be quite a coincidence if the Xs were marginalised for causes that are more or less evenly distributed on the Xs and the Ys. However, some people take B to be a stronger claim:

Strong-B. At least some of the causes of why the Xs are marginalised are actions intended to marginalise the Xs.

Even though *A* is good evidence of weak-*B*, most current theories of marginalisation recognize that neither *A* nor weak-*B* offer but very weak evidence of strong-*B*.

Furthermore, between weak-*B* and strong-B there is another thesis of marginalisation that has been important in recent debates on marginalisation:

C. A (generic) *X* that passes as *Y* is less marginalised than a (generic) *X*.

The idea is that passing for a member of a hegemonic group ameniorates some of the marginalisisng effects of belonging to a marginalised group. For example, gays that pass as heterosexuals are less discriminated that gays that do not. It is not obvious how to best characterise passing, for it depends on what it means to be an *X* or a *Y*. For example, it can mean to show the appearence of being a *Y*, or something stronger like perfoming the values of *Y*. Borrowing an example from Knobe and Prasada, one can say that Part of why Hillary Clinton has been able to rise as one of the main presidential candidates has been because she embodies masculine values and traits.

Now, I say that *C* stands between weak-*B* and strong-*B* because strong-*B* gives us good but defeasible evidence of *C* and of course, *C*, like strong-*B*, entails weak-*B*.

C is also important because it is usually linked to a different set of claims regarding the marginalisation of *X*. So far, *A*, *B* and *C* are all individualistic accounts of marginalisation. In other words, in them, for *X*ness to be marginalised is nothing above the *X*s being marginalised. However, for *X*ness to be marginalised can be conceived in a non-individualistic way. In other words, so far *X*-ness has been conceived as a property (or set of properties) that individuals have or have not. But *X*ness can also be conceived as something else that emerges from the joint action and customs of the *X*s. This anthropological sense of *X*ness is most obviously and readily applicable to ethnic groups, where *X*ness refers not to any property that the *X* have but to the links that bind them together as *X*s, i.e., their cultural products, customs, etc.

For example, in a recent interview American celebrity chef Anthony Bourdain expressed concern that when people think of haute cousine they do not consider Mexican food, even though there is very good Mexican haute cousine. Indeeed, in Mexico, and outside Mexico as well, Mexican food is strongly associated with "antojitos", that is, comfort food and snacks, and not with haute cousine. Now, since comfort food and snacks are commonly valued less that haute cousine, this marginalises not (or not only) Mexicans as individuals, but Mexicanity itself.

Thus, we have:

D. *X*ness is devaluated (over *Y*ness in a common context *C*).

As I mentioned, *D*-marginalisation is clear in cases of ethnic marginalisation, for example, of Kurds in Turkey, where there are explicit measures to diminish the use of the Kurdish language and other similar cultural manifestations. However, as we will see again in the next chapters, it does not apply as easily to other marginalised groups, for example, to women in modern Western societies because their lives are more tightly interwoven with the lives of non-women – not just because they live together, but because they commonly build string bonds of caring and other affects with them. To paraphrase Paloma Hernández, it is more common for a woman to have a non-woman child or life partner that an African-american having a non-African-american child or life partner.

D entails *C*, but *D* cannot be reduced to *C*. *C* is how *D* manifests at the individual level.

In the rest of this text, we will talk about social discrimination in a broad enough sense to cover all these forms of discrimination *A*, *B* and *C*.

C. The Metaphysics of Habitable Kinds

If my characterisation of social marginalisation is right, it hinges heavily on human categories. Thus, in order to better understand and challenge this sources of injustice, it is important to understand the social distinctions and classifications that underly them. In the words of Katharine Jenkins, "when embarking on ameliorative projects, we should be careful to reflect on how we are conceptualizing the agents of ameliorative inquiry." (Jenkins 2016, 406) It is not surprising, therefore, that much recent work on the philosophy of social injustice has dealt with problems that belong to the metaphysics of distinctions, in general, and of human distinctions in particular. It must no be surprising either that much political debate regarding these distinctions comes sharper into focus once we get clear on the metaphysical status of our

so-called habitable human categories and related issues. Thus, the goal of these small texts is to draw a few distinctions of my own on the many debates surrounding the metaphysics of the distinctions behind discrimination hoping that they may shed light on the debates themselves.

I will divide metaphysical questions regarding discriminatory social categories [from now on, when I talk of categories I will mean habitable categories of this sort, except when explicitly indicated] in four broad kinds: Aristotelian questions, Quinean questions, Ontological questions and Meta-metaphysical questions:

Aristotelian questions are questions about the metaphysical basis for these distinctions, i.e., what makes (or would make) someone belong to a certain human category or another. I call these questions "Aristotelian" because, as well will see further ahead, they are very closely related to what is currently known as "Aristotelian metaphysical questions", i.e., questions about the relations of fundamentality between different kinds of facts and objects. So, Aristotelian questions regarding social kinds, for example, have to do with questions like: how do human kinds relate to human action and, in particular, human agency? how strong do they determine or constraint our actions? how are they determined or constrained by our actions?, etc.

Quinean questions are questions about whether these categories are empty or not. I call them "Quinean" because they are ultimately about what there is. My friend and colleague Angeles Eraña has suggested that we see the distinction between Aristotelian and Quinean questions as the metaphysical analogue of the well-known distinction between the intensional and extensional accounts of concepts.

Structural questions are questions about the structure of the systems of categories the categories belong to.

Meta-metaphysical questions are questions about how to answer questions of the previous two kinds, i.e., what criteria must a good answer to a metaphysical question meet.

I will give now a brief summary of some of the key issues in each of these sorts. Hopefully, this will bring new light into the distinction itself.

1. Aristotelian Questions

In broad strokes, we can classify the main positions in the Aristotelian debate in three major camps: *common-sense, ethno-social* and *identity* accounts.

I call the first camp "**common sense** accounts" because they endorse common sense answers to the Aristotelian questions (or something as close to them as possible). So, for example, considering that the difference between men and women is just biological (Institute of Medicine (US) Committee on Understanding the Biology of Sex and Gender Differences 2001), that poverty just is the scarcity of material resources, that belonging to a given generation is just being born on certain dates, that being short is just having a below average height, that being Hispanic is just to be an American with Native Spanish speaking ancestors, that being a Mexican is just to be born in Mexico, that being dirty is just having bad habits of hygiene, that being ignorant is lacking much important knowledge, etc. are all common sense accounts of the distinctions underlying different cases of discrimination and oppression. Some social categories, however, lack a straightforward common sense definition. A common sense account of the category of *naco* in Mexico, for example, has proved to be quite elusive. (Báez-Jorge 2002, Bürki 2014, etc.)

Few philosophers endorse common sense accounts nowadays. They are commonly considered naive and misguided insofar as they fail to address (or, even worse, perpetuate) the oppressive and discriminatory nature of the distinctions they are supposed to characterise. A purely biological characterisation of gender differences, for example, might fail to account for the power asymmetries between those that inhabit them. Characterising poverty as scarcity would suggest that the problem is economical, instead of political – one of resource distribution, instead of one of exclusion and discrimination, etc. Furthermore, common sense accounts tend to present themselves as ideologically neutral when, in fact, they heavily reflect the prevailing ideology of those who hold them. In other words, what is common sense or not depends heavily on the context and, in particular, to who holds power in such a context. Thus, giving ontological weight to so-called "common sense" ends up reifying the *weltanschaung* of a privileged elite:

> This is an important methodological issue. We philosophers (especially analytic ones) rely quite a lot on folk intuitions and on what we take to be common-sense. But once we get into a politically charged discussion, we must recognize that these folk intuitions vary across subcultures. Now what? Well, to settle on mainstream intuitions and common-sense is to make a political decision to further marginalize what Kristie Dotson called "diverse practitioners" in the field. (Talia Mae Bettcher 2018)

Efforts towards addressing these shortcomings have given rise to more sophisticated theories that stress their social, historical and ethnic aspects. According to these **socio-historico-ethnic** accounts what makes someone belong to a given category are the social and cultural traits and relations she has in common with others like her. Thus, feminists who consider the sex/gender distinction central to understanding womanhood adopt an ethno-social stance towards gender in this sense (Lecuona 2018). Similar stances lay behind ontological theses like identifying the Mexican nationality with certain cultural practices, habits, signifiers, values, etc. shared by many, but not all, and certainly not only the people born or living in Mexico. Social constructivist theories are another paradigmatic example; for example, considering that what makes someone short, dirty or ignorant are her failing to meet certain standards of height, hygiene or knowledge that are not objective (like an average, for example) but depend on many social factors that deeply interweave them with other social categories, like class, race and gender; thus how clean need a white American woman be in order to be clean is substantially different from how clean an African American man must be in order to fit the same category. [I will deal with social-constructivist theories in more details in the next chapter.] Philosophers who think that what makes a person an African American is a common history or common experiences are also embracing a socio-ethnic stance towards these categories.

Ethno-Social accounts have been usually criticised for relying on an overtly simplistic view of social causes and mechanisms. For instance, according to these criticisms, attempts to define what it is for someone to belong to a certain habitable category, like a nationality or a race, by appealing to a common history fail because they just move the question one level up. This is so, because they still need to explain what makes certain historical facts part of this common history and not others. Trying to define the Mexican identity by appealing to a historical process of mestizaje, for example, gives rise to the problem of trying to define what historical facts, process and effects are part of this so-called mestizaje and which are not; but this problem is not actually simpler than the original one, and furthermore, it is not clear that we can solve it without appealing to some prior notion of Mexican identity. Thus, the proposed account fails to historically ground our national identity. Historical facts are just not sharp enough to serve as the kind of foundations that historicists accounts want for their social categories.

Other ethno-social accounts face similar shortcomings: whatever ethno-social mechanisms they appeal to end up being much messier than expected. As a result, their attempts at providing an ontology well suited for a system of

redistributive justice face a series of problems that challenge their political and theoretical soundness (probably the best known of which is commonly known as the "nonidentity problem"). For example, as aforementioned, many Ethno-Social accounts aim to make *constitutive* of a habitable category at least some social injustices the members of such category have endured in such a way as to make them worthy of the benefits of restorative redistribution of resources. For example, it has been argued that part of what makes someone Native-American is to be the kind of people who have and still endure the negative effects of European colonialism in America, and that this is part of what makes some forms of Affirmative action in their benefit just. However, filling the blanks of exactly how to link Native identity to colonization has proved to be an elusive matter, precisely because the current life and situations of American natives are so embedded in the overall effects of colonialism. We want to recognize that practically every aspect of current native American identity has been shaped by colonialism, and we want to say that the overall effect of colonialism on current native Americans has been harmful, yet we do not want to reach the seemingly unavoidable conclusions that being a native American or being born one is some kind of harm. Finding the right balance has proved to be an elusive task.

Socio-ethnic accounts have also been criticised as being *alienating* to the subjects that inhabit them because they place social categories *outside* the classified subject and thus do not leave enough room for genuine *agency* (see Thompson 1968 and Casey 1995 for *class*, Born & Hesmondhalgh 2000 and Jardina 2019 for *ethnicity*, Abrams 1995 and the works there discussed for *gender*, Guerrero MacManus 2018 for *human*, etc.). As Philippe Bourgeois has written, "a focus on structures often obscures the fact that humans are active agents of their own history, rather than passive victims." (1995, 17) By defining social kinds by the social conditions under which the persons who belong to them live, including those that oppress them, it makes such oppression constitutive of the kind, and as such, they seem to leave no room for liberation (without abandoning the category itself) (Mikkola 2016).

This concern has given rise to a new set of theories that have been broadly called "**identity** accounts". Identity accounts can be easily summarized as accounts of the belonging to a habitable category as a kind of **constrained act** (or something act-like like a skill or personal project).[3] In the words of Appiah (2018), habitable categories are "an activity, not a thing ... not a fate but a project". Identity accounts incorporate the insights from both socio-ethnic and common-

[3]. I am skipping over the debate on whether it is the act itself that constitutes our identity or something deeper that manifests itself in such act, either something that we *feel* or *perceive* within oursleves (and thus, something for which we have privileged firt person access) or the feeling itself. Most theorists and activists see no important distinction here.

sense accounts as constraints to the act, but reinstate the agent at the center of her belonging to one category or other. Thus, they hold categories like womanhood, disability, nationality, foreignness, etc. not so much as things that one is, but more fundamentally, as things one does. To be a Mexican, for example, is to choose to act in a certain way in given occasions – like partying the night of September the 15th by listening to ranchero music from mid-20th Century and eating certain food (like tacos and pozole) and not other (like hamburgers) – constrained by the social and material factors affecting her in her context – such as those that would make it hard for her to find good tacos in downtown Reykjavik, but would make it hard to avoid if she lived in downtown Coyoacán neighborhood in Mexico City.

This performative aspect of identity is very well illustrated by a key scene in Xaime Hernández's *Wig Wam Bam* (1994) episode of his long lasting Chicano series of novels. After a couple of hipsters make racist commentaries to her at a party on the East Coast of the USA, Margarita Luisa Chascarillo complains to her friend and lover Esperanza Leticia Glass, telling her she is more than happy to leave town, meaning going back to their Chicano neighborhood in southern California. Esperanza tries to make little of the event and to have Margarite drop the subject stating that "It's the same shit all over..." Margarita gets angry at the lack of solidarity from Esperanza, who has Colombian ancestors but, unlike her, can pass for white and American. "Ok, then don't go back to California! – she screams at her lover – Shit, just 'cause you can turn off your 'ethnic' half whenever it's goddamn convenient!" I was born in Mexico, as were my parent. My skin is brown, my hair is black and my mother tongue is Spanish. I have lived most of my life in Mexico City and currently live in the typical Mexican neighborhood of Coyoacán, just a couple of blocks from historical monuments of early Colonial history. For me, it is very easy and *natural* to be Mexican, so much that it might seem more appropriate to say that I did not have to do much to be Mexican and that I was just born this way. That being born in the place where I was born, into the family and culture I was burn *made me* Mexican. This is just what the socio-ethnic accounts hold. However, not everyone shares the same circumstances and the above scene illustrates this very well. For Esperanza, her situation allows for her to become either white American or Colombian depending on what she does. She has reached a point where she has to act in one way or another. This decision is materially constrained by her circumstances – her skin color, her ancestry, her relation to California and to Margarita – but it is still *hers to make*. Whatever way she acts will have not only an ontological effect, but also an ethical one. The way Xavier Hernández sets the scene it is clear that the ethical decision is to resist her whiteness

and live up to her Colombianess.[4] For identity accounts, if we look back at a case like mine, after considering Esperanza's choice, we can see that there is also an element of choice and action: that being born in Mexico, being brown, etc. are not what make me Mexican, but only the material circumstances that constrains my actions, but it is ultimately these actions that ground my Mexican identity. Considering borderline cases is very helpful in this respect in so far as allows us to disentangle the action from the circumstances that frame it (Jardina 2019).

Presenting these three broad tendencies this way, of course, abstracts from important differences within each one of them. My presentation so far is also misleading, insofar as it leaves the impression that the matter has been (or should have been) settled and that identity theories are just better. Nothing is further from the truth, as accounts of the three sorts have both advantages and disadvantages over the others. Common sense theories, for example, have the obvious descriptive advantage of respecting common sense. Furthermore, their being based on common sense does not mean that they can also be (or become) very sophisticated accounts. An economic account of poverty, for example, can be as naive or sophisticated as the economic theory it is embedded in. Finally, they . . .

Consequently, they can also argue that criticisms against them are question-begging in so far a they asume, instead of show, that (at least part of) the social aspects of discrimination lie within the ontological category itself, instead of belonging to the more complex material and social network it is situated in.

Ethno-Social accounts, in turn, criticise identity theories for being either not a genuine alternative to socio-ethnic theories or overtly individualistic and drawing the boundaries between categories in the wrong place (where 'wrong' here means both 'inaccurate' and 'unjust') by overestimating the importance of individual action and choice. This basic criticism branded at identity theories is that the notion of a constrained act of identification at the center of identity theories is an ill-defined notion, unstable between two equally undesirable positions. On the one hand, if a constrained act of identification were just the mere act of freely asserting one's will of belonging to a certain social group, that would cheapen the social categories to the point of being too arbitrary for being of any use in the fight for social justice. Such an

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4. This does not mean that all such choices have always such a clear ethical profile. Consider the case of Nicole Richie, who was adopted when she was 3. Her African American parents, the successful singer and songwriter Lionel Richie and his then-wife Brenda Harvey, knew Nicole's biological parents, who were Mexican American. She went to live with and be cared for by the Richies since early in her childhood and was legally adopted at nine. Growing up in the spotlight, she was pressured into testifying to her ethnic identity and she could have chosen to identify as Mexican American or African American without much ethical fault.

action would not be a *constrained* action. On the other hand, if we require the act to be socially recognized within the group as being the kind of act that constitutes the kind, then what identity theorists mean by a constrained act is nothing but what socio-ethnic theorists call a social practice. Thus, identity theory would not be an actual alternative to socio-ethnic theories, and would not have achieved the desired des-exteriorization of our social ontology. Thus, in order for identity theories to be a genuine alternative there must be some third alternative, but it is not clear that there is really such a third way, even though identity theorists have certainly made substantial efforts in giving us one.

Furthermore, critics also claim that allowing those who would otherwise be identified as members of privileged group to identify as members of historically disenfranchised groups gives them unfair access to resources aimed to restore historical injustices. For example, it has been argued that making it easier for people to 'self-identify' within a particular category or other could well be abused by unscrupulous members of privileged groups who might use these measures to access resources reserved for members of discriminated groups. (Stock 2018) These critics also argue that the categories defined by identity theories put together people which, from the perspective both from the common sense and socio-ethnic perspective are too diverse to serve in efforts to diversify sites of power like governing bodies or boardrooms. According to these critics, people who identify with categories different from the ones they have been assigned and people who do not might have such different bodies, social histories, structural power, access to resources, etc. that one could not properly represent the experiences and concerns of the other. Thus, there is no use in including them in one common category.

On the other hand, identity theories have also been criticized recently of making it too hard for those who could and should benefit the most from it of being recognized as inhabiting a given marginalized category. By insisting on an active engagement with the category, identity theories seem to require from those who are already in a practically diminished status to make an extra effort to be recognized as such. According to this criticism, by belittling victimhood, identity theories have also belittled victims (Convery 2011).

2. Quinean Questions

Related to the Aristotelian debate, but not fully determined by it, the Quinean debate holds mostly between **eliminativists** – those who take discriminatory categories to be empty – and well, whatever you want to call non-eliminativists. I have

already used the term "common-sense theories" above, but the term would also be adequate for non-eliminativists). Furthermore, as I will develop in more detail in the third chapter, eliminativists usually (but not necessarily) endorse common sense accounts, and use them as arguments for their eliminativist arguments. For example, some people have argued that races are empty because our common sense conceptions of what a race is – i.e., substantial phenotypic differences between social groups of common ancestors – do not correspond to anything in biological reality. Similarly, some philosophers have recently argued that since it is constitutive of our common sense understanding of some social categories that people that belong to them are somehow inferior, and this is patently false, nothing can fit inside them (I will not mention examples, because these categories are commonly expressed by the use of slurs and other derogatory terms. This phenomenon will be addressed in further detail in the third and final chapter).

I find it interesting that this relation between eliminativism and common sense happens in other areas of metaphysics, for example, in the philosophy of mathematics, where nominalists (that is, eliminativists regarding mathematical entities) adopt a common sense view of the ontological nature of mathematical objects – i.e., that they are abstract entities – and then use this common sense account as a premise for the conclusion that there are no mathematical objects.

Even though in the rest of this manuscript I will focus on Quinean and Aristotelian questions, I still want to give at least a superficial presentation of what other sort of metaphysical questions can we make regarding habitable categories, in general, and the social categories behind discrimination in particular.

3. Structural Questions

Besides the Quinean and Aristelian questions, there are also important questions regarding the **structure** of these systems of categories, its dynamics and context of application. In this regards, I identify five major questions:

1. Are categories **unified** or are they **fragmented**? For example, is there *one, unified* thing that it is to be a Mexican or is Mexicanity a complex web of interconnected things instead?
2. What categories belong to the same **system** of classification? For example, is *Jewishness* a race? Are races and ethnicities the same sort of categories? How many human genders are there?

3. Are the categories within a system mutually **exhaustive** and/or **exclusive**? For example, is it possible for someone to be neither a man nor a woman? Is it possible for someone to be both rich and poor?
4. How do the categories **develop** over time? For example, how old must a woman be in order to be a spinster? Can one switch races during one's lifetime?
5. In what socio-historical **contexts** do these categories apply? For example, are there races outside colonial and post-colonial societies? Are races in miscegenation regimes (like the United States of America) the same sort of categories as races in mestizo regimes (like Mexico or England) Are communist societies actually classless?

4. Meta-metaphysical Questions

Finally, there are several important **Meta-metaphysical** questions:

1. **Epistemological** and **methodological** questions about what factors should be taken in consideration when answering the (Aristotelian, Quinean and Structural) questions above and what weight should be given to them. For example, what role should the empirical sciences play? and, furthermore, which sciences should be taken in consideration (natural, human, social)? What credence should be given to autobiographic testimony and narratives and from whom? Should we only listen to the voices of those who belong to the relevant oppressed groups or is there a place for the voices of the rest of the community even if they profit from their oppression? Furthermore, should metaphysical proposals be permeable to dettached rational debate?
2. Questions about the **goal** or goals of answering those questions? For example, how descriptive/prescriptive should our answers be? Should we adopt a critical stance towards these categories? If we aim at prescription, should our prescriptions be reformist or revolutionary, modest or radical? (Cappelan 2018) Also, what sort of facts do we want our metaphysical theses to explain? For example, should our metaphysical theories explain why we have the theoretical, ethical and political debates that we have or should they aim to solve them? A metaphysical account that makes, for example, gender (metaphysically) necessarily oppressive begs the Quinean question or effectively answers it?

3. Questions about how **general** or **determinate** should the answers be? Are we looking for absolutely general answers that are context sensitive, or should the answers themselves be valid only in constrained historical circumstances? How thinly should we slice contexts in order to find adequate answers to these questions? How much vagueness of inditerminateness should be allowed or expected? If our goal is a metaphysics to drive our political action, how defeasible should our answers be before they are politically useful?

These questions might seem peculiar to social metaphysics or to the metaphysics of politically relevant (not necessarily social) kinds; however, this is would only be true under a very broad notion of social metaphysics. In the philosophy of science, for example, analogous meta-metaphysical questions are also relevant. Many philosophers of cognitive science, for example, who work on the metaphysics of mind conceive of their work as normative or critical as they are not trying to understand what are the metaphysics of mental categories but what *must be* the metaphysics of mental categories. Once again, this is because – as we will see in the next chapter, many (perhaps most) scientific categories have social and practical (ethical, political, etc.) consequences. For example, where we draw the line between say, entities with minds and entities without minds will have great consquences to those very entities.

Keeping metaphysical questions sharply identified also helps in disentangling them from questions of other **political** and **ethical** sorts, like: what role do they play in the emergence of social injustices, oppression and discriminatio? how do we challenge unjust categories? and how do we build better ones? What do they tell us about the moral responsibility (or lack thereof) of the members of society in the development and maintenance of their unjust consequences? What do they tell us about the moral responsibility (or lack thereof) of those who fall under them in their actions *as* members of those groups?

D. Does it make sense to speak at such an abstract level?

One might be skeptical about the value of talking about habitable categories in such abstract, detached and general terms as I plan to do here. About seventy years ago, Bernabé Navarro was already skeptical of such an abstract ontological approach to social categories, as when he wrote:

> "I do not see what we aim to achieve with these ontology reflections [combining] in an almost muddled way, on the one hand, existentialism, historicism, scholasticism, and on the other, Freud, Aristotle, Saint Thomas, Goethe, Bloch, Toynbee, Octavio Paz, Javier Villaurrutia, etc. and even some folk tales ... " (Navarro, 1982, 12)[5]

In a recent online debate, to put another example, Audrey Yap wrote that it was unacceptable for philosophers to address these issues as if they were an "abstract philosophical puzzle" instead of an issue of vital importance for so many – perhaps all – people:

> "So setting aside the question of terminology, what I do have a serious problem, with, are people who are happy to speculate about [habitable categories] ~~gender identity~~... as though it were an abstract philosophical puzzle to be solved, and not something that is about actual living people. When taking one side of an argument involves the invalidation of a lot of people's identity and lived experience I think it's right that we be extremely hesitant to take it. ~~That's not to say it's entirely off limits to talk about gender identity or to disagree with trans folks or other philosophers. Not all trans folks or feminist philosophers agree with each other on these issues anyway. But cis people and trans people have a different stake in the matter...~~" (Yap 2018)

Unfortunately, I have little to say to convince anyone already skeptical of dealing with social problems as pressing as these at such a theoretical and abstract level. I just hope that my work shows its own value on its own. As a brown, queer, Mexican, the topics I deal with on this text have strong existential significance for me and I certainly have a stake on the matter. As a heterosexual cis-male with a privileged academic position, the topics I deal with on this text have strong existential significance for me and I certainly have a stake on the matter.

> "I'm afraid there's a tendency among some philosophers to suppose that philosophical investigations into race, gender, disability, trans issues, and so forth are no different methodologically from investigations into the

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5. "...no vislumbro a qué punto preciso se quiere llegar con las reflexiones consideradas como ontológicas – o que traten de conducir a la ontología – en las cuales se utilizan y manejan, en forma entremezclada y casi confusa, por una parte, el existencialismo, el historicismo, la escolástica, y por otra, a Freud, Aristóteles, Sto. Tomás, Goethe, Bloch, Toynbee, Octavio Paz, Javier Villaurrutia, etc. y hasta algunas leyendas populares y folklóricas..." Even though the text was published in 1982, by the author's own account, it was written around thirty years earlier.

question whether tables really exist. One difference, however, is that while tables aren't part of the philosophical conversation, trans people, disabled people, people of color, are part of the conversation." (Bettcher 2018)

As I have already mentioned, there are still important open debates regarding the proper methodology for social ontology. However, it is worth noticing that nothing I have said so far entails that a single answer will work for all habitable categories. In a recent conversation, at the National University's Diversities Workshop, Siobhan Guerrero presented many concerns we might have about just transposing metaphysical arguments from one kind of habitable categories to another. For example, it is relatively clear that material conditions are fundamental for determining who is or is not a bourgeois or a proletarian, but we should not generalize this to other categories such as gender or race. Material conditions may also be fundamental, or maybe not, but this is a question that must be resolved on a case-by-case basis. In the end, Guerrero argues, the metaphysics or race will most likely be substantially different from that of gender. The historical and political differences between these categories are so radical that any account that might serve to build better racial relations could reinforce gender injustices if applied to these other categories. This is because the struggle and oppression experienced by minorities of each type has been substantially different in each case. Even within a single historical and cultural context, the way in which ethnic minorities are discriminated against and oppressed tends to be radically different from the way in which gender minorities are discriminated against and oppressed. For example, there does not seem to have been an analogous to cultural appropriation as a strategy of erasing racial identities in the case of gender. Consider as an example, the situation of the Kurdish minorities in Turkey, whose cultural manifestations have been systematically appropriated by Turkish nationalists with the nefarious purpose of erasing their identity as an autonomous ethnic group. Nothing similar seems to have happened in the case of gender minorities. Although it is true that the cultural contributions of gender minorities have been disparaged and appropriated, it does not seem appropriate to characterize this as a case of cultural appropriation (Serano 2016). This is because race tends to be more closely related to culture than gender – mono-gender cultures are less common than mono-racial ones (Chauncey 1994). Therefore, it seems that, at least prima facie, the loss of cultural goods is a harder blow against racial minorities than against gender minorities. This means that, for example, given their very different historical antecedentes, the threat of cultural appropriation is a more serious threat for the Afro-American or Rom identity than for the identity of women or trans people. So it seems that the difference in public reactions to cases like Caitlyn Jenner's and Rachel Dozal's is justified,

although it is true - noted Guerrero - that there is still much to be learned about the different ways people inhabit categories like gender and race in order to determine how different they actually are.

In an informal discussion, Paloma Hernández pointed out to me that, perhaps, one of the most important differences between racial (and ethnic) differences in segregated contexts like in the USA or Argentina (and unlike 'mestizo' contexts like those of Mexico or the UK) and gender differences is that, while the former tend to be experienced 'from a distance' so to speak, the latter are present in many of our most intimate relationships. In other words, the experience of living intimately with people belonging to other gender categories (either as relatives, couples, colleagues, neighbors, etc.) is substantially more common than the experience of living intimately with people of other ethnicity, race or class.

Guerrero is also right in pointing out that a good metaphysical account of race and gender must account for this type of differences. For example, it must account for why testifying to our own gender plays such a central role in the construction of our subjectivity, while there does not seem to be anything analogous in the case of race. In her presentation, Guerrero alluded to the important role that desire plays in gender identity – "the idea – associated with Jacques Lacan – that your sense of who you are grows from your sense of what you want, what you lack, so that in order to keep being the person you recognize as yourself, you have yo keep wanting something you cannot have"(Burt 2012; see also Long Chu 2017) – and how it seems to be absent from most racial identities. Ever since the seminal work of Foucault on human sexuality, it has been claimed that an important part of belonging to one genre or another is to desire certain things and not others. There does not seem to be anything analogous in the case of race, although in contexts such as the United States, miscegenation remains an important issue and, in this sense, desire also plays an important role in the construction of race in that context. If Guerrero is right, since desire is something that, at least in our popular psychology, is private, subjective and, above all, something for which we have privileged access, this would explain why gender is also something for which we have privileged access (but race is not). It would also explain why gender cannot be a political choice. In the words of Andrea Long Chu (2017), whom I read months after listening to Guerrero,

> "... nothing good comes of forcing desire to conform to political principle ... one can not be aroused as an act of solidarity, in the same way that it can fill envelopes or march on the streets with its fighting sisters. Desire is, by nature, childish and chary of government."

However, I take it that even if it is true that different sorts of categories have different metaphysical profiles, it is precisely because they show a different behavior when considered under the same criteria. Thus, for example, if it is true that there is a stronger metaphysical link between gender and self-testimony that between, say, class and self-testimony, this must manifest itself as differences in the way we shall answer specific general questions about gender and class as habitable categories. Thus, it is fundamental to know the general issues and challenges that faces *any* metaphysical account of *any* habitable category in order to even try to understand whether different sorts of categories are metaphysically different.

II. SOCIAL CONSTRUCTION

Regarding a putative ontological kind *X* (mathematical objects, artifacts, races, theoretical entities, etc.), it is important to distinguish between three different metaphysical questions (of what I have called the Aristotelian and Quinean kinds): do *X*s exist and, if so, what do their existence depend on?, why are they *X*?, and why do we make a difference between *X*s and Not-*X*s?

The first question is the Quinean ontological issue identified in the previous chapter of whether certain kind of objects exists and, if so, whether they are natural, socially constructed, fictitious, etc., the second is the question of what metaphysically grounds certain truths or facts, and the third is the issue of whether or not our concepts cut reality at its seams. The questions are different and, for the most part, independent.

Thus, for example, in the philosophy of physics, it is important to distinguish between the questions:

1. Are forces real, i.e., do the **entities** in the extension of the predicate "(is a) force" exist, and if so, are they part of the fundamental furniture of the world or does their existence depends on the existence of other objects or facts regarding, for example, human conventions, the constraints of cognitive architecture, cultural perspective, personal preferences, etc.?
2. Why are forces forces, i.e., what makes the objects in the extension of the predicate "(is a) force" be forces? Is there a **fact** of the matter whether or not something is a force or not, or does it depend on our conventions, cognitive architecture, cultural perspective, personal preferences, etc.?
3. Why do we make a **distinction** between forces and non-forces? Does the concept "force" cuts reality at its seams or does it only make sense for our social practices, cognitive architecture, preferences, etc.? Is it a natural kind or is it socially constructed, fictitious, etc.?

Notice that the third question is not why **a particular entity x** is an *X* rather than a non-*X* (that would be the second question), but the question of why do we make a difference between **the** *X*s and **the** *Y*s. Thus, the second question is

independent of the first in so far as it applies to all sorts of entities: fundamental, derived, fictitious, socially constructed, etc. However, it is not completely independent from the second because, even though socially constructed properties cannot be natural kinds, not all natural properties are natural kinds, and thus it makes sense to make the further question of why do we mark certain differences and not others. Whether the *X*s are natural, fictitious, socially constructed, etc. it is still a further question whether the concept *X* is joint carving or not.

The third question is a question of joint-carving, because, presumable, if the answer to a question of this third kind necessarily and substantially appeals to our practices, cognitive architecture, preferences, etc., then the distinction between *X*s and not-*X*s will not be joint carving.

1. Social Construction

Being a realist (or a fictionalist or a social constructivist, etc.) regarding a type of objects means different things depending if one is taking a position regarding each of these three questions. Consider the first question: If one is a Quinean, being a realist regarding the Xs does not mean much else besides believing that the Xs exist, and that must be the end of it; but if one is an Aristotelean, one may still wonder whether the X are fundamental or not and if they are not (all) fundamental, what does their existence depend on. If one believes only things with objective existence are real, then one will reject as real those entities that exist, but whose existence depends on human conventions, the constraints of cognitive architecture, cultural perspective, personal preferences, etc.

Consider some examples. We usually make a distinction between socially constructed **entities** like words, passports, baseball bats and nations on the one hand, and not socially constructed entities like neutrons, lumps of coal, and clouds on the other, even if we admit that some entities, such as domestic cats and melodies are difficult to classify. What makes a nation socially constructed is that its existence metaphysically (not just causally) depends on certain human social actions and/or practices. Clouds, in contrast, are usually considered to exist independently of our social actions and practices. We have done nothing to make them exist and they could have existed even if society had never developed on this earth. This is a distinction at the level of question one, since it concerns the **existence of entities** of a certain sort.

Regarding the second question, we usually make a distinction between socially constructed **facts** like fanny packs being uncool and Paris being the capital of France, and not socially constructed facts like every planet with an atmosphere having clouds or Mauna Kea having an altitude of 4,205 meters. Again, we have cases that are difficult to classify like the seventh note of a musical scale being its leading tone or tomatoes tasting good. In this regards, we say that Paris is the capital of France is a socially constructed fact because part of why this is actually so is because of our social practices, institutions and actions. In contrast, the altitude of Mauna Kea is putatively independent of our social constructions, that is, nothing we have done or could have done could have changed its altitude (without causally affecting its physical reality, like for example, blowing its top off with dynamite!).

Notice that socially constructed facts could involve both socially constructed entities – that is, entities whose existence is socially constructed – and not-socially constructed entities; just as socially constructed entities and not socially constructed entities could both be involved in not socially constructed facts. This is why I have insisted that the socially constructed nature of entities is independent of the social construction of facts. For example, it is a socially constructed fact that diamonds are precious stones, even though the existence of diamonds is not socially constructed. On the other hand, it is not a socially constructed fact that Paris is rainy, even if Paris is a socially constructed entity.

Now, a property is socially-constructed if having it is a socially constructed fact, and not otherwise. Thus, being a precious stone, or cool, or expensive, etc. are socially constructed properties; being rainy, having certain given mass or being located in certain spatio-temporal point are not socially-constructed properties.

2. Social Construction and Language

One might argue that since Paris would not exist were it not for our social practices and conventions, it could not be rainy without them either. Fair enough, so a more precise formulation of what makes a fact socially-constructed is required. To this end, I propose that a fact is socially constructed if it depends on our social practices and actions for more than just the existence of the objects involved.

Along these lines, one could argue that Mauna Kea having an altitude of 4,205 meters is a socially constructed fact since there would be no such thing as meters if not because of our current social practices of measurement. However,

this would be a mistake that is easily avoided if one is careful to make a difference between predicates (in language) and properties (in the world), in particular, between how we use a predicate to fix a property and the property thus fixed. A good way to illustrate this example is through a joke:

Suppose there is a young girl standing just to the left of a huge rock, half buried in the ground (the rock, not the girl). She claims to be able to move the rock from her right to her left side without using any tool or machinery, and willing to bet half a thousand dollars to prove it. Furthermore, you are allowed to try moving the rock yourself so that you can verify that it is not a trick rock or something else pretending to be a rock, etc. After trying to move the rock, you confirm that it is heavy indeed and half buried to the ground. So you agree to the bet. Once the bet is set, she turns around on her place 180 degrees. "Now – she says – the rock is no longer to my right, it is to my left". Thus she wins the bet.

The joke is funny, presumably, because of an equivocation in the expressions "to my right" and "to my left" as uttered by the cunning girl. The rock did not actually move, in so far as it did not change location. Yet, it is true that it was on the girl's left side and now it is on her right side. This is because we usually use the expressions "to my right" and "to my left" to refer to spatial locations using ourselves as point of reference. However, we can also use them to talk about our spatial relation to such spatial locations and the objects that occupy them. When the girl claimed that she could move the rock from her left to her right, we assumed her to be using those expressions in the first way: we assumed she was using herself as a point of reference to fix a couple of spatial locations, not in the second sense. Thus, we believed she was going to change the location of the rock, not her spatial relation to the rock.

This joke illustrates the importance of making a distinction between the property we talk about and how we fix such property. When we use "to my left" to talk about the location of an object, we use ourselves as props to fix the spatial property, but we are not part of the property in the metaphysical sense. Consequently, whether an object has such property does not depend on us. In contrast when we use "to my left" to talk about our spatial relation to an object, we place ourselves *in* the property, so to speak.

Something similar happens when we use expressions like "four days", "4,205 meters", etc. We use social conventions to fix the properties corresponding to these predicates, but the conventions themselves are not part of the properties expressed. Thus, we can truly say that many years had passed before we developed the convention of measuring time in years; and that Mars was already million kilometres from the Earth before the development of the metric system.

Furthermore, we can also say that Mars would still be that far, even if we had never developed the metric system, for the former fact is independent of the later.

Thus, we could talk about using predicates like "millions of light years from the Earth" or "three pounds" to socially fix properties that are not themselves socially constructed. These properties are not socially constructed because what makes an object being millions of light years from the Earth or weighting three pounds is not any social convention, practice or anything similar. None of our social practices put the sun at the distance it is, but our social practices of measurements allowed us to describe such distance by using the expression "149.600.000 kilometers from earth".

3. Social Kinds and Distinctions

Finally, Aristotelian questions are improtant because we usually care about whether a **kind** is socially constructed or not, meaning, whether it makes a socially constructed **distinction** or not. As aforementioned, we say that a distinction is socially constructed if it makes sense only in function of certain human social practices, actions or institutions. For example, we usually say that electrons are a natural kind because the distinction between what is an electron and what it is not is there in nature, independently of our social practices, institutions, etc. In contrast, the distinction between the owner of a property and others is a socially constructed one because its central function is to help us regulate our social practices. Thus, owning something is a socially constructed kind, not a natural one.

As I had mentioned before, the question of whether a kind is natural, socially constructed, subjective, etc. is not completely independent from the questions of whether the corresponding property is natural, socially constructed, subjective, etc. However they are different questions, because even though socially constructed properties cannot be natural kinds, not all natural properties are natural kinds, i.e., we can make distinctions in nature that nature itself does not make. Medicine is full of such examples. Whether a condition is endodental or periodontal, for example, does not depend on our social conventions at all, but on the physiological and physical conditions of our mouth; yet, the distinction between endodontics and periodontics is socially constructed. Nature makes no such difference, it is our practices of how we approach conditions of each kind that makes them different *to us* (here, today).

4. An Example in the Philosophy of Disability

In a large body of work, Shelley Tremain has sustained that the concept of *impairment* is socially constructed and, presumably, this is what she means: that the distinction between impaired and not impaired bodies is not a distinction that would make sense except for our social practices, institutions, values, etc. We can express this by saying that whether a body is impaired or not depends on our social practices, institutions, values, etc. However, doing so would be very unhelpful and confounding since it would be ambiguous between three substantially different claims of the sort I have identified in this text: (1) a claim regarding the existence of impaired bodies as entities, (2) a claim about the metaphysical status of impairment as a property and (3) a claim concerning the status of impairment as a concept. In order to determine what is the correct reading for this claim, it is helpful to understand *why* philosophers like Tremain care whether a concept is socially constructed or not. In this regards, Ron Mallon's words are very relevant:

> Some theorists defend constructionist views because they believe that they more adequately explain the phenomena than competing views. But many constructionists have more explicitly political or social aims. For this latter group of theorists, revealing the contingency of a thing on our culture or decisions suggests that we might alter that thing through future social choices. It also may indicate our responsibility to do so if the thing in question is unjust. (Mallon 2007, 94)

Thus, I take it that the correct reading is as a claim about why we make a distinction between impaired and not impaired bodies, instead of a question about facts or entities. In other words, if impairment is socially constructed in this sense, we could change our social practices and values in such a way that bodies that are currently considered as impaired could no longer be so. However, this change would be a change similar to the one performed by the cunning girl in our joke above: the bodies would not change their intrinsic properties, but our relation to them would change. But this would not be a less important change, on the contrary. Changing our social practices would not (directly) make people who currently cannot see, see, for example, but it would make their bodies no longer impaired, and this would be a signifiant political achievement.

This critical stance stands in sharp contrasts with positions like those of Michael Oliver, the so-called British Model of Disability, and others who make a distinction between disability, which they take to be socially constructed and

oppressive, and impairment, which they consider not socially constructed and thus neutral regarding social oppression. Vehmas and Watson, for example, write:

> Consider, for example, motor neuron disease, a progressive terminal condition that affects the nerve cells that control voluntary muscle activity such as walking, breathing and swallowing. Clearly, such a fatal health condition is a disadvantage **in its own right,** but it also has an accumulative disadvantage that has negative effects on other functionings such as on one's livelihood, relationships, and psychological well-being" (Vehmas and Watson, 2014. My emphasis)

According to Vehmas and Watson, nothing social is involved in making motor neuron disease a physical impairment. Having such a condition is disadvantage in its own right. I take it that Tremain's point is that these models of disability (and impairment) miss the difference between the second and third questions above, i.e., between the socially constructed nature of properties and facts on the one hand, and kinds and distinctions on the other. In consequence, they try to turn into different properties – disability and impairment – what are actually two different aspects of one and the same property – disability. For Tremain, if there were such a thing as impairment, it would also be socially-constructed in the very same sense as disability. Thus, there is no need for such a distinction.

Tremain and, in general, critical theorists of disability insistence on the inseparability of the social dimension of disability has a political aim: to raise awareness of the way the notion of disability is linked to exclusion. In particular, to how the way we normally use such a notion serves to justify the exclusion of certain bodies. As I have tied to argue, from the fact that there is a heterogeneity of bodies and capacities it does not follow that there is a distinction between bodies with 'normal' capacities and bodies that do not. Of course, *any* capacity has some value – there is a substantial sense in which it is better to have the capacity for singing on tune than not having it, for example. The challenge is to try to argue, as for example Nussbaum has tried, that there are some

> ... capabilities through which we aspire [and which are such a] part of humanness ... that a life without [them] could not be a good human life. [There is] a threshhold of capability to function ... beneath which those characteristic functions are available in such a reduced way that although we may judge the form of life a human one, we will not think it a good human life. (Nussbaum 1992, 220-1)

This presents a double challenge to those who wish to justify this distinction: on the one hand, they must justify the very existence of the distinction and, on the other, the need to justify how it is drawn. For Tremain and other critical theorists and social constructivists it is clear that the function that the distinction has commonly played in our society is primarily economical and political: the non-disabled is the one who must contribute economically (paradigmatically, by working) while our minimum obligations usually include only the non-disabled; that is, our obligations of accommodation to bodies with disabilities are constructed as supererogatory. Thus, when bodies are excluded, the notion of disability serves to justify such exclusion.

Understanding the social construction of impairment this way has the advantage of not giving "far too much significance to language and representation" (Tremain 2015, 10). What is socially constructed is not merely the way we fix the extension of the term "impaired" among bodies, but the way we make distinctions among bodies. And making distinctions, of course, is not something merely linguistic, but a social practice and, in the case of concepts like *impairment,* a social practice with enormous significance on the experiences and identities of *real* human persons. Tremain herself states this very clearly when she writes:

> "Concepts, classifications, and descriptions are never "merely" words and representations that precede what they come to represent, but rather are imbricated in (among other things) institutional practices, social policy, intersubjective relations, and medical instruments in ways that structure, that is, *limit*, the field of possible action for humans, including what possible self-perceptions, behavior, and habits are made available to them in any given historical moment." (2015, 19)

Thus, one can be a realist regarding both the impaired bodies as entities and the material facts behind our judgments of impairment, while also recognising that impairment as a concept, that is, as a way of making a distinction among bodies, is socially constructed and, therefore, not something given but something we should be responsible of.

In general, I gather that social-constructivism is a safer bet as an answer to the third question than it is as an answer to the first two. After all, making distinctions is something we **do** and, as such, it is not surprising that many times the reason why we make the distinctions we do has a lot to do with our social interactions. This would explain why people

can go as far as claiming that everything is socially constructed, without saying something absurd. What they mean is that the way we parse the world is always dependent on the social context in which such parsing occurs.

Warning: the following post mentions racial slurs, and even though I am convinced such mentions are not offensive, they might nevertheless be triggering to survivors.

III. BAD WORDS

Social categories associated to discrimination have recently become a fertile ground for (analytic) linguistic philosophical reflection because they are strongly associated with the use of human predicates. If social constructionists are right (as characterised in the previous two chapters), how we use social predicates is part of what the correspondign categories are. Discrimination is something we do with words (but not only something we do with words).

1. Slurs and Races

One of the phenomena that a linguistic theory of slurs must account for is the fact that even though both the following assertions are offensive unacceptable, they seem prima facie to be unacceptable in different senses:

(1) Selena Quintanilla was a spic.

(2) John Wayne was a spic.

This difference manifests in the fact that even though some people (who, presumably, hold certain negative attitudes towards some other people, including Selena Quintanilla but not John Wayne) would find (1) acceptable, no competent speaker would find (2) acceptable. The deep question, of course, is what does "unacceptable" means here and what is the difference between these two cases.

Many philosophers have tried to explain this phenomena in terms of truth. So, we have two broad camps regarding this issue: Elminativist take (1) and (2) to be both false, and try to explain the difference in terms of

something extra non-semantic (perhaps pragmatic, perhaps attitudinal) putting the offensive element of slurs inside their semantic content. I call them "eliminativist" because they think slurs are empty terms; since slurs encode in their semantic content conditions (including negative stereotypes) that are not satisfied by any object, they are empty. Social constructivist accounts take (1) to be true and (2) false, so they try to explain slur's offensive element in terms of something extra non-semantic (perhaps pragmatic, perhaps attitudinal, cf. Langton 2012, McGowan 2012, Saul forthcoming, etc.) putting the difference between (1) and (2) inside the slur's semantic content. I call these accounts "social constructivists", because they take slurs to refer to socially constructed kinds.

The same difference holds for other terms that are not slurs, like "cool":

(3) Fannypacks are uncool.

(4) Being comfortable in one's skin is uncool.

But, more interestingly, the same difference (or, at least, a very similar one) seems to hold also for racial terms that are not slurs. For example,

(5) Selena Quintanilla was hispanic-american.

(6) John Wayne was hispanic-american.

The difference manifests in the fact that even though most people would find (5) acceptable, almost no biologist would find (6) acceptable. The reasons biologist (and some philosophers) reject (6) and (5) is because:

> "Although the phenotypic characteristics, the manifest features that have traditionally been used to divide our species into races, are salient for us, they are superficial, indicating nothing about important differences in psychological traits or genetic conditions that constitute some racial essence." (Kitcher 2007)

The argument goes something like this: Since the use of terms like "hispanic-american" "assumes an inner essence, as in ″blood″, that was necessary and sufficient for membership of the original races, before any

interbreeding" (Papineau 2016), this assumption must be considered part of the conditions defining the extension of the concept in such a way that if the assumption is false (as it seems to be, from a biological point of view) then the extension is empty. In other words, it is an analytic truth that for someone to be hispanic-american, there must be some hispanic-american blood in him or her; since there is no such thing as hispanic-american blood, nobody has it and therefore, none is hispanic-american.

Once again, many philosophers have tried to explain this phenomena in terms of truth, and so we have two broad camps regarding this issue: most realist naturalists advocate elminativist accounts of race and therefore take (5) and (6) to be both false, trying to explain the difference in terms of something extra non-semantic (perhaps pragmatic, perhaps attitudinal) putting the biological essentialist element of race terms inside their semantic content (Appiah 1996, Zack 2002). I call them "eliminativist" because they think racial terms are empty terms; since racial terms encode in their semantic content conditions (including biological essentialism) that are not satisfied by any object, they are empty. Social constructivist accounts take (5) to be true and (6) false, so they try to move the essentialist element out of the semantic content (for example, by taking an externalist stance towards the semantics of racial kinds, like Haslinger 2008), putting the difference between (5) and (6) inside the racial term's semantic content (Omi and Winant 1994, Mills 1997, Haslanger 2000).

Notice that the same holds also for the terms "man" and "woman", as I noticed after reading Nancy Bauer (2015). Some people think that since the use of these terms presupposes false biologically essentialist theses, they are empty, while others think that this presupposition is not part of the term's semantic concept.

A usual analogy is also done with terms like "witch" and thus the debate turns into how better to describe the situation regarding the witch hunts of the past (and unfortunately also of the present): Witches were hunt and burnt (Atwood 1980) or women were accused of and tried for witchcraft?

A similar point can be made about astrology: is it better to say that none is actually an Aries since part of what we commonly mean by "an Aries" is not just someone who was born on certain days, but also someone whose character and-or fate is determined at least in part by his or her being born on those days? Or is it better to say that some people are Aries, but that the widespread belief that Aries have common personality traits or fates determine at least in part by their being Aries is superstitious and ultimately false? Does it make a difference?

In all these cases, there is a rising consensus that the solution must depend on the practical consequences of adopting one view or another. Is it better to just get rid of these terms and start anew with better – more just and more accurate – concepts? Or is it better to keep them around but re-appropriate them for a more just social arrangement? Is there a difference?

A few years ago I spent a month in Istanbul with a sociologist friend of mine who has been actively engaged with the Kurdish situation in her country and one thing she always tried to make clear to me was of the Turkish efforts to erase the Kurdish identity. For years, she told me, the Turkish government had been actively engaged in convincing their citizens that there are no such things as Kurds, i.e., that Kurds are not a different ethnic group from Turks, with a different culture or history, but a group of Turks that, at most, can be distinguished by their peasant roots and their coming from certain region in Turkey. I know this to be true not only because of my friend telling me about this, but because of talking to Turkish people and confirming that this was they way of conceiving of Kurds. The Kurd case, of course, is not exceptional of ethnic minorities, even if it is an extreme case. One of the mechanisms that marginalize ethnic minorities is the erasure of their ethnic identity. This is why ethnic minorities strongly reject the conclusion of elliminativist arguments. In other words, that is why they strongly reject claims that there are no such things as African-Americans or Mexicans, even if they are supported by reasons and developed in the pursuit of social justice

2. How talk of real tacos is like slurring

A. Targets and Extensions

Consider the following three statements:

1. Salma Hayek is a Spic.

2. Salma Hayek is Mexican.

3. John Wayne is a Spic.

Current theories of slurs in philosophy of language aim to explain two phenomena: their offensiveness and their extension, each associated with a contrast among these statements: to explain the slur's offensiveness is to explain the difference between (1) and (2), i.e., why (1) is offensive in a way (2) is not; explaining the slur's extension is to explain the difference between (1) and (3), i.e., why (1) is acceptable to some users (who, presumably, hold some negative attitude towards people like Salma Hayek) in a way that (3) is not.

Even the offensiveness problem is certainly important, I will concentrate on the extensional issue because it is the one that has stronger metaphysical bearings, in particular, with what I have previously called the Quinean question. In general, we have two broad camps regarding this issue: Eliminativist accounts take (1) and (3) to be both false, and try to explain the difference in terms of something extra non-semantic (perhaps pragmatic, perhaps attitudinal) putting the offensive element of slurs inside their semantic content and, consequently, as constitutive of the referred social kind. I call them "eliminativist" because they think slurs (and, as previously stated, similar predicates) are empty terms; since slurs encode in their semantic content conditions (including negative stereotypes) that are not satisfied by any object, they are empty. Social constructivist accounts take (1) to be true and (3) false, so they try to explain slur's offensive element in terms of something extra non-semantic (perhaps pragmatic, perhaps attitudinal, cf. Langton 2012, McGowan 2012, Saul forthcoming, etc.) putting the difference between (1) and (3) inside the slur's semantic content. I call these

accounts "social constructivists", because they usually take slurs to refer to socially constructed kinds as characterised in the first chapter.

In order to describe the phenomenon that both eliminativist and social-constructivist theories of extension aim to explain let me introduce the (presumably theoretically neutral) notion of a slur's "target". Someone (or some thing, event or action) is targeted by a slur if applying the slur to that person results in a statement like (1) instead of a statement like (3).

Thus expressed, the aim of both eliminativist and social constructivist theories is to explain the relation between a slur's target and its extension. Eliminativsts take slurs to have an empty extension (which partially explain why sentences like (1) are unacceptable in a way that sentences like (2) are not) but not empty targets (which partially explain why sentences like (3) are unacceptable in a way that sentences like (1) are not). Social constructivists take a slur's target and extension to be actually the same (which explains why sentences like (3) are unacceptable in a way that sentences like (1) are not) while trying to explain the difference between sentences like (1) and sentences like (2) in non-semantic terms.

Social constructivists, thus, are monists regarding slurs' semantic content, for they find no need to introduce anything like a slur's target; the usual notion of extension is enough. Elliminativists, in contrast, are dualist and as such have the usual disadvantages of dualist theories, i.e., they have to explain why we have two notions here instead of one, and most pressing, why the introduction of the new notion is not just naming the problem instead of actually explaining it.

One way theories of extension can and have tried to demonstrate the distinction's explicative power is by showing its relevance in accounting for other linguistic phenomena (properly different from slurs). This is what I will attempt to do next: I will try to show a substantial link between the difference between a slur's target and its extension and a similar distinction that can be drawn when dealing with what Prasada and Knobe have called dual character concepts like "woman" or "rock and roll".

B. Dual-Concepts

Many predicates, like "chef", "marriage", "taco", etc. accept adjectival modification by being preceded by the word "good". Thus, we can talk of "good music", "good advice", "good times", etc. However, few of them accept modification by both "true" (or "real") and "good". Thus, we can talk both of a "good man" and a "real man", "good rock" and "true rock", "good friends" and "real friends", etc. According to recent work by Joshua Knobe, Sandeep Prasada and George E. Newman, the reason why we use the "real" modifier in these later cases is because these predicates corresponds to what they call "dual-concepts": an abstract and indeterminate notion associated to a bunch of concrete criteria that we use as defeasible guides into its extension. For example, behind the predicate "rock music", there is an abstract notion that involves other abstract notions like rebelliousness, youthfulness, etc., and a series of concrete criteria like screaming vocals, electric guitars, driving beats, etc. The abstract notion defines *true* rock music; even though we expect rock music to have screaming vocals, electric guitars, driving beats, etc. and we expect music with screaming vocals, electric guitars, driving beats, etc. to be rock music, it need not be. There is rock music (both good and true rock music) that has no screaming vocals, electric guitars, driving beats, etc. and there is music with these concrete features that is not rock music.

Knobe, Prasada and Newman (2013) have hypothesised that concepts of this kind re all (at least partially) normative. They hold that for something to be rock music, for example, it must embody certain values. To defend this claim they have shown that (i) people classify some entities as falling under the normal extension of these concepts without being *truly* in their extension. For example, people accept that some rock music is not *truly* rock music. This is their example:

> "The new song 'Born to Rebel' features screaming vocals and electric guitars. However, the song was actually created by a marketing firm that was putting together an advertisement designed for elderly people who are interested in imitating youth culture, and serious music fans al- ways say that it has no real energy or feeling."

Furthermore, they have also shown (ii) people classify some entities **not** falling under the normal extension of these concepts as being *truly* in their extension. For example, people accept that some music one would normally not call rock music is actually *truly* rock music.

They have also shown that natural concepts do not show this behaviour. Nothing is a lion without being truly a lion and vice versa. We might say of something that it seems to be a lion without truly being one, but not that it actually is a lion, but not a true or real one. Similarly, we do not say of something that is not an actual lion that it is truly a lion. Yet, we do say of people who are not actual men that they are truly men (Leslie forthcoming).

Of course, not all predicates that allow for both modifications fit Knobe *et al*'s model. We talk both of "good stories" and "true stories", but what we mean by "true story" is not a story that satisfies some abstract criteria we use to define stories, but instead just a story that narrates events that actually happened. In other words, we would not say of a story that is not a true story because even though there is a sense in which it is clearly a story, ultimately, if you think about what it really means to be a story, you would have to say that it is not truly a story. Thus, it is better to narrow the aim of dual character concepts not to concepts corresponding to predicates that allow for both "true" and "good" modification, but to predicates that allow for "good" and "is truly a" modification. Thus we exclude cases like "story" because even they there are "true stories", we do not talk about stories that "are truly" stories.

However, Knobe et. al. have no explanation for why only concepts that are defined in terms of normative abstract values show this kind of behaviour. After all, it seems *prima facie* that any concept that is defined in abstract and indeterminate terms, yet has determinate concrete objects in their extension *could*, at least in principle, show similar behaviour. As I mentioned earlier, if abstract and indeterminate criteria are hard to detect in determinate concrete objects, it makes sense that our cognitive apparatus use instead determinate and concrete criteria as defeasible guides into its extension. The defeasible nature of this later criteria makes room for cases where it would be helpful to talk of the objects that satisfy the abstract and indeterminate criteria of the concept but not the determinate and concrete ones as **truly** falling under them. There is no reason why the former criteria need

to be *normative*. Yes, normative criteria tend to be abstract and indeterminate, thus making concepts with a normative dimension more likely to show this sort of dual behaviour, but this need not be so. The challenge, thus, would be to find other concepts of an abstract and indeterminate nature. However, Knobe et.al. have not found them, and thus have concluded that all dual concepts are normative in nature.

C. Taco is a dual concept

For our current purposes the relevant issue surrounding these so-called dual character concepts can be presented as part of giving a linguistic account of the behaviour of the adverb "real" in expressions like "real woman", "real rock and roll" or "real taco". Sometimes, "real" is used in contrast with fictitious or unreal entities, so for example, when we say that "Josie and the Pussycats is not a real band, but Elizabeth and the Catapult is" what we say is true because Josie and the Pussycats is a fictitious band, while Elizabeth and the Catapult is an actual band of real people based in Brooklyn, New York, USA. Other times, "real" is used in contrast with apparent as when we say that "increasing oil extraction might seem like a good idea but is not a real solution to our energy crisis". However, there are other cases that seem to fit in neither of these categories. Consider, for example, the sentence "Hard shell tacos are not real tacos." Hard shell tacos are tacos (i.e., they do not just seem to be tacos), they are real entities and yet, some people might reject that they are real tacos. It is for this kind of cases, that some people find a similar distinction like the one between a slur's target and its extension. Compare the three sentences above with the following three sentences:

4. Hard Shell Tacos are tacos, but not real tacos.

5. Hard Shell Tacos are tacos.

6. Tacos de guisado are tacos, but not real tacos.

Generaliziang from Prasada and Knobe's general points, I would say that even though some people (who, presumably, hold certain negative attitudes towards hard shell tacos and/or a positive one towards tacos) would find (4) acceptable, no competent speaker would find (6) acceptable. Thus, a good linguistic account of "real"

ought to explain two aspects of the adverb "real" as it occurs in cases like (4): its evaluative and extensional aspects. The evaluative aspect of "real" manifests in the shared intuition that (4) seems to express a negative attitude towards hard shell tacos absent from (5), which seems more neutral and descriptive. The extensional aspect manifests in (4) being acceptable to some users (who, presumably, hold certain negative attitudes towards hard shell tacos and/or a positive one towards tacos) in a way that (6) is not.

Once again, philosophers that have tried to explain this phenomena can be classified in two broad kinds analogous to the ones we identified in the case of slurs: Elminativist accounts of "real", take (4) and (5) to be both true, and try to explain the difference in terms of something extra non-semantic (perhaps pragmatic, perhaps attitudinal) putting the evaluative element of "real" outside its semantic content. I call them "eliminativist" because they think the denotation of "real" is the null operator: real tacos are just tacos and tacos are just real tacos, and thus the extension of "tacos, but not real tacos" is empty. Social constructivist accounts, take (4) to be true and (6) false, so they incorporate the difference inside the semantic content of "tacos, but not real tacos". For them, not all tacos are real tacos. I call these accounts "social constructivists", because they take "real" to be a non-trivial operator that maps the properties corresponding to dual character concepts to socially constructed kinds.

Again, it seems that driving a distinction between a predicate's target and its extension might help explain the issue under debate. Terms like "tacos, but not real tacos" have an extension and a target. Just like in the case if slurs, eliminativist reject the distinction, while social constructivist endorse a dualist theory where some entities, like hard shell tacos, are in the expressions' target, but not its extension.

If this account of "real" is right, then eliminativists regarding slurs have a defense against the criticism that the distinction they introduce between a slur's target and its extension is *ad-hoc* and thus has no explanatory value. "Authentic" and "true" show similar behaviour.

Terms like "tacos, but not real tacos" have an extension (which may be empty or might include only things like tacos de guisado or tacos mineros) and a target (that includes all sort of tacos, including hard shell

tacos). Just like in the case if slurs, eliminativist reject the distinction, while social constructivist endorse a dualist theory where some entities, like hard shell tacos, are in the expressions' target, but not its extension.

D. Dual Concepts, Targets and the Ontology of Habitable Catgories

Now, we can make explicit the links between my semantic distinction between target and extension, and thus the debate on the Quinean ontological question regarding habitable categories. In the previous section, I have called attention to a straightforward relation between dual-concepts and slurs. If I am right, this means that slurs express concepts that are structured just like dual concepts – they have a purely descriptive dimension and a harder normative core, which usually differ extensionally –, except that while the usual examples Knobe et.al. use for dual-concepts are *positive* (except, as they rightly mention, "pimp"), slurs are negative. Their external descriptive dimension corresponds to what I call their target, while their normative core determines its actual extension. Thus, just as expressions like "real taco", "true woman", "false metal", etc. presuppose the relative acceptance of certain normative values and stances regarding tacos, women and metal respectively, the use of slurs also presuppose the acceptance of normative values and stances regarding their targets. So far, the analogy is total. Thus, it would be correct to say that people who use, for example, the *n* slur possess a dual concept whose external descriptive content identifies a group of people whose bodies are marked as targets for the slur, and a normative core that embodies hateful and negative attitudes towards African Americans.

And just as the distinction at the heart of the notion of dual concepts can shed light on the semantics of slurs, thus my distinction between a slur's target and its extension can be useful to shed light on the structure of dual concepts. Thus, we can speak of an expression like "real tacos" having a target and an extension, where the target is made up of those objects that satisfy the dual concept's external descriptive conditions, and the extension is made up of those objects that embody its core normative values.

The paradox of stereotyping and disapproval

I. The paradox

I am interested in the intersection between two common phenomena that contribute to the marginalisation of whole groups of people (because of their gender, race, class, etc.). Each one of them by itself contributes to this sort of marginalisation, no doubt, but their interaction generates new challenges to the understanding of the phenomenon of marginalisation. The first one is stereotyping and the second one is disapproval. I call "stereotyping" the phenomenon of expecting people belonging to a certain group to exhibit certain traits and not others, like expecting women to behave in feminine ways, men to be masculine, native people to be spiritual and in touch with the earth, good looking people to be dumb and shallow, etc. I call "disapproval" the phenomenon of approving of or otherwise valuing, without justification, certain human traits while disapproving of or devaluating others. When we value rationality over intuition or intelligence over strength, we engage in this sort of devaluation. I will not say much about how each one of them contributes to the marginalisation of groups of people, for I hope that to be clear enough: they restrict human autonomy by pressuring us to behave in a certain socially sanctioned way. [More] "or less subtly hostile, threatening, and punitive norm-enforcement mechanisms [are always] standing at the ready" to punish those who deviate from social expectations". (Manne 2019, 47)

The phenomenon that interests me is how their interaction generates a sort of paradox or double bind, so that marginalised groups *cannot win* and escape the circle of marginalisation. As

Manuel Vargas has argued, "it is not uncommon for subordinated populations to face choices sets where all the options are stigmatized" (manuscript), however I have found no previous literature identifying *this particular* mechanism double binding marginalised groups. The paradox occurs when the traits expected from a particular human group in a context are also the ones devaluated in that same context. For example, when we expect Latin people to be passionate, but disapprove of behaviour ruled by passion instead of reason; or when we expect women to be domestic while devaluating domesticity, etc. I hope it is fairly straightforward to see how expecting from a group of people traits that are devaluated contributes to the marginalisation of that group.

Now, the paradox I am interested in occurs because there seems to be a natural or constitutive link between expectations and evaluations: expectations generate value and value generate expectations. If we approve of a certain trait, we will expect people to behave that way and, vice versa, if we expect people to behave a certain way, we approve and thus value when they actually behave that way. This is so because we approve of people behaving the way they are expected to behave and we expect people to behave the way we approve of. This seems to be tautologous.

Now it is easy to see how this generates a paradox where we expect people of certain groups to behave a certain way (the way that fits the corresponding stereotype) but also to **not** behave that way (because we disapprove of it). This means that, if you belong to any one of this groups, you cannot escape disapproval: if your behaviour fits the stereotype, your behaviour is devaluated by disapproval because the traits that conform the stereotype are devaluated in your context, but if your behaviour challenges the stereotype, then it is devaluated precisely for not conforming to social expectations.

This paradox is specially insidious in so far as it also generates a double negative bind within efforts to challenge marginalisation: for common efforts to challenge stereotypes strengthen disapproval and common efforts to challenge disapproval strengthen stereotypes. How do we commonly challenge stereotypes? By celebrating and promoting people who exhibit traits and behaviours outside their stereotypes, like when we celebrate strong women, successful minorities, caring men, family oriented gays, etc. In other words, we value in people of marginalised groups traits that do not fit the stereotypes associated to those groups. However, since these traits that do not fit the stereotypes are also the ones also traditionally valued, we in fact contribute to the devaluation of the traits in the stereotype; in other words, we engage and reinforce what I have here called "disapproval". By challenging stereotypes, we reinforce the disapproval of the traits and behaviours expected from minorities and other marginalised groups.

On the other hand, how do we challenge this disapproval? By celebrating and promoting people who exhibit traits and behaviours unjustifiably disapproved of by society, like when we celebrate sexual perversions, street-smarts, sensibility, effusive displays of emotion, etc. However, when we celebrate this traits in people for whom those traits are part of their corresponding stereotypes, we are *de facto* reinforcing those stereotypes. And therein lies the paradox: if we celebrate people whose behaviour fits the stereotype we reinforce the stereotype and when we celebrate people whose behaviour does not fit the stereotype, we reinforce the devaluation of the traits associated with that very people. When we celebrate, for example, feminine traits in women, we challenge the disapproval of feminine traits, but reinforce the stereotype that women ought to be feminine; on the other hand, if we celebrate women who are not feminine and thus challenge the

stereotype, we reinforce the disapproval of feminine traits. If we celebrate the value that the hard manual labor performed by immigrants adds to our society, we reinforce the stereotype of immigrant as hardworking manual labourers; but if we celebrate immigrants who do not engage in hard working manual labor, we reinforce the devaluation of hard manual labor. Either way, marginalised groups cannot escape the circle of marginalisation.

II. What to do?

In the previous section, I argued that when we expect people of certain groups to behave a certain way (the way that fits our stereotype of the group they belong to) but also to **not** behave that way (because we disapprove of such behaviour), we condemn people from these groups to unavoidable disapproval: if their behaviour fits the stereotype, their behaviour is devaluated by disapproval because the traits that conform the stereotype are devaluated, but if their behaviour challenges the stereotype, then it is also disapproved of precisely for not conforming to social expectations.

One might respond to my diagnosis by arguing one of two things. First, that the paradox emerges from an equivocation in the term "expectation". Second, that there is a symmetry at the heart of the paradox that would allow us to derive the opposite conclusion: that there is a positive double bind such that whatever people from these marginalised groups do we cannot but get social approval for our actions. I will address each one of them in turn.

First, one might argue that the kind of expectation at play in stereotypes is very different from the kind of expectation we talk about when we say that values engender expectations (i.e., that approving of a certain behaviour *P* from an agent a implies expecting such agent to behave as to *P*):

the one is descriptive (or predictive, if you will), while the other is prescriptive. And while it is is true that expectations, in general, have no normative value, recent work by Knobe, Prasada and Newman (2013) reveals that, when dealing with social concepts, our expectations *do* have a strong normative dimension and, as S.J. Leslie has already noticed, this has direct consequences on the marginalisation of social groups. Thus, what we expect from women, men, etc. is not only descriptive of our very concept of men, women, etc. but has also a normative dimension about what makes someone a "real" woman, a "real", man, etc.

The second issue is harder to deal with, for it is true that the paradox could be run "in reverse": when we expect people of certain groups to behave a certain way (the way that fits the corresponding stereotype) but also to **not** behave that way (because we disapprove of it) this could mean **both** that if you belong to any one of this groups, you cannot escape disapproval **and** that if you belong to any one of this groups, you cannot escape approval: if your behaviour fits the stereotype, your behaviour is approved precisely for conforming to social expectations, but if your behaviour challenges the stereotype, then it is approved of because the traits that conform the stereotype are devaluated in your context. So it should be a win-win situation for members of these groups. Yet, we know *de facto* that this is not so, so there must be a flaw in the previous reasoning. However, even though I have thought deeply about this I cannot find a way out that is not ad-hoc (for example, byarguing that disapproval tendencies are stronger than approval ones).

III. First example: Feminism and Femininity

I hate to hear you talk about all women
as if they were fine ladies instead of rational creatures.
None of us want to be in calm waters all our lives.
Jane Austen, *Persuasion*

…even among those artists identified as feminists, there was no consensus as to what feminist liberation in art was supposed to look like, or what art that sought to achieve women's liberation needed to do.
Coco Fusco, 2019

A few years ago, Tasmanian artist Sonia Singh started recycling plastic dolls into what she called "Tree Change Dolls". In 2015, they became a sensation on news and social media with coverage on media from different parts of the world. Repurposing and customising fashion dolls has been a very

before

after

extended practice and common hobby for years. However, Singh's dolls touched a nerve because of her choice, both of source material and end result. For her Tree Change Dolls, Singh favours Bratz dolls, a brand of fashion dolls very popular in the early 2000s, notorious for their heavy made up faces with big pouty lips and non-conservative outfits.[6] She erases her features, draws new faces on them, with no make up and smaller lips [See figure 1] and dresses them in plain clothes: knit sweaters and loose pants. According to Singh, she tries to give them a "more down-to-earth, natural looking style".[7] Most news coverage of the dolls presents them as a welcome reaction to what many perceive as the over-sexualization of childhood. In the words of Didem Şalgam:[8]

> "…Sonia Singh who changes Bratz dolls in a way that they look like **more real** kids. … She removes seductive and coquettish make-up on the faces of those dolls and repaints a new and realistic faces. She also puts on non-sexualized clothes which are sewed or knit by her mother. As can be seen in the picture below, **the after dolls seem much more "natural"**, "innocent", and non-sexualized, while the before one is hypersexaulised, too fancy and coquettish."

However, Didem Şalgam notices that this situation places women in a loose-loose situation. She continues:

> "I understand people's discomfort with Bratz dolls. Like most fashion-type dolls, Barbie being the most (in)famous of these, they present beauty ideals that are mostly unattainable: impossibly large eyes, perfect makeup, thin bodies. … And certainly **compulsory femininity**

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6. Another distinctive features are their big heads, small torsos, extremely long legs and big feet. Sonia Singh also gives them new, more realistically proportional sized feet.

7. From the Vice Land documentary "Tree Change Dolls", retrieved on January 1st, 2017 at https://www.youtube.com/watch?v=lG-7e1vaB18.

8. Didem Şalgam: (2015), "The Roles of Toys in Gender and Sexual Identity Construction in Early Childhood", *International Play and Toy Congress Proceedings*, Publisher: Ataturk University, pp.434-441.

> **can be harmful, particularly** (**though not only**) **to gender non-conforming kids. But even conceding all these points**, I am left with a gnawing concern about the ways society at large, and mainstream feminism by extension, consistently devalues femininity …"

In other words, if we celebrate Bratz dolls, we collaborate with the oppression of women by strengthening the prevailing stereotype and feminine ideal for women, but if we oppose them, if we literally erase these feminine features from their faces and bodies — as happens in the Tree Change Dolls case — we perform also a rejection of actual features of the actual faces and bodies of actual women who perform gender the feminine way.[9]

Feminity thus becomes a double-edged sword in the feminist struggle. On the one hand, as Whitney Chadwick has insisted, the few artists that have been celebrated within the canon of Western Art have been those who have embodied masculine ideals of art-making, "categories defined by traditional notions of male genius" (Chadwick 1996, 10), becoming 'exceptions' that

breezyhuizy:

> I feel that 'transphobic' isn't fair. But Beyoncé is definitely sticking to what's she's been doing for a long time: lipstick-divine-femininity feminism. It absolutely erases trans bodies and queer bodies bc she's limiting gender definitions to specific performances and she's narrowing the space by which gender can be defined.

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segregated and low-income neighborhoods across the United States. Bratz dolls "have four characters, one of which is white, and all of whom wear the same "trashy" style. And it makes me uncomfortable to see mainstream feminism praise the removal of characteristically Black and Latinx style markers from these mostly brown dolls and call them then more beautiful..." In this respect, The Change Dolls are another example of the "endless pop culture and political debates that are easier to talk about if we remember that people have multiple, intersecting identities that color their experiences and our reactions to them." (Jenée Desmond-Harris, "Washington, you need to understand intersectional feminism: It's much bigger than 'check your privilege'." Voxmedia.com. Jan 21, 2017, retrieved on february 14th, 2017) In particular, it ignores that some people are both women and urban and American and Latinas, for example, an as such their relation to Bratz dolls is substantially different from a white Tasmanian woman such as Sonia Singh.

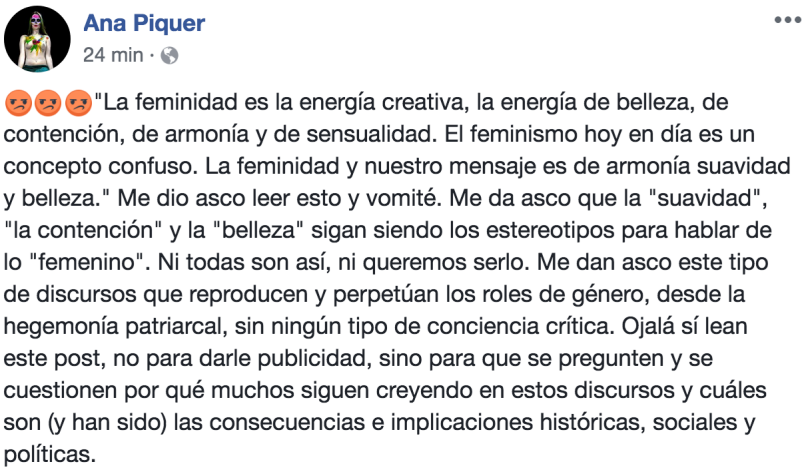
reinforce the very hermeneutic practices that exclude women from the art canon. It is also not rare for artists who celebrate traditionally feminine images and traits (both in nature and culture) in order to challenge the devaluation of such images and traits to be accused of reinforcing a feminine stereotype that has been traditionally oppressive to women. On February 2017, for example, American singer Beyoncé Knowles performed live during an important American awards show, noticeably pregnant, a medley of recent songs of hers that, in the words of Olivia Blair, "honed in on the themes of motherhood, family and feminism",[10] while dressed in a golden suit that evoked traditional images of feminine goddesses.

It was clear for many interpreters of her performance that hers was a celebration of feminity with a feminist intension. Nevertheless, her performance was also criticized, from within feminism

10. Olivia Blair: "Grammys 2017: Watch Beyoncé's showstopping performance in full: The night belonged to one woman", *The Independent,* online edition,Tuesday 14 February 2017. Retrieved on Tuesday 14 February 2017 at http://www.independent.co.uk/arts-entertainment/music/grammy-awards-2017-beyonce-lemonade-video-full-performance-a7577121.html

itself, precisely because of her celebration of traditional images of feminity. An anonymous comment on a social network that circulated widely afterwards serves as a good example of such a reaction. It claimed that her performance "absolutely erases trans bodies and queer bodies bc she's limiting gender definitions to specific performances and she's narrowing the space by which gender can be defined."[11]

As another example, in April 2018, Tatiana Camacho presented a series of fashion photographs, in collaboration with fashion designer Christy Dawn, and actress Diana García, titled "femininity". In an interview with fashion magazine, *L'Officiel*, she claimed that her aim was to



celebrate femininity as the distinctive creative energy of women.

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11. Originally at http://breezyhuizy.tumblr.com/post/157192910954/i-feel-like-noones-gonna-say-it-cause-its-beyonce. Currently deleted. The argument is further developed in a following post on the same social: "It's not that she's saying that's the ONLY way to be a woman, but I think a lot of mainstream spaces only celebrate womanhood in one specific way, or a narrow way that isn't inclusive to trans people. [Her] performance of Divine Womanhood is reaffirming a widely held idea about what being a woman means. So yes, her story matters; I would just like to see more trans and non-feminine definitions of womanhood." Originally at http://breezyhuizy.tumblr.com/post/157197106144/i-dont-understand-how-beyonce-celebrating-her-own. Currently deleted.

> "... we are not really the same. Femininity is the creative energy, the energy of beauty, of containment, harmony and sensuality. Femininity and our message is of harmony, softness and beauty. We seek to communicate acceptance and to embrace ourselves as women, to highlight the qualities of feminine energy.." Tatiana Camacho interviewed by Pamela Ocampo, "Feminidad", *L'Officiel México*, April 30, 2018. https://www.lofficielmexico.com/moda/feminidad[12]

Once again, criticisms from within feminism itself were fast to surface. Mexican philosopher Ana Piquer, for example, posted on her facebook page a message expressing her "disgust" at how "*softness*, *containment*, and *beauty* remain the stereotypical traits for talking about *femeninity"* and about how this sort of discourse "reproduce and perpetuate [traditional] gender roles, from within patricarchial hegemony, with no critical consciousness." [My translation]

All of these examples are structurally analogous and serve as clear examples of the paradox I have presented here. In both of them, we see two ways of trying to challenge the way stereotypes contribute to the marginalisation of a group of people pitted against each other. Those who choose to celebrate the stereotypical features of the group in question are criticised for strengthening the stereotype, while those who choose to challenge the stereotype are criticised for their contributing to the already widespread disapproval of features associated with the group in question. The paradox lies in that both camps are well intentioned and challenge an actually important factor in the disenfranchisement of the relevant group, while at the same time the charges brought against their actions are also both well intentioned and justified. In this case, the group is women and the

12. "...en realidad no somos lo mismo. La feminidad es la energía creativa, la energía de belleza, de contención, de armonía y de sensualidad.. La feminidad y nuestro mensaje es de armonía suavidad y belleza. Buscamos comunicar la aceptación y de abrazarnos como mujeres, de resaltar las cualidades de la energía femenina."

stereotype is femininity, but the same pattern repeats itself for other disempowered groups. Writing about male gayness, Jeffry J. Iovannone wrote:

> "It is understandable, to a certain extent, that gay men would seek to challenge the stereotype that they are feminine or "sissies" by masculinizing their bodies through diet and exercise. This challenge, however, ultimately has toxic effects by reinforcing gender norms as opposed to subverting them…While adhering to masculine norms may temporarily mitigate the effects of oppression, conformity does little to dismantle the systems which cause it." (Iovannone 2018)

IV. Second Example: Eugenio Derbez and Mexican Stereotypes in the Mainstream Cinema of the United States of America

Hago filmes que dignifiquen a latinos.
I make films that dignify Latinos.
Eugenio Derbez

In order to illustrate how this paradox is not privative to gender, consider the case of Mexican actor, writer and producer Eugenio Derbez. After a long successful career as a comedian in Mexico, he moved to Hollywood at 51 and eventually became successful enough to develop his own productions. He used his privileged position in Hollywood to try to change how Mexicans are portrayed in mainstream American cinema. In a 2018 interview, he stated, "Whenever you see a Latino in Hollywood, he is a drug dealer, a criminal, a gang member or, at best, a gardener. I wanted to change that image"[13]. A chance to put such intentions into action came in 2018 when he developed a re-make of Garry Marshall's 1987 comedy *Overboard*. The lighthearted class-war

[13]. "Siempre que ves un latino en Hollywood es un narcotraficante, un criminal, un pandillero o, en el mejor de los casos, un jardinero. Yo quería cambiar la imagen". https://cnnespanol.cnn.com/2018/05/09/hombre-al-agua-de-eugenio-derbez-triunfa-en-ee-uu-y-se-situa-segunda-en-taquilla-solo-por-detras-de-avengers-infinity-war/ Retrieved in 2019

romantic comedy tells the tale of a downtrodden working class woman who convinces her spoiled, wealthy boss that he is her working-class husband, after he loses his memory in a boating accident. For the remake, Derbez thought it would be a good idea to challenge stereotypes by having the spoiled rich man be a brown Mexican played by Derbez himself and for the poor, abused working class cleaning woman to be white and American played by Anna Faris. In other interviews, he stated:

> When MGM approached me to talk about the movie, they were thinking of me to play the carpenter, Kurt Russell's character. Flipping the roles was the smart thing to do because you're breaking stereotypes… (Derbez, quoted in Radish 2018)
>
> That change was very good, because we broke stereotypes, since the logical thing would have been for the Latino to be the carpenter and for the millionaire to be a gringa…[14] We wanted to show a different type of Mexican, because in Hollywood, we are always the poor, the *jodidos* [those screwed over by poverty], and the idea here was to present both the universe of someone like [Mexican Billionaire] Carlos Slim and that of construction workers…"[15] (Derbez, quoted in Burstein 2018. My translation)

Derbez's idea was to challenge the stereotypes non-Mexican Americans have of Mexicans as working class and instead present "the universe of" rich Mexicans and thus challenge such stereotype. Unfortunately, there was backlash from people who thought that by placing a rich Mexican as protagonist, Derbez was ignoring the reality of those Mexicans who suffer the most from

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14. "Gringa" is a Mexican slur targeting Americans, very socially accepted in Mexico.

15. "Ese cambio fue muy bueno, porque rompimos con los estereotipos, ya que lo lógico hubiera sido que el latino fuera el carpintero y la gringa la millonaria... Quisimos mostrar a un tipo distinto de mexicano, porque en Hollywood, siempre somos los pobres, los jod..., y la idea por aquí es que apareciera tanto el universo de alguien como Carlos Slim como el de los trabajadores de construcción que son representados por Adrián Uribe, Jesús Ochoa y Omar Chaparro"

discrimination in the United States, i.e., immigrant workers. The few that appear in the film, argued Flores (2018), serve “como mero adorno” [as mere ornament]. In consequence

> Eugenio Derbez is not committed to the culture that has inspired him, which has given him "fame" and which he still exploits. (Flores 2018)[16]

Once again, we see the same paradox here. Challenging the stereotype of Mexicans as working class results in the unintended reinforcement of the very class system that oppresses the target of such stereotypes, i.e., Mexicans in the United States of America. Once again, one faces a loose loose situation in which both options to challenge the stereotype or to re-valuate the features included in the stereotype reinforce the very apparatus of oppression in which heart the stereotype lays.

16. ″Eugenio Derbez no está comprometido con la cultura que lo ha inspirado, que lo ha llevado a la ″fama″ y de la que se sirve todavía”

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