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Social Constructs: How are they built and what would it take to change them?

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Abstract

Social construction theories usually make two related claims. One is that some existing objects, facts, or properties are socially constructed in that they depend on people; another is that as a result matters (these kinds, facts, or properties) could have stood otherwise. This paper aims to clarify the metaphysical underpinnings of both claims by utilising metaphysical tools with which we, rather than treating social reality as something separate, can include social construction into a systematised analysis of the ontology and structure of reality. First, it argues that the subject of construction is worldly stuff. Therefore, what we take to be constructed are social facts. Second, there are two levels to building a socially constructed fact that depends on people for its existence and nature. One part concerns the grounds for such facts; the other explains how the grounding conditions are established via social practices. To capture this, the notion of a *carving* is introduced. A carving is a social structure imposed by our practices and produces the socially constructed fact. What it means to be socially constructed thus means to be carved out by social practices. People play a role in setting up the grounding conditions for a socially constructed fact. Third, a standard way of understanding possibilities concerns the first building relation, it is about the grounded and its grounds obtaining or not. However, for social construction, how things depend on people and how we thus should model possibilities concerns the second kind of ontological building relation. Had the relevant social practices been different, and the carving been different, then a socially constructed fact and its grounding conditions would have been different. Understanding such underpinnings is useful for a variety of theorists, including social scientists and conceptual engineers, who are interested in social ontology, dependence relations, and what it would take for social constructs to change.

Keywords Social Construction • Grounding • Carving • Building Relations

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I. Introduction

There are many socio-political disputes that are about whether a particular feature in the world is due to or independent of people. Often, these concerns include things like 'gender', 'race', 'identity', and 'personhood'. A prime philosophical example of this is a recent book, *Material Girls: Why Reality Matters for Feminism*, by Kathleen Stock which argues against the social construction of sex. Previously labelled a 'radical' feminist herself, Stock claims that it is Judith Butler's work has given rise to a radical ideas such as: 'the categories of male and female are nothing but social meaning', and 'if cultures and societies had ascribed social meanings differently, we could have had a different configuration of sexes, or even no sexes.'[1] It is 'radical' because it ignores the obvious stable bodily materiality, which cannot be changed. These sorts of disputes are not just petty verbal disputes or abstract academic discussions; they inform legislation; they affect people's lives. The effects can be seen in interactions between people, the use of public spaces, or the introduction or change of laws. At the heart of such disputes lie philosophical debates about whether the world has an objective structure, independent of people. Many philosophers have problematised the notion of a mind-independent reality, in a variety of views on the matter with a variety of motivations behind them. Generally, they aim to show that the way the world is could be different.

These philosophical debates, as the one above, are about *social construction*, the idea that certain parts of reality are dependent on people for their existence and nature. These debates are about social ontology and metaphysics. 'Construction' theories mainly feature in social ontology, concerned with the properties and nature of the social world, and in feminist metaphysics, which is concerned with the way in which our metaphysics is value-laden. Such theories question what there is, how it is situated within reality, and what makes it the way it is. The 'social' aspect of it aims to show how these particular parts of reality are dependent on people. In other words, as Goswick defines social construction: 'some existing [features] are constructed by us in that they depend substantively on us.'[2] It is unclear, however, what exactly this entails.

The metaphysical underpinnings of social constructionist claims are often very obscure. Which entities? How are they constructed? In what way do they exactly depend on people? On the one hand, there is a lack of consensus because social construction occurs in many different fields, with many different subject matters. Construction can thus mean different things depending on what is constructed. On the other hand, some philosophers have tried to turn their back on current metaphysical frameworks because they are perceived as hostile to feminist endeavours. Barnes, for example, argues that the analytic metaphysical framework makes feminist insights invisible because of its 'focus on fundamentality.'[3] I will argue that metaphysics is not just concerned with the fundamental; it goes beyond that. Both feminist insights and our current metaphysical tools can be of use to one another. The better we understand the structure of social reality, the better we will hopefully be at improving it.

The aim of this paper is to make the metaphysical underpinnings of social construction explicit. It does so by answering two questions: (a) what sort of things are dependent on people? (b) What does that dependence look like? In order to answer these questions, I will treat social construction

[1] Kathleen Stock, *Material Girls: Why Reality Matters for Feminism* (London: Fleet, 2021), 21.
[2] Dana Goswick, "Constructivism in Metaphysics," Internet Encyclopedia of Philosophy, accessed April 16, 2024, https://iep.utm.edu/constructivism-in-metaphysics/.
[3] Elizabeth Barnes, "Going beyond the Fundamental: Feminism in Contemporary Metaphysics," Proceedings of the Aristotelian Society 114 (2014): 335-351.

as part of current analytical metaphysics. I believe the tools at our disposal to be very profitable for social construction. In this paper, my claim will be that social construction involves conventional social practices establishing structures that impose what grounds what.

To answer the above mention questions, this paper is structured as follows: Chapter II gives an overview of the sort of things that have been claimed to be socially constructed and specific analyses of how a certain feature is constructed. This will provide some puzzle pieces that different philosophers have been working on. One way to think about a social construct is to analyse what constitutes it, and what its building blocks are. Another way is to analyse how certain social practices establish a social construct, and how it is built. Chapter III starts by showing that social construction is about worldly stuff. It is about genders, refugees, families, borders, and money. A useful way to talk about such things is to talk about facts. We thus shift our focus to social facts and how these are dependent on people. Some philosophers have recently argued that dependence in social construction should be understood in terms of *grounding*.[4] This is a non-causal metaphysical reason relation that can explain why some fact obtains or has the nature it does. I will argue that 'dependent on people' in some cases indeed means that it is grounded in facts about people. The building blocks are social. However, this is not always the case. In analysing different types of social facts we will see in Chapter IV that there are three kinds of social facts, and not all of them are constructed. The first are the kinds of social facts for which the building blocks are social facts. The second are the kinds of social facts where the building blocks are social facts and the fact in question is a constructed fact. Finally, we have social facts where the building blocks are not social facts, but such facts are nonetheless constructed social facts. What makes the latter two a social construct is not so much its building blocks, but that they have been established by social practices, practices that stipulate what grounds what. To explain this, I will introduce Iris Einheuser's notion of *carving* and adapt it for social construction, where *carving* is understood as a socially established function that takes some facts about the world and produces constructed facts. In Chapter V I will explain what the overall structure of social construction thus looks like when applied to an example. For this, I will use Butler's account of gender and sex. Lastly, the way to thus understand social construction claims is that had our practices been different, had we had different carvings, the social construct would have been different. We could have carved out different facts with different grounding conditions. In Chapter VI, I offer some concluding remarks.

II. Social Constructs

The aim of this chapter is to first briefly give an indication of all the different areas in which construction accounts occur:[5] what sort of things are claimed to, or are good candidates for, owing their existence in some form to people. The term 'social construction' is often mistakenly thought only to include social categories. Yet the main point of construction is rather to show that how a

[4] For discussions on social construction as grounding see: Brian Epstein, *The Ant Trap: Rebuilding the Foundations of the Social Sciences* (New York: Oxford University Press, 2015); Mari Mikkola, "Doing Ontology and Doing Justice: What Feminist Philosophy Can Teach Us About Meta-Metaphysics," *Inquiry* 58, no. 7-8 (2015): 780-805; Jonathan Schaffer, "Social Construction as Grounding; Or: Fundamentality for Feminists, a Reply to Barnes and Mikkola," *Philosophical Studies* 174, no. 10 (2017): 2449-2465.

[5] Admittedly, this has more to do with the limited time and space for this project than a willingness to do so. A more extensive survey of social categories can be found in: "Social Ontology," Stanford Encyclopedia of Philosophy, accessed April 16, 2024, https://plato.stanford.edu/entries/social-ontology/#RaceGendDisa.

category is set up, or what its constituents are, are of a social nature and in some way influenced by people. They could indeed involve obviously social objects like money, but they could also involve abstract objects like numbers. Second, I will discuss how different accounts understand the 'dependent on people' part. In claiming that something is constructed we also need to explain how it is constructed or what that dependence relation exactly comes down to. Karen Bennett, in *Making Things Up*, argues that for us metaphysicians 'certain kind of talk is ubiquitous in our field'.[6] From one perspective we talk of 'giving rise to' or 'generating', and from another of being 'based in', ' in virtue of', or 'constructed from.' In discussions on such notions, we use an array of relations such as constitution, grounding, realisation, etc. These types of relations Bennett calls 'building relations', of the form *a builds b*.[7] Analysing ontological 'building relations' that attempt to account for metaphysical and logical underpinnings is the right way to think about social construction. Social construction claims are about social ontology and the structure of social reality. As such, I will adopt 'building' talk. We want to understand how social reality is built up. Which things are built, what are they built out of, and how are they built?

In considering different accounts of social construction we can start thinking about an overall structure of what it means to be constructed in the next chapters. For example, both Haslanger and Asta understand construction in terms of social constitution. While for the former what constitutes gender are the social roles of a person, for the latter it is perceived properties about a person. In this paper, I am not looking to defend any particular account, but rather to find the general structure of socially constructed facts. As such, that construction is partially understood as social constitution is more important than what exactly constitutes gender.

II.1 What sort of things depend on people?

As mentioned above, there are many varying accounts within different branches of philosophy which make claims about some feature x in the world being 'dependent on people', 'socially constructed' or x's being 'conventional'. This is not only a philosophical endeavour but can be found throughout the humanities. Unfortunately, there is no canonical view of these accounts within analytical metaphysics, which has in part been made difficult by philosophers using different kinds of terminology. Nonetheless, there are some clear common themes to be found from early modern theories up to the more contemporary ones. In *A Treatise of Human Nature*, Hume argues that certain properties, such as 'being just', are the product of human convention rather than based in some natural divine commandment.[8] Hume takes some virtues to be constructed, in that a society cooperatively makes rules about them. In *Capital*, Marx argues that certain categories, amongst other things law and politics, that might seem 'natural' in a class-divided society are of social origin.[9] They are produced by socio-economic structures, the socio-economic relations between people, rather than being based in what is necessary or natural. In *On the Genealogy of Morals*, Nietzsche attacks Christian morality by arguing that moral categories that are claimed to stem from human nature, something unconstructed, are in fact intentionally implemented to gain power when we look at their history.[10] In the *Dialektik der Aufklärung*, Horkheimer and Adorno aim to lay bare how we will remain stuck in our societal structures if we fail to recognise that some

[6] Karen Bennett, Making Things Up (New York: Oxford University Press, 2017), 1.
[7] Bennett, Making Things Up, 1. The relations can be one-one, or many-one.
[8] David Hume, *A Treatise of Human Nature* (London: John Noon, 1740).
[9] Karl Marx, *Das Kapital: Kritik der Politischen Ökonomie (Capital)* (Hamburg: Verlag von Otto Meisner, 1867).
[10] Friedrich Nietzsche, *On the Genealogy of Morals*, trans. Walter Kaufmann and R.J. Hollingdale, in *On the Genealogy of Morals and Ecce Homo* (New York: Random House, 1967).

categories that seem natural are in fact socially constructed.[11] In *The Second Sex*, De Beauvoir states the now famous slogan 'One is not born, but rather becomes, a woman'. This aims to capture the claim that one's being a woman is not in virtue of one's body but of one's social role, in social practice. In *Resisting Reality* and many other works, Sally Haslanger argues that 'race' is a constructed social kind with no biological or natural essence.[12] In *Kantian Constructivism in Moral Theory*, Rawls argues that moral facts are not something we discover but are determined by a procedure that fixes those facts.[13] The procedure makes use of principles that are constituted by a constructed social point of view that all can reasonably accept.

While it might seem as if construction accounts can only be found in socio-political domains, this is not the case at all. In *Social Construction, mathematics, and the collective imposition of function onto reality*, Julian Cole questions the nature of mathematical reality and its objects. Here Cole follows Searle's theory of social construction of objects and argues that mathematical entities are constructed by social practice.[14,15] In *Realism and Human Kinds*, Thomasson argues that while humans set the application conditions for kinds we also play a role, unlike for natural kinds, in whether those conditions are met for kinds such as (abstract) institutional and artefactual kinds. The difference is mainly that in the case of natural kinds, while we attempt to conceptualise a target phenomenon, the world does all the work in what that phenomenon is. For social kinds, we also play a role in what that phenomenon is. These include, for example, law, driver's licenses, and screwdrivers. Finally, in *Some Remarks on 'Language-Created Entities'*, Iris Einheuser defends the claim that certain abstract entities owe their existence to our linguistic practices.

The domains in which construction can be found are thus broad and diverse. It includes a range of social categories, ethical and metaethical properties, physical and abstract objects, mathematical entities, and linguistic objects. What the above accounts have in common, of course, is that some feature x in the world is constructed. The aim of such theories is often to give a different or opposing theory of the nature of feature x. To show that, unlike what we thought we knew, some x is not natural or fundamental but that people somehow have had a say in what it is like, and thus x could be different. To say that x is conventional or x is constructed is to say, as Hacking puts it:

> '*X* need not have existed, or need not be at all as it is. *X*, or *X* as it is at present, is not determined by the nature of things; it is not inevitable.'[16]

To illustrate, take a not-so-controversial case of our practices, rules, and laws, concerning how we drive cars. That we for example drive on the right-hand side could have been different. We could have chosen to drive on the left-hand side. People have a say in what those practices, rules, and laws, look like. For construction cases, feature x could have been different in that it is contingent upon human practice, conventions, collective attitudes, or agreement.[17] While I am unsure that all the above mentioned cases are indeed instances of social construction, we can learn a great deal from the way in which they argue their case. To figure out whether or not something is socially constructed we need a model that tells us what it exactly means to be constructed. We need the metaphysical underpinnings.

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[11] Theodor Adorno and Max Horkheimer, *Dialectic of Enlightenment* (New York: Social Studies Association, Inc., 1944).
[12] Sally Anne Haslanger, *Resisting Reality: Social Construction and Social Critique* (Oxford: Oxford University Press, 2012)..
[13] John Rawls, "Kantian Constructivism in Moral Theory," *Journal of Philosophy* 77 (1980): 515-572.
[14] Not to be confused with 'constructive mathematics', an entirely different branch, which understands 'exists' as 'we can prove.'
[15] John Searle, *The Construction of Social Reality* (New York: Free Press, 1995).
[16] Ian Hacking, *The Social Construction of What?* (Cambridge: Harvard University Press, 1999)
[17] Ron Mallon, "A Field Guide to Social Construction," Philosophy Compass 2, no. 1 (2007): 93-108.

We have looked at an array of views in different domains. The kinds of things that depend on people, what sort of things are 'built,' could indeed be objects, facts, properties, etc. That aside, the real work starts when one has to explain why or how such things are constructed. In the next section, we will see what some of the arguments are behind these claims.

II.2 How are people involved?

What does it mean that 'some existing entities are constructed by us in that they depend substantively on us'?[18] How do people contribute to some features being constructed? In what way do they depend on people? In this section, I discuss how different views have accounted for people's involvement in social constructs. I believe there to be two ways in which constructionist accounts mean that something is 'dependent on people'. First, we have accounts that aim to figure out how people constitute a constructed property or object. Second, we have accounts that aim to figure out how people contribute to what constitutes a certain constructed property or object. Finally, in some cases, people contribute to how a social construct is constituted as well as what constitutes it. My claim will be that while both are social constructs, different constructs are dependent on people in different ways.

II.2.1 Social constitution

Sally Haslanger has been doing philosophical work on social construction for a very long time. The collection of papers on the subject can generally be grouped into two projects, the 'debunking project' and the 'ameliorative project.' The former is about showing that we are mistaken in which property we think we are tracking. The latter is concerned with changing our conceptions in such a way as to decrease social injustice. In her works, she has mainly ~~been~~ focussed on gender and race. For example, the debunking project aims to show that properties like *being a woman* or *being black* are not (just) based in biological properties but rather social properties. Her work on social construction provides an account of *social constitution*, according to which the conditions that must be met in order to have a certain race or gender are constituted by social properties rather than, or in addition to, physical or biological ones.

Notably, the difference between women and men is traditionally 'taken to be based in some way in the "natural"'.[19] It is usually taken to be based in differences between females and males. However, these biological differences, on her account, are not what constitutes *being a woman* and *being a man*. Here is her definition of what constitutes *being a woman*:

> 'person S is a woman iff person S is systematically subordinated along some dimensions (economic, political, legal, social, etc.) and S is "marked" as a target for this treatment by observed or imagined bodily features presumed to be evidence of a female's biological role in reproduction.'[20]

We might think we are tracking biological differences, but instead, or in addition, we are tracking social differences. As I understand this, the building blocks of gender are not (just) biological but social properties. This is linked to her 'ameliorative project.' If this is what it means to be a woman, and such roles are unjust, we can change that by changing the building blocks obtaining. If we can somehow intervene in people having such subordinated roles, *women* will cease to exist. Not in a

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[18] Goswick, "Constructivism in Metaphysics."

[19] Sally Anne Haslanger, "Social Construction: Myth and Reality," in *Resisting Reality: Social Construction and Social Critique* (New York: Oxford University Press, 2012), 196.

[20] Sally Anne Haslanger, "Gender and Race: (What) Are They? (What) Do We Want Them to Be?" *Noûs* 34, no. 1 (2000): 39.

scary way in which those people will cease to exist, but people will no longer have the property of *being a woman*.

Many social constructionist theories have taken on Haslanger's debunking project. One of them is Ásta's account of gender as a *conferred property*. For example *being a woman* is conferred onto a person S when S is perceived to have certain other properties, the set of which is context-dependent. *Being a woman* is not a property that person S has; it is a property others confer upon person S. Let's use baseball as an example to explore the concept of conferred and non-conferred properties.[21] A pitch's trajectory from the pitcher to the catcher is a non-conferred, physical property. However, whether that pitch is called a strike or not is based on the umpire's assessment of that trajectory. Ultimately, it's the umpire's judgment of this path that determines whether the pitch is ruled a strike or a ball. Therefore, we can say that the properties of *being a strike* or *being a ball* are conferred properties, as they depend on the umpire's decision rather than, or in addition to, the actual trajectory. Whether such properties in this example are constructed is debatable, but that is the sense in which Ásta takes gender to be a social construct. *Being a woman* is constructed because it depends on people's thoughts, attitudes, and practices.[22] The building blocks for person S *being a woman* are perceived properties of person S. It matters less whether person S actually has such properties, but that they are perceived to have them. The grounds for conferring *being a woman* can thus differ per context. It could be a perceived role in reproduction, presentation of the body, or role in food preparation. The debunking lies in showing which property is operative in which context. It is not the property of *being a woman* that person S actually has that is constituted by other properties that person S has, but what others confer onto them due to thinking that they have a certain set of other properties that constitute person S *being a woman*.

As mentioned before, both Haslanger and Ásta think in terms of the building blocks of *being a woman*, yet what they take those building blocks to be is different. Importantly, they both argue that those building blocks are social, rather than biological. Thus, they both take social construction to mean that feature x has social building blocks. While this may be true in some cases, bellow we will see that it is not necessarily so.

II.2.2 Constitutive Rules

Having considered the building blocks of a property such as *being a woman*, we now turn to the building blocks of objects. There are quite a few constructivist theories about objects. These take some parts of reality to be unconstructed and claim that via social practice we create newly constructed objects. Such accounts are not restricted to obviously social objects. To illustrate, Sidelle's accounts take modal objects to be constructed out of non-modal objects.[23] Kriegel takes composite objects to be constructed out of simple objects.[24] While Haslanger and Ásta focus mainly on the social constitution of constructs, here we take a look at cases where we are not always part of what constitutes a social construct, but nonetheless, we play a role in its existence and nature. More specifically, we will look at Searle's account of object construction because, despite its many flaws, it offers a good starting point to talk about how certain objects or facts are put in place. Natural objects are for Searle things like bits of metal, land, stones, etc. Constructed

[21] Ásta, "The Social Construction of Human Kinds", *Hypatia*, 28, no.4, (2013): 719.
[22] Ásta, "The Social Construction of Human Kinds," 719.
[23] Alan Sidelle, Necessity, Essence, and Individuation (London: Cornell University Press, 1989).
[24] Uriah Kriegel, "Composition as a Secondary Quality," *Pacific Philosophical Quarterly* 89 (2008): 359-383.

objects are things like cars, schools, and bathtubs. The 'natural' objects are the building blocks of the constructed ones:

> [The] ontological subjectivity of the socially constructed reality requires an ontological objective reality out of which it is constructed, because there has to be something for the construction to be constructed out of. To construct money, property, and language, for example, there have to be the raw materials of bits of metal, paper, land, sounds, and marks.[25]

But just having some building blocks is not enough, because we need to account for the way in which they are constructed. Searle argues that:

> 'we collectively impose a function on a phenomenon whose physical composition is insufficient to guarantee the performance of the function, and therefore the function can only be performed as a matter of collective acceptance or recognition.'[26]

These functions he calls 'constitutive rules', of the form *X counts as Y in C*. A constructed object is 'created' by accepting the rule that lays down the conditions. Our attitudes towards such rules are key in establishing them. For example, money exists if and only if a community collectively accepts certain conditions about what counts as money. Without collective acceptance, the rule will not work. I could for example want to use earrings as money, but if no one else accepts this, it will not work. For Searle, and accounts similar to his, it is not what constitutes an object that accounts for how it is dependent on people, but rather how it is established. People play a different role in determining what counts as what.

In the same way, Thomasson's account also is concerned with how social constructs are established. She agrees with Searle that the 'idea of an object's being money presupposes collective agreement about what counts as money.'[27] Additionally, she argues that we must not forget the semantic dimension of how we denote objects, whether natural or artefactual. On her account, the terms we use to denote objects of a kind K have certain application conditions. People set these application conditions for both the natural and social kinds. The difference however is that for natural kind terms, such as 'gold', we do not contribute to its conditions being satisfied. The world does all the work there. What constitutes gold is dependent on what the world is like. In comparison, for social kind terms, such as 'money', we contribute to what those conditions are and whether its conditions are being met. This means that dependence in part means that people determine what constitutes what. In such cases, people are not part of the building blocks but have a say in what those building blocks are.

II.2.3 Conventions

How do people 'establish' certain constructed entities or phenomena? One way of understanding that is that people's practices establish certain conventions. The term 'convention' is perhaps somewhat ambiguous; it plays many different roles. As Goodman puts it:

> The terms "convention" and "conventional" are flagrantly and intricately ambiguous. On the one hand, the conventional is the ordinary, the usual, the traditional, the orthodox as against the novel, the deviant, the unexpected, the heterodox. On the other hand, the

[25] John Searle, *The Construction of Social Reality*. New York: Free Press, 1995: 191.
[26] Searle, *The Construction of Social Reality*, 124.
[27] Amie Thomasson, "Realism and Human Kinds." *Philosophy and Phenomenological Research* 67, no. 3 (2003): 581.

> conventional is the artificial, the invented, the optional, as against the natural, the fundamental, the mandatory.[28]

Philosophical usage of the term is often concerned with the second type of convention. That is the sense in which x being conventional is 'due to us'. Such accounts claim that some feature x in the world is given rise to by convention, that some of our categories or practices are for example conventional rather than natural.[29] David Hume argued for the now famous examples such as promise, property, law, and justice, being conventional. David Lewis has argued that linguistic meaning is conventional. There are some obvious examples of conventions, such as dress codes or traffic rules where the act of driving on the right is due to convention.[30] Such cases seem rather unproblematic. Another, however, are cases such as morality: social norms, such as 'adultery is wrong', are understood by some to be conventional to some degree.[31] The aim here is to highlight the way in which something is conventional, what makes something conventional is that it is established by a convention, a social practice. One must be clear on what conventions thus are, what counts as a convention rather than just regularities of actions by a group, such as sleeping at night.

Many accounts of convention build on a version of Lewis's theory of what a convention is, which in turn is based on Hume's work. So what are conventions? The one approach that binds these views together is that for any convention (C) there is an alternative (C') which is equally good. Conventions as solutions to coordination problems within a community which will be of mutual benefit to participants but is also arbitrary. 'Good', in this case, thus means for example solving a common problem we are facing such as the one about which side to drive on mentioned earlier. According to Lewis, a 'convention is arbitrary because there is an alternative regularity that could have been our convention instead.'[32] If it is not arbitrary, it would not be conventional, because it could be the best thing to do.[33] Lewis argues that our languages are conventional in this sense. Having shared meanings is indeed mutually beneficial, but the languages themselves are arbitrary.

Social constructionists who claim some x to be conventional do not mean this in a Lewisian linguistic sense; they do not mean that x corresponds to the meanings and values of words. It is conventional in an ontological sense, x exists and is due to convention.

II.2.4 Language and Speech Acts

Above I stated that constructionist accounts are not linguistic, meaning that they are not linguistic in the Lewisian sense. They are not constructed the same way as language is constructed. They are also not just about words we use for certain phenomena. Despite this, language does play a role. Rather than language itself being constructed, language has the power to construct, to impose structure. Such accounts argue that our linguistic practices themselves can put things in place and that social constructs exist only in the sense that the construct is able to 'gain power within discourse.'[34] An example is the property of 'being a refugee', which has an impact on people's lives,

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[28] Nelson Goodman, "Just the Facts, Ma'am!," In *Relativism: Interpretation and Confrontation*, ed. Michael Krausz, Notre Dame: University of Notre Dame Press. 1989: 80.
[29] Tyler Burge, "On Knowledge and Convention." *The Philosophical Review* 84, no. 2 (1975): 249.
[30] David Lewis, *Convention: A philosophical study*, Cambridge, MA: Harvard University Press, (1969): 6.
[31] Bruno Verbeek, "Conventions and Moral Norms: The Legacy of Lewis," *Topoi* 27 (2008): 73–86.
[32] Lewis, *Convention: A philosophical study*, 70.
[33] According to Lewis such cases are unique coordination equilibria.
[34] Judith Butler, *Gender Trouble*, 2nd ed. (London: Routledge, 1999), 152

how they are treated and the ways in which they can get excluded from society. We take some properties a person has and impose social structures in virtue of them. While such properties are perceived as if there is some prior ontology, something inherent, they are the product of how we through language have conceptualised them.[35] Similarly, Butler, in *Gender Trouble*, argues that there are no inherent genders. Instead, 'it's determination within a discourse.'[36] Our language produces reality.

In what way do linguistic and conceptual practices do this? For this Butler draws on Austin's speech acts theory. Speech act theory in general points to how language does more than simply describe reality. With the sentences we utter we can express our feelings, ask questions, or command something. In speech act theory, the meaning of expressions is explained by the act that is performed by the utterance. There are three parts to the utterance. According to Austin, the act of saying something is the *locution*, but the way in which we do that is the *illocution*. The latter is a performance of an act *in* saying something rather than just an act *of* saying something.[37] The illocutionary act has a force, there is an intent behind the utterance. A famous example is saying 'I do' during a wedding ceremony. One not only says something but does something; one accepts to be wed. By saying 'yes' one thus becomes wed. According to Butler, statements about gender do more than just convey information - they actively perform an action. By being repeated over time, such statements actually bring into existence the very thing they're naming or describing. These linguistic norms shape our practices, imposing social structures.

On Butler's account, facts about femininity are not constituted by biological facts about human females. They maintain that 'within the inherited discourse of the metaphysics of substance, gender proves to be performative- that is, constituting the identity it is purported to be.'[38] As I understand it, we learn and produce behaviours but gender itself doesn't precede these acts. There is no inherent gender where gender is the building block for certain behaviour, but certain behaviours are the building blocks for the property of 'being a woman.' Certain behaviours - how to sit, speak, and move are associated with specific genders. Our linguistic and conceptual practices take facts about the way we walk, talk, and act, and produce facts about gender. However, these behaviours don't stem from an innate gender that exists before these actions. Butler builds on Nietzsche's idea, using a quote from *On the Genealogy of Morals*: 'there is no "being" behind doing, acting, becoming; "the doer" is merely a fiction imposed on the doing—the doing itself is everything.'[39] By this they meant that there's no inherent *being* that precedes actions. In terms of gender, there is not a pre-existing gender identity that drives gender performance. Instead, the performance itself creates the impression of gender identity.

I will return to Butler's account and explain it in more detail at the end of this paper when we have done some more metaphysical work, and we have better tools with which we can understand what they intend to say.

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[35] Butler, *Gender Trouble*, 151.
[36] Idem, 117.
[37] John Langshaw Austin, *How to Do Things With Words* (Cambridge, Mass.: Harvard University Press, 2003), 99.
[38] Butler, *Gender Trouble*, 33.
[39] Friedrich Nietzsche, *On the Genealogy of Morals*, trans. Walter Kaufmann and R.J. Hollingdale, in *On the Genealogy of Morals and Ecce Homo* (New York: Random House, 1967), 29.

II.2.5 Different Parts of Social Reality

As we have seen, different accounts give different explanations about how social categories are constructed. Most notably, there is a difference between the accounts that focus on what constitutes a constructed entity and the ones that focus on how such entities are established. In *The Ant Trap*, Epstein points to an interesting difference between two ways philosophers have understood social ontology: 'Ontological Individualism' and 'The Standard Account.'[40] The former thinks of social entities as dependent on people because they are constituted by people; people are the building blocks. The clearest cases are the accounts of Haslanger and Ásta. The latter thinks of constructs as dependent on people because people 'put them in place' by, for example, thinking and talking about them in a particular way. Through certain practices, people set up the conditions for what counts as what. We impose structure onto the world via our practices, thoughts, and attitudes. The most clear cases of these are the accounts of Searle and Thomasson. As we shall see, both analyses of social ontology in general will be important for the structure of what it means to be more specifically socially constructed. The structure contains both 'constitution' as well as 'how something is constituted' by being established through certain practices.

In this section we have seen the different ways in which people can be involved in social constructs, we saw that this will depend on which social construct we are talking about. Sometimes we are part of the building blocks; sometimes we are not. What we need to figure out is a model that can account for these cases. In the chapters to come, I will argue for a particular account of what the overall structure of social construction looks like. To do this, in the next chapter, I will start by arguing that the subject of social construction is social facts and that one way to understand how social facts are dependent on people is via the grounding relation.

III. Social Construction as Metaphysics

In the previous chapter, I gave a brief overview of many different entities that are argued to be social constructions and provided varying explanations of how specific properties and objects, such as gender and money, are said to be socially constructed. Generally, these accounts, by claiming that some feature x in the world is a social construct, intend to say that some features are dependent on people for their existence and nature. What does that mean? What does it mean for one thing to be dependent on another? Different accounts focus on other parts of that picture. This chapter, and the next, will put some puzzle pieces together to see if and how they fit. We want to answer two questions: (a) what sort of things are dependent on us? (b) What does that dependence relation look like? Answering these questions will be done using metaphysical tools with which we can systematically account for how reality is structured.

As a first pass, we can try and capture what social construction accounts generally mean to say. A key aspect of social construction is that for some x to be constructed is to be somehow dependent on people. Rather than being something fundamental, or natural, it is somehow dependent on our practices, conventions, beliefs, or collective attitudes. Roughly, even though there is no canonical view in analytic metaphysics, we can define social construction as follows:[41]

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[40] Brian Epstein, *The Ant Trap: Rebuilding the Foundations of the Social Sciences* (New York: Oxford University Press, 2015).

[41] Goswick, "Constructivism in Metaphysics."

SC: A feature x is socially constructed iff it is dependent on people.

Of course, **SC** is generic and obscure. It leaves many details unspecified and could be interpreted in multiple ways. Let us start with 'feature x.' What sort of thing is 'feature x' exactly? What sort of things are constructed, dependent on people? Chapter II showed that many different things are the topic of construction. It could be objects, properties, kinds, facts, etc. For our current purposes, to not make things unnecessarily messy, it is useful to choose one as a category for the relata of the dependence relation. In this chapter, I will argue that what depends on people are social facts and that part of the picture is how social facts depend on people, due to being grounded by facts about people.

III.1 Social Facts

Picking a category for social construction does not mean that construction only concerns that specific category, it is not just about properties, or just about objects, or groups of people. It is convenient and economical to work with one single category for the remainder of this paper. More importantly, we want to be clear what the subject of our research is.

Social construction is not just about the words we use, it is about worldly stuff. Take for example 'marriage', a concept with legally set boundaries and a fixed social role. Feminists and queer theorists have argued that what a marriage is, is socially constructed. We decide what counts as a marriage or not, and thus we have a say in how it is shaped. If we want to, we can change it and make it more inclusive. For example, a marriage does not need to be just between a man and a woman. One way to think about making marriages more inclusive is to think about it with regard to the intensions and extensions of the term 'marriage.' Where, roughly, the intension is like a function that indicates which set of things a term denotes, i.e. the extension of a term. Option one, to make 'marriage' more inclusive, i.e. to have the extension also include same-sex marriages, is to make changes in the intension and thereby lead to changes in the extension. Where, given an externalist meta-semantics, the intension depends on certain external reference fixing facts. For social kind terms, like 'marriage,' this external dependence concerns social practices; cultural and religious. While we cannot change the past facts about how such practices came to be, we can attempt to change our current practices. Option two, to change 'marriage,' is to change the extension. This means changing the entity it is referring to. We would need to change facts about marriages on the object level. Either way, it involves making changes about what the world is like.[42] It involves changing marriages.

Recently, in the United Kingdom, same-sex marriages have been made legal. These changes, as Sarah Sawyer explains, in the concept of marriage 'went hand-in-hand with the social engineering of the related institutionalised practices.'[43] The concept of 'marriage' would not have changed had those institutionalised practices not changed, had our beliefs about what marriage is not changed. Such discussions are closely related to the work we will be doing here, but while we use certain terms like 'marriage,' what a marriage is, is a phenomenon in the world. What marriage is has changed in the UK. Such endeavours, working on terms and their intensions and extensions, are confused because we are ultimately talking about worldly stuff, not so much about language. Talking about language, about words, unnecessarily complicates things. So let us focus on worldly

[42] For a great discussion on this see: Herman Cappelen, *Fixing Language: An Essay on Conceptual Engineering* (Oxford: Oxford University Press, 2018).

[43] Sarah Sawyer, "Concept pluralism in conceptual engineering", *Inquiry*, (October 2021): 18.

stuff. Social construction concerns social ontology, what the world is like, how certain things depend on us, and how those things could be different.

The discussion between Butler and Stock mentioned in the introduction is about worldly stuff, it concerns genuine disagreement about properties people may or may not have. It may seem that we are talking about language, about 'race' or 'gender' or 'money', but the subjects of our inquiry are things like race and gender and money. A useful category are facts. They are useful for such an inquiry because they are worldly and with propositions we can represent facts. Take for example 'NHS nurses are on a labour strike', the proposition that this sentence expresses is true when it corresponds to a fact, the fact that NHS nurses are on a labour strike. So, facts are not true or false, they obtain. Propositions are true or false. This means that facts are not true propositions but as Audi explains: 'the obtaining states of affairs that are the "truth makers" of true propositions.'[44] What is more, following Epstein, I believe that facts in particular are useful for social ontology because are on the one hand fine-grained enough, they are individuated by their constituents, to allow us to make certain distinctions we want. On the other hand, they are general enough because the other categories can be added as special cases.[45] Take for example the fact expressed by the following sentence: 'Ludolf von Alvensleben is a war criminal', the predicate 'is a war criminal' in the sentence denotes a property. Or take the fact expressed by the sentence: 'Prince George is higher in the line of succession than Princess Charlotte', where similarly 'is higher in the line of succession' is a binary two-place relation between objects. When talking about facts we can take the other categories, such as objects and properties, as special cases. The type of facts that we will be talking about are thus those that contain a social object or an exemplification of a social property.[46] How do, for example, facts about gender or money depend on facts about people? Moving forward, facts are thus used as the relata of the dependence relation. We can refine **SC** as follows:

SC$_{\text{facts}}$: A fact *f* is socially constructed (f_{sc}), iff it is dependent on facts about people.

Taking facts as the relata allows us to analyse facts in a way such that when a fact corresponds to a proposition which includes for example a social property, we can say that that fact is somehow dependent on facts about people if that property is indeed somehow dependent on people. Above I mentioned that in the sentence 'Ludolf von Alvensleben is a war criminal', the predicate 'is a war criminal' denotes the property 'being a war criminal.' That property exists and has the nature it does in some way in virtue of people, it is a social property. Let us call facts that have a social entity, or entities, as components *social facts*.[47] We can now give a first answer to question (a). The sort of things that are dependent on people are social facts. What we want to look for now is in what way they depend on people.

The above-given answer to question (a) immediately raises an important question I want to already flag here. Are all social facts socially constructed facts? Is 'Ludolf von Alvensleben is a war criminal' a socially constructed fact or just a social fact? If they are not, **SC$_{\text{facts}}$** is too broad because as it is stated now, it allows for both kinds of facts. Take for example a fact about the peloton during le Tour de France: 'The peloton is riding up Alp d'Huez.' This is a social fact, it corresponds to a proposition that contains a social object, namely: the peloton, the largest group of riders. Similarly: 'the chasers are cold' or 'les poursuivants sont froids,' where both sentences express the

[44] Audi, Paul. "Grounding: Toward a Theory of the In-Virtue-Of Relation." *Journal of Philosophy* 109, no. 12 (2012): 686

[45] Brian Epstein, "A Framework for Social Ontology," *Philosophy of the Social Sciences* 46, no. 2 (2015): 150.

[46] Brian Epstein, "Social Construction and Social Facts," in *The Routledge Handbook of Collective Intentionality*, ed. Marija Jankovic and Kirk Ludwig (New York: Routledge, 2017), 267.

[47] Epstein, *The Ant Trap*, 67.

a proposition representing the same fact. The chasers, the group that is able to break away from the peloton and chase the leader(s), is a social object. Reaching the top of Alpe d'Huez, the riders experience very low temperatures. Facts about the peloton and facts about the chasers are dependent on facts about the riders. Both facts are in some way 'dependent on facts about people', making them both socially constructed facts under $\mathbf{SC_{facts}}$. Yet, these are not clearly socially constructed facts. Here is another fact, which is perhaps intuitively clearer, about the spectators during le Tour who tend to run with the riders: 'The crowd ran up Alp d'Huez.' Clearly a social fact, but not a socially constructed fact. To be able to distinguish these from socially constructed facts we need to figure out the specific kind of dependence involved in social construction. How are both facts dependent on people, yet one is 'just' a social fact and the other a 'constructed' social fact? To be able to answer this question, some work needs to be done.

In the upcoming sections, I will explore the nature of the dependence relation. I will first argue that grounding serves as the right metaphysical tool to explain how social facts are dependent on people.

III.2 Metaphysical Reason Relation: Grounding

In the previous section, I argued that the sort of things that depend on people are social facts. Yet it is questionable whether all social facts are also socially constructed facts. If they are not, we need to find a way to distinguish them. The intuitive idea is that they are dependent on people in different ways. We thus need to find out how social facts and socially constructed facts are built up. More broadly, what it means for some fact to be dependent on another fact. What sort of dependence are we looking for?

Many construction accounts start as refutations. They argue against claims that certain facts, which include a social object or property, are fundamental or natural. Mid-20th century feminists wanted to counter biological determinism, the idea that non-biological differences between men and women could be explained by biological facts. The way to counter this was by showing that the non-biological differences were *caused* by social factors. Some social constructionists have thus looked into historical causes as a way to explain dependence in social construction. More recently, philosophers such as Haslanger, Ásta, Searle, and Thomasson, have mainly worked with a constitutive account of socially constructed entities. Causation is only a part of the picture. To see this, let us look at what is usually claimed. For instance, sex differences between males and females are said to determine differences between men and women. In what sort of relation do males and men stand? On the view they are reacting against, facts about males determine facts about men. However, feminists have argued against this. On Haslanger's account, we should understand gender, *being a man* and *being a woman*, as a 'constitutive social construction.'[48] The differences between men and women are not socially caused, but the conditions that must be met in order to be a man or woman are social conditions. They are social, rather than biological ones. Thus, rather than thinking in terms of causes we need to figure out what constitutes *being a woman*. Furthermore, we need to show that those conditions involve social facts rather than, or in addition to, biological facts. For example, being a man is constituted by one's role and position in society. Yet, causes do play a role. To see the difference between Haslanger's understanding of social dependence and a causal relation, let us look again at the NHS example:

[N1]: 'NHS nurses are on a labour strike'

[48] Sally Haslanger, "Social Construction: Myth and Reality," in *Resisting Reality: Social Construction and Social Critique* (New York: Oxford University Press, 2012).

[N2]: 'Nurse Trixie, nurse Phyllis, nurse Chummy, …and nurse Barbara are picketing'

[N3]: 'NHS nurses are underpaid'

In what kind of relation do the facts expressed by the above sentences stand? When a newspaper headline reads 'NHS nurses are on a labour strike', what does the fact expressed by that sentence depend on? While [N1] and [N2] are not the same facts, they coincide. In our example, they occupy the same space at the same time. Every day that [N2] obtains so does [N1]. That is to say that 'NHS nurses are on a labour strike' obtains partially in virtue of 'Nurse Trixie, nurse Phyllis, nurse Chummy, …and nurse Barbara picketing.' The relation between [N1] and [N2] is a synchronic metaphysical relation. One is made up of the stuff of the other. Another way of understanding what [N1] depends on is in terms of causes. One of the causes that has led to the nurses picketing is that the nurses are not being paid enough, this is a diachronic relation. Low pay is not part of the metaphysical reason for the strike; it is part of the causes of why the grounding conditions for the strike obtain. Likewise, the relation between facts about gender and the facts that constitute them is a synchronic relation between the built facts and their building blocks. It is this kind of synchronic dependence that we are looking for when we think about what a social fact is built out of. We want to know what constitutes gender, or money, or marriage. It is a different question entirely to ask what causes those building blocks to obtain.

'Constitution' usually denotes the relation between a pair of objects that are not identical yet coincide, but what Haslanger's constitutive account seems to be analysing is groups of people. It is useful to take a closer look at what that means because the structure helps us model socially constructed facts. Here is how her argument should be understood and what I take to be the strongest claim: there are two sets of people, women and human females, and while they coincide—that is, both have the same members—they are distinct. She aims to show that, contrary to popular belief, facts about human females do not constitute facts about women. Rather, certain facts about the members, like their social role, constitute facts about women, and certain other facts about those same members, like biological facts, constitute facts about human females. Her account of constitution argues that the building blocks of facts about women and facts about human females are different. What we want to know, however, is why facts about the members relate differently to facts about women and facts about human females. If *a* builds *b,* what we need is something that explains why some facts about *a* are part of the metaphysical reason that *b* is made up of the facts that it is.[49] A non-causal metaphysical relation that can do such work is *grounding*. For *a* to constitute *b*, certain facts about *a* need to ground certain facts about b. Grounding, often characterised as a metaphysical dependence relation, licences the 'in virtue of' talk.[50] If *a* grounds *b*, then b obtains or has the nature it has in virtue of *a*.

How does grounding provide such an explanation mentioned above? It does so as follows: firstly, socially constructed facts are non-fundamental, and grounding is the relation between the non-fundamental and the more fundamental. Secondly, grounding thus provides a metaphysical explanation because it entails 'the dependence of the grounded on the grounds.'[51] It is a synchronic dependence relation and it provides the right kind of direction of dependence. The grounds give rise to the grounded. Recall the NHS example, where 'NHS nurses are on a labour strike' is partially the case in virtue of 'Nurse Trixie, nurse Phyllis, nurse Chummy, …and nurse Barbara are picketing.' The 'in virtue of' is a grounding relation, picketing is part of the grounds for a labour

[49] Epstein, *The Ant Trap*, 149.
[50] Bennett, *Making Things Up*, 12.
[51] Jonathan Schaffer, "Social Construction as Grounding; Or: Fundamentality for Feminists, a Reply to Barnes and Mikkola," *Philosophical Studies* 174, no. 10 (2017): 2453.

strike. That means that one of the conditions that must be met in order for NHS nurses to be on a strike is that they are, in our example, picketing. Picketing is part of the building blocks.

The grounding relation can be a partial dependence or a full dependence relation. The former means that in some cases of a grounds b, a is not sufficient for b. The latter means that it is. To make sense of social construction we need to find out the full grounds for constructed facts. Subsequently, this kind of binary relation of 'being more fundamental than', where the (more) fundamental generates the non-fundamental, is an asymmetric and irreflexive dependence relation:[52,53]

Asymmetry: For all grounding relations G, and all a and b, if Gab, then ¬Gba

Irreflexive: For all grounding relations G, and all a, ¬Gaa

While accounts like Haslanger's social constitution never included grounding, we can rewrite them in terms of grounding without losing their original meaning.[54] Haslanger's original version claims that the conditions that must be met to be considered a woman are in part social conditions. The original claims that S is a woman *in virtue of* being systematically subordinated along some dimensions and *in virtue of* S being marked as a target for this treatment by observed or imagined bodily features presumed to be evidence of a female's biological role in reproduction. However, I believe that Haslanger has gotten the grounds wrong. She has two types of ground for 'person S is a woman.' The second type of ground where 'S is "marked" as a target for this treatment by observed or imagined bodily features presumed to be evidence of a female's biological role in reproduction' is part of the set of facts that cause the grounding facts to obtain. Certain people are targeted to fulfill certain roles in society due to a (perceived) social role in reproduction. Look at the facts in the following sentences:

[H1]: 'June Osborn is a woman'

[H2]: 'June Osborn is a handmaid'

[H3]: 'June Osborn can get pregnant'

An extreme case that fits a Haslangeresque social constitution can be found in Margaret Atwood's dystopian Gilead.[55] In this case, June Osborn has given birth to a child despite fertility rates being very low. The practices in Gilead have made her a target for the role of a handmaid in a household, [H3] is part of the causes that lead to the grounding conditions obtaining. It has marked June for certain treatments that led to her becoming a handmaid. On Haslanger's account, June is a woman because she is a handmaid. The fact in [H1] is grounded in the fact in [H2]. The asymmetry of grounding captures an important aspect. On such an understanding of gender, some human females are not women, and that is exactly Haslanger's intention. Being a woman or a man is not dependent on biological facts, at least not constitutively.

We should note, however, that in Haslanger's understanding of gender, the grounds have been formulated in a specifically normative way to address injustices. That is, we need to address why we should want to make socio-political changes. This is her ameliorative project. Haslanger's aim

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[52] Gideon Rosen, "Metaphysical Dependence: Grounding and Reduction," in *Modality: Metaphysics, Logic, and Epistemology*, ed. Bob Hale and Aviv Hoffmann (Oxford: Oxford University Press, 2010), 115.

[53] Grounding is also transitive but the asymmetric and irreflexive characteristics of grounding are more important for our discussion.

[54] Mari Mikkola, "Doing Ontology and Doing Justice: What Feminist Philosophy Can Teach Us About Meta-Metaphysics," *Inquiry* 58, no. 7-8 (2015): 787.

[55] Margaret Atwood, *The Handmaid's Tale* (New York: Random House, 1986).

is for our actual future to not contain any women at all. Her ameliorative project is aimed at getting rid of the grounds, getting rid of those subordinated roles, and thus resulting in there being no women. My reformulation of Haslanger captures these goals neatly. Haslanger wants to get rid of the grounds. If we can change the facts that cause the grounding facts to obtain, then there will be no more women. By getting rid of the grounds, getting rid of those subordinated roles, we (hopefully) improve the social status of those people formerly known as women. This is exactly why such metaphysical dependence relations are of importance, especially for those who seek ways to change certain aspects of social reality.

What can we learn from the above structure? Social construction is thus (in part) about the building blocks. To understand why a construct is the way it is, it is useful to know what constitutes it. For *a* to constitute *b*, certain facts about *a* need to ground certain facts about b. If *a* grounds *b*, then b obtains or has the nature it has in virtue of *a*. Grounding, as a metaphysical dependence relation, provides the right kind of explanation. So, if we were to adjust $\mathbf{SC_{facts}}$ to be in terms of grounding, we would get:

$\mathbf{SC_G}$: A fact *f* is socially constructed (f_{sc}), iff it is grounded in facts about people.

As I understand it, $\mathbf{SC_G}$ is part of a systematic account of how reality is structured. To be sure, grounding involves priority. As mentioned in Chapter I, some philosophers have argued that our current metaphysical frameworks are hostile to feminist endeavours because they make feminist insights invisible. For example, Mari Mikkola argues that socially constructed facts are not 'found in the fundamental level.'[56] Their main concern is that our current metaphysics' main objective is to discern the basic structure of reality, which only 'focus[es] on fundamentality.'[57] One of the main strategies of social construction claims has been to argue that certain facts are not fundamental. So, as Mikkola points out, if our mainstream metaphysics is about the fundamental and feminist metaphysics is not, then metaphysics in terms of fundamentality excludes feminist insights.[58] Such worries are understandable but misplaced. The focus of a grounding relation is not solely on the 'more fundamental.'

While some might only be ontologically interested in what Bennet calls 'flat-worldism', in which there are no built entities, tools such as grounding help us understand the layered structure of reality. Non-fundamentality doesn't necessarily mean being unimportant in metaphysical investigations. Grounding is not hostile to feminist insights but can actually support and enhance feminist metaphysical endeavours. Understanding what grounds what is crucial for those interested in social change or amelioration. If we want to know how to change a social fact, we need to know which facts ground it and which facts cause the grounds to obtain.

Grounding is not only useful for specifying what grounds what, but also to see where exactly the differences lie between competing theories. Both Haslanger and Ásta can be summarised as understanding gender as dependent on our attitudes and interactions. Recall that Ásta also provides a debunking project, inspired by Haslanger, about gender as a conferred property. Gender is a property that is conferred onto a person S when S is perceived to have certain grounding properties, such as perceived biological role in reproduction, social status, role in home economics, sexual orientation, etc.[59] These properties may or may not be present; what matters is the

[56] Mari Mikkola, "Non-ideal Metaphysics: On the Apparent Antagonism between Feminist and Mainstream Metaphysics," *Philosophical Studies* 174, no. 10 (2017): 2443.

[57] Elizabeth Barnes, "Going beyond the Fundamental: Feminism in Contemporary Metaphysics," *Proceedings of the Aristotelian Society* 114 (2014): 335–351.

[58] Mikkola, "Non-ideal Metaphysics," 2440.

[59] Ásta, "The Social Construction of Human Kinds," *Hypatia* 28, no. 4 (2013): 722-723.

perception. Like Haslanger, we can reformulate Ásta in terms of grounds, where the socially constructed facts are the conferred facts. To illustrate, conferred facts about person S being of a particular gender are grounded by facts about our patterns of thought and norms rather than the perceived grounding facts. The debunking lies in showing that it is not the perceived facts about the role in home economics or sexual orientation that ground the conferred fact but facts about our perception of them. What sort of facts about us ground facts about gender are thus very different from Haslanger's. This in turn affects what it would take for things to change. On Haslanger's account, the grounds are facts about actual social roles and statuses; for Ásta the grounds are facts about how one is perceived. The exact grounds become important when we want to model social facts such that we can change or influence them.

III.3 Grounding Different Types of Social Facts

What grounds what is important to understand the structure of social ontology. In this chapter, I have shown that social constructionist claims are in part about constitution, and that constitution is best understood in terms of grounding. Social reality itself, however, does not exclusively contain socially constructed facts. At the start of this chapter, an observation was made: there seem to be social facts that are not constructed. The point of that observation was that if there are social facts that are not constructed, then $\mathbf{SC_{facts}}$ is too broad because as it was stated, it allowed for both kinds of facts. I pointed out that there are social facts that are not socially constructed facts, such as the crowd running up Alpe d' Huez. Let us call social facts of that kind **SF-I**. By $\mathbf{SC_G}$, such a fact is still a socially constructed fact because certain facts about the individual people ground facts about the crowd. The fact 'the crowd ran up Alp d'Huez,' is 'grounded in facts about people.' With $\mathbf{SC_G}$ we are still not able to distinguish between **SF-I** kinds and what I will call **SF-II** kinds. **SF-II** kinds are facts such as the one about gender in the June Osborn example. These are socially grounded facts and socially constructed facts, but something else is contributing to these being constructed facts. In both cases, the grounding facts are 'facts about people.' People are the building blocks of such kinds. Yet, we still have not found a way to distinguish between those two kinds of social facts.

In the next chapter, in order to make sense of how **SF-II** kinds are social construct, I will first analyse yet another kind of social fact: **SF-III**. There are cases of social construction where a constructed fact is not socially grounded: these include for example facts about certain types of money. By analysing this kind of fact, we see that to be socially constructed cannot be defined in terms of being socially grounded or 'grounded in facts about people.' Not defining construction in terms of social grounds, however, leads to a bigger problem: how do we then account for constructed facts being dependent on people? What exactly is contributing to these facts being socially constructed? Analysing cases of constructed facts that are not socially grounded lays bare that the grounded and its grounds are linked via a function. Defining social construction in terms of these functions will prove very useful because it allows us to do three things. First, it allows us to broaden $\mathbf{SC_G}$ to not only include **SF-II** but also **SF-III** kinds, the non-socially grounded constructed facts. Second, to simultaneously exclude **SF-I** kinds, they are not established via these functions. Third, it allows us to account for how such facts are 'dependent on people,' due to the functions being set up by our practices. In short, I'll claim that socially constructed facts are 'dependent on people' not because they are built up out of people, for in some cases they are not, but because our practices establish structures, imposing what grounds what. I maintain that this is

the sense in which **SF-II** and **SF-III** are constructed kinds. Some grounds are social, some are not.

IV. Building Constructed Facts

In the previous chapter, I argued that grounding provides the right kind of metaphysical relation to understand why social constructs are built out of the stuff they are, using the example of gender. Part of what a socially constructed fact is, are its building blocks. We defined social construction as follows:

SC_G: A fact *f* is socially constructed (f_{sc}), iff *f* is grounded in facts about people.

A fact, such as one about gender, is grounded in facts about people. On Haslanger's account, 'facts about people' are facts about one's social role and position along different dimensions. On Ásta's account, 'facts about people' are facts about people's perceptions, facts about which grounding facts one is perceived to have in a certain context. In both these cases facts about gender, such as facts about *being a woman*, are socially constructed facts because they are socially grounded; they are grounded in facts about people. What it would take for things to change is for the grounding facts to change. These are of type **SF-II**, but these are not the only kinds.

In this chapter, I examine another type of socially constructed fact: **SF-III**. For instance, facts about a meter as a standardised unit of length are socially constructed facts: there are other units of length we could use. Yet such facts are not socially grounded; they are not grounded in facts about people. The 'metre étalon' in Paris is a marble that has the length of one meter engraved on it. What grounds that line being one meter are physical facts. Similarly, facts about borders are socially constructed, our practices impose borders. Yet borders are not socially grounded, what constitutes a border are physical facts. What grounds the Berlin Wall being a border are facts about the wall itself and facts about it dividing two pieces of land. Another example is money. In Chapter II, Searle's institutional facts involved all kinds of money, including commodity money, such as shell money. Specific shells were used by different countries as legal currency. Like the case of gender, Searle's institutional facts can also be rewritten in terms of grounding. Yet unlike gender, facts about shell money, whilst socially constructed, are not constituted by people. Facts about money cowry are grounded in facts about the shells. Additionally, recall that Thomasson's account also consists of constructed facts that have grounding facts which are not constituted by people. If being socially constructed has cases in which it is socially grounded and cases in which it is not, then **SC_G** should not be defined in terms of facts about people.

IV.1 Other Kinds of Grounding Facts

Social construction involves socially constructed facts that are socially grounded but also cases where the grounds are not social. **SC_G** is too strict because it does not allow for such cases. We need to find a way to broaden **SC_G** to include the latter cases. Hence, if we want to be able to account for those cases in which the grounding facts are not facts about people but the fact in question is nonetheless a social construct, then we need to firstly define that in such a way that it is neutral about the grounds either being social or not. Secondly, we need to clarify what contributes to some facts being socially constructed if it is not due to a specific kind of grounding fact. Answering the latter will enable us to distinguish between **SF-I** and **SF-II** kinds.

Recall the difference between 'Ontological Individualism' and 'The Standard Account' in Chapter II. Ontological individualists understand facts about individual people to be the building blocks of social facts. They are of the kind **SF-I** and **SF-II**, social facts that are constituted by people. Such facts exhaustively arise from people or interactions between people. A typical social fact of kind **SF-I** is the crowd during the Tour de France. A typical social fact of kind **SF-II** is one about gender. Examples are accounts like Haslanger's or Ásta's. On 'The Standard Account', a typical social fact is one about borders or money, where people contribute to what grounds what. We impose structure onto the world via our practices, our thoughts and attitudes. Examples are accounts like that of Searle and Thomasson. They are of the kind **SF-III**: social facts are 'brute' facts treated in a particular way due to our conceptual practices. While in both cases people 'make' a social fact, such facts are related to people in different ways.[60] Both focus on a specific part of the bigger picture. I agree with Epstein that we need both ways of 'building the social world' to understand social ontology. While Epstein's work focusses on social facts more generally, here, more specifically, I believe the same applies to socially constructed social facts.[61]

There are thus three different kinds of social facts, for which 'people' are involved in various ways. For socially constructed facts in particular, I will argue that for each social construct we must consider two levels, its building blocks and how the construct and its building blocks have been 'put in place' or established. What it means to be *constructed* importantly means to be established via social practices where the grounding facts can be social and non-social. To see this, let us first have a closer look at **SF-III** kinds. On the Standard Model, while a social fact is grounded in other facts, there is another part to the story, another puzzle piece. There is another set of facts that explains why those are the conditions that we have settled upon.

Let us first consider how facts about money should be understood in terms of grounding. Recall that according to Searle we impose a function or rule, such as *X counts as Y in C*, onto non-social facts. This function takes those non-social facts and 'makes' a social fact in a given context. Take the Euro: facts about a Euro note are grounded by some very specific physical facts about the note itself. Unlike shell money, what grounds a Euro note is that it must also have the property of being issued by the European Central Bank if we follow Searle's example. What grounds facts about Euro notes are thus facts about physical aspects of the note and facts about being issued by the European Central Bank. Notes that are physically indistinguishable from those printed by the European bank but have not been printed by the European bank are fake. These functions, which he calls constitutive rules, give the 'link' between a grounded fact (Y) and its grounding conditions (X).[62] These functions state what grounds what. While Searle's rule is a good starting point, there are several issues with the way it is formulated.[63] Despite this, what it aims to clarify is important. Just as Haslanger aims to capture what the conditions are that a person needs to satisfy to count as a particular gender or race, so too Searle's rule aims to capture which conditions an object needs to satisfy to count as money. What is more, Searle's account, or in general the 'Standard Model' accounts, aims to specify how we 'set up' or establish such constitutive rules. In both cases, we have some rule or function about what grounds what. What we need is a model which allows us to define constructed facts in terms of a function that includes both types of ground, social and non-social. What we will need to do is rather than stating $\mathbf{SC_G}$ in terms of facts about people, we

[60] Epstein, *The Ant Trap*, 74, 126.

[61] Epstein's *The Ant Trap* focusses on social ontology as a basis for the social sciences. It distinguishes only between two kinds of social facts. Type 1 and Type 2. On my model, for social *construction* cases, there are three kinds of social facts. Epstein's Type 1 social fact are what I have called SF-I and SF-II, to distinguish between just social facts and socially *constructed* facts, while both have social grounds. Type 2 are SF-III kinds.

[62] Epstein, *The Ant Trap*, 76.

[63] For a good discussion of the problems of Searle's theory, see Epstein (2015).

should state it in terms of such rules or functions. In the next section, I will introduce and discuss the notion of a 'carving,' which will help us do the two tasks set out at the start of this section.

IV.2 Carvings

How can we best understand such rules or functions that stipulate a constructed fact (Y) and its grounding conditions (X)? There is a somewhat forgotten framework, provided by Iris Einheuser, that defends the philosophical position that some features of reality are dependent on our attitudes and practices. In a paper called *Counterconventional Conditionals*, Einheuser proposes that to understand various conventionalist positions, such as ontological conventionalism, we should think of a world as consisting of a *substratum* and *carving,* represented as substratum-carving pairs $<s, c>$.[64] A substratum consists of s-features, the features contributed by the world. Certain physical particles, (natural) properties, but also we, our acts, beliefs, etc., are all part of the actual world, thus part of the actual substratum. These s-features exist at a world, depending on what the substratum looks like, even if we do not recognise them. Which part of a world is taken to be conventional depends on the account in question. There are many different practices that impose structure onto the substratum and in order to capture these different conventionalist and constructionist accounts and their various practices, Einheuser introduces the notion of 'a carving.' A carving yields the conventional features (c-features) when applied to a substratum. These c-features are thus those features imposed by our practices: they are 'carved out.' For example, for a moral conventionalist, who wants to argue that moral facts are in part a matter of convention, 'a carving will yield a collection of moral facts when applied to a substratum.'[65] Such a carving takes certain physical and intentional properties of people's acts as the s-features and produces c-features: moral properties. A carving is thus a function:

Carving (s-feature(s)) = c-feature(s)

Because carvings are functions, it only produces the c-features where the relevant s-features are present. Thus, not simply anything goes. A world's substratum places constraints, these are constraints on which facts can and which facts cannot be imposed on them. If the grounding facts are not there, there is nothing to 'carve'. If the s-features do not obtain, then nor do the c-features.

How does this exactly translate to what we have been talking about thus far? As mentioned above, Einheuser's model wants to accommodate different conventionalist accounts, thus remaining neutral on the specific practices but also on the category of s and c-features and their reality. In order to make the model work for social construction, we need to specify some parts of the model.

First, I take the c-features to be real features, propositions about them are true or false. Propositions about women are thus true, sometimes. Say we want to do research about why women earn less money than men for the same job. We need claims such as 'women earn less money than men for the same job' to be truth-apt.[66] Similarly, propositions about money or borders are truth-apt.

Second, I take the 'features' to be facts. The c-features are the non-fundamental facts, the constructed social facts. The s-features corresponding to those are the (more) fundamental facts, the grounding facts. These facts can be social and non-social. Depending on the account in

[64] Iris Einheuser, "Counterconventional Conditionals," *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* 127, no. 3 (2006): 459-482.

[65] Einheuser, "Counterconventional Conditionals," 462.

[66] This is the same sense in which Haslanger is a 'critical realist' about social constructs.

question, such as about gender or race, the substratum and procedure by which structure is imposed need to be specified. What *s* and *c* range over thus depends on what is taken to be conventional. This is similar to the 'Standard Model,' where the social world is not just in our heads but consists of actual 'stuff in the world to which a certain status or convention has been assigned.'[67] A carving imposes structure, it imposes what grounds what. A c-fact is the direct product of a carving. The s-facts are worldly 'stuff', we impose c-facts by establishing a carving that yields those c-facts when applied to the right kind of 'stuff.'

Third, to be able to accommodate different constructionist accounts, a carving will still need to remain neutral with respect to the kinds of practices. Nonetheless, I take a *carving* to be a social carving. More specifically, I take a carving to be socially constructed. By this, I mean two things: firstly, that it is not something an individual does. If only I were to accept certain notes as money, it would not work. Carvings are the product of conventional social practices of groups or (tacit) agreements of a society. Secondly, various practices from scientific to conventional social practices can frame such 'structures.' We could for example formulate a function of what constitutes rocks, gold, or water. There is however a difference between such functions for natural kinds and functions for social kinds. What constitutes a rock is dependent on what the world is like, the world does all the work in establishing the grounding relation. The social facts, however, are complicated. In the previous section, I discussed three different kinds of social facts. Facts about crowds are social facts, yet these are arguably more akin to facts about rocks. While facts about people constitute facts about crowds, people are the building blocks, there are no conventional social practices that establishes the grounding conditions. These kinds of social facts are what I call **SF-I**. They are social but are not the product of a social carving. Much like with rocks, or water, what constitutes these facts is the way the world is. **SF-II** and **SF-III** kinds, such as gender and money, on the other hand, are the product of socially constructed carvings. Our conventional social practices do some of the work in establishing the grounding relation for facts about for example money. Because even if we had these notes that are printed by the Central Bank, but no one accepted them as such or used them as such then it would not count as money. Thus, a carving is a real worldly structure, the product of intentional and non-intentional human practice, creating genuine c-facts.

With the above in mind, let us look again at $\mathbf{SC_G}$. In the previous section, I said that we need to first define $\mathbf{SC_G}$ in such a way that it is neutral on the grounds either being social or not. Secondly, we need to clarify what contributes to some facts being socially constructed if it is not due to a specific kind of grounding facts. A carving framework allows us to do that. The respective carvings for each socially constructed fact, either about gender, money, or borders, tell us what grounds what. We can rewrite $\mathbf{SC_G}$ for carving, and thus get:

$\mathbf{SC_C}$: A fact *f* is socially constructed (f_{sc}), iff *f* is grounded in f_g where the grounding relation obtains due to a carving C.

A carving is a structure imposed by conventional practices that do some of the work in establishing the grounding relation of a constructed fact. So, what a carving is, is for example Searle's *X counts as Y in C*. *X*'s in the world are taken to count as *Y*'s, and specific notes are taken to count as money. To illustrate, a specific carving for Euro notes could be something like: 'for all facts x, if x is a fact about a note printed by the European Central Bank, and has ...., and....., then that grounds the fact that x is a Euro note.' Or even Hume's convention about promises, which creates a rule, that in the form of a conditional would be: *If an utterance x has the form of 'I promise to q', then that utterance is*

[67] Epstein, *The Ant Trap*, 59.

a promise, can also be written in terms of carving. Specific utterances are taken to count as promises. We can also find a carving in Haslanger's work: 'Person S is a woman iff person S is systematically subordinated along some dimensions (economic, political, legal, social, etc.).' A carving is thus different for different social practices. People with certain properties are taken to count as women. On this model, accounts such as Haslanger's and Ásta's will have to explain which social practices impose the constructed facts and their grounds. In section IV.3 I will explain why that is important.

With **SC**$_C$, facts of the kind **SF-II** and **SF-III are** socially constructed facts and **SF-I** kinds are not. What separates them is that the former are carved out, or established, via conventional social practices. The grounding relation of socially *constructed* facts is determined by social practice. So, there is another set of facts that explains why those are the conditions for a constructed fact. These other facts account for why we have the carvings we have, carvings that account for the conditions of which constructed facts there are and how they are grounded. In the next section, I will argue why we need these other sets of facts.

IV.3 Carving the Grounding Relation

There's an additional set of facts that explains the conditions for constructed facts. These facts account for the specific carvings we have - meaning the relation that establishes which constructed facts exist and how they're grounded. As mentioned above, accounts such as Haslanger's need to account for why we have the social facts we have, with those specific grounding facts.

How should we understand these other facts that establish constructed facts? How do we carve out constructed facts? Suppose that fact *a* builds fact *b*, that fact *a* grounds fact *b*. A carving explains what grounds what. What we further want to know is why fact *b* is constructed, having those grounding conditions. Take for example the following case:

> 'So, consider a particular philosophy conference [...] and call the event [E]. Then, arguably, the fact that [E] is a conference is not brute but holds in virtue of the fact that [E] contains people engaged in various conference-conducive activities (some are giving papers, others listen and ask questions, and so on). Call these kinds of activities "C-activities."'[68]

What we are looking for in this example is what makes it the case that [E] is a conference. We can ask two questions about [E]:

> (Q1) Why is this event [E] a conference?
> (Q2) Why is it that those activities make the event count as a conference?[69]

(Q1) is asking: In virtue of what is event [E] a conference? What grounds E? The answer to (Q1) is that [E] is a conference because people are engaged in C-activities. (Q2) is asking: Why are those the grounding conditions for a conference, or how were those activities settled upon? In our terminology, we want to know how the carving for [E] with those specific grounding conditions was settled upon. In other words, what sort of facts are there in the world that establish socially constructed facts and their grounding facts?[70] One possible answer, although very simplified, could be that it is due to agreement or convention. Facts about certain social practices establish a structure, a carving, that describes what grounds what. Those are the facts that explain how a

[68] Shamik Dasgupta, "The Possibility of Physicalism," *Journal of Philosophy* 111, no. 9-10 (2014): 566.
[69] Dasgupta, "The Possibility of Physicalism," 572.
[70] Brian Epstein, "How Many Kinds of Glue Hold the Social World Together?" in *Perspectives on Social Ontology and Social Cognition*, ed. Mattia Gallotti and John Michael (Dordrecht: Springer Netherlands, 2014), 3.

carving is imposed. While a causal chain of events has led to the practices that we have now, it is those practices themselves that establish a conference and its grounding conditions.

This suggests a second building relation at work in shaping a constructed fact. There is a building relation between the facts about a social practice and its respective carving. Epstein argues for a similar structure, where he calls this relation the *anchoring relation*: facts about social practices 'anchor' facts about what we have called carvings. This second relation has a different job; it stands between different sorts of relata.[71] Let us for a moment branch off to logic, where instead of a carving we have laws of logic. I will write [p] for *the fact that p* and I will use [q] ← [p] for *the fact that q is grounded in the fact that p*.[72] Let us consider the following:

[F1]: [p v q] ← [p]

[F2]: [¬ ¬ p] ← [p]

What [F1] claims is *the fact that p and q is grounded in the fact that p*. And [F2] claims that *the fact that not not p is grounded in the fact that p*, where *p* and ¬ *p* are distinct facts. Why are [F1] and [F2] the case? There must be something about the disjunct in [F1] and something about the negation in [F2] that contributes to building it. [p] grounds both [F1] and [F2]. Both [p v q] and [¬ ¬ p] are 'built out of' [p], [p] is the building block in both facts. What we want to know when we ask what builds [F1] is why in [F1] specifically [p] makes it the case that [p v q]. Surely this has something to do with the nature of the disjunct, with how [p v q] is set up. The same goes for [F2], where it has something to do with the nature of the negation. [F1] and [F2] are 'built via' different laws of logic. This other building relation is a relation about how something is put in place; here it is about how laws of logic work in this case, or more specifically how disjunction or negation work. It has a different job than the grounding relation; it does different work.

In social construction cases, these anchoring facts explain why those are the conditions that some fact has. It highlights the different ways constructed facts are established. Construction takes some 'stuff' in the world, and assigns a certain status to it. To further illustrate my point, here is another example:

[S1]: 'a full English breakfast is not halal'

[S2]: 'a full English breakfast is non-vegan'

[S_G]: 'a full English breakfast contains bits of bacon.'

Both [S1] and [S2] are grounded by [S_G]. There is a reason [S_G] in one case specifically grounds [S1]; it has something to do with the nature of 'being halal' in [S1]. Importantly, how [S1] and [S2] are ontologically established are entirely different. The former is perhaps established by divine command, by years of interpretations by imams, or by beliefs of those in positions of influence about moral matters. It could be one; it could be all of them. The latter is perhaps established by certain practices caused by feminist attitudes and certain ethical beliefs. When we ask: why are these the property's or kind's instantiation or identity conditions? The answer for [S1] is different than the one for [S2] because their establishment relation is different; it has to do with Islam and Veganism respectively, and the practices corresponding to them. Both take some stuff in the world and assign a certain status to it. Both are constructed facts that are set up differently; they are

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[71] Epstein, *The Ant Trap*, 82.

[72] See Gideon Rosen, "Metaphysical Dependence: Grounding and Reduction," in *Modality: Metaphysics, Logic, and Epistemology*, ed. Bob Hale and Aviv Hoffmann (Oxford: Oxford University Press, 2010) and Paul Audi, "Grounding: Toward a Theory of the In-Virtue-Of Relation," *Journal of Philosophy* 109, no. 12 (2012) for a similar example.

distinct social facts. One set of facts is responsible for building, for carving out, the conditions or nature of what it is to be non-halal or non-vegan. Yet another set of facts is responsible for building, for grounding, the fact that 'x is non-halal' or 'x is non-vegan'.

As demonstrated above, any constructed fact has both building blocks, facts that ground it, and metaphysical reasons why that fact is carved out and why its grounds are what they are.[73] To capture both, on the one hand, a carving explains what grounds what; on the other hand, a carving is the product of conventional practices that establish it. Further refining **SC$_C$**, to include the carving understood as established by social practices, will look as follows:

SC$_P$: A fact *f* is socially constructed (f_{sc}), iff *f* is grounded in f_g where the grounding relation obtains due to a carving C, i.e. is established via distinctive social practices.

SC$_P$ captures the overall structure of constructed facts. What it means to be socially constructed is to be carved out via distinctive social practices, where carving is a function which yields the facts regarded as constructed when applied to a substratum. As a result, some constructed facts are socially grounded, like gender or race, and some are not, like vegan food, money, or borders. Distinctive social practices impose a specific carving onto the substratum.

For each account, then, the relevant details will need to be filled in accordingly. Searle and Hume, for example, provide different answers. For Searle, what establishes a carving is that within our practices we collectively accept the carving. The members of a community must have a 'we accept' attitude towards the carving. For Hume, it takes more than just attitudes. Facts about our beliefs and actions, tacit beliefs and regular behaviour establish a carving. These beliefs are however not about the carving itself, but expectations about regularities in behaviour, which taken together set up a carving. Research needs to be done to get a better understanding of this part of the puzzle.

In short, in this chapter, I have argued that while grounding is the correct ontological relation to explain what social facts are built out of, for the socially constructed facts the grounds themselves are not always social facts. I distinguished three kinds of social facts **SF-I**, **SF-II**, and **SF-III**. The problem we were facing at the start of this chapter was that **SC$_G$** could not distinguish between **SF-I** and **SF-II**, and that it not included **SF-III**. In order to address these limitations I said that two things deeded to be done: (1) Develop a definition that is neutral regarding the nature of the grounding facts (social or non-social) and (2) identify the factors that contribute to a fact being socially constructed when it's not due to specific grounding facts.

This led to reformulating **SC$_G$** in terms of *carving*. Facts about certain social practices impose a structure, a carving. It that describes what grounds what, being neutral on the type of grounds. The social world is therefore not just something in our heads but consists of actual 'stuff' in the world, certain facts to which a certain status or convention has been assigned. Furthermore, I argued that building a constructed fact has two levels. The first is about what grounds a social fact. The second is about why those are the grounding conditions we have, and why we have a particular carving. This is explained by social practices that establish a carving. Being socially constructed thus means being 'put in place' by social practice.

In the next chapter, I will use an example, Butler's account of gender and sex, to show how **SC$_P$** works. Finally, I will also illustrate what it would take for things to change.

[73] Epstein, *The Ant Trap*, 74.

V. Dependence on Social Practices

In the previous chapter, I argued that social construction is more than just social constitution. I introduced three types of social facts (**SF-I**, **SF-II**, **SF-III**), highlighting that some socially constructed facts (like borders or money) are not grounded in facts about people. By adapting Einheuser's concept of a *carving* we can explain which types of fact—whether social or not—are constructed. Recall that a carving is a function that imposes structure on a substratum, yielding conventional features (c-features) from substratum features (s-features). It is important to understand not just what grounds a fact, but why those specific grounding conditions are in place. Finally, I defined social construction as follows:

SC$_P$: A fact *f* is socially constructed (f_{sc}), iff *f* is grounded in f_g where the grounding relation obtains due to a carving C, i.e. is established via distinctive social practices.

If we take the example of marriage given earlier in this paper, we can analyse it in terms of **SC$_P$**. Let us consider a case in the Netherlands:

Constructed fact: (F)Act M is a marriage
Grounding facts: (f_1) Act is conducted by a Registrar of Births, Deaths, Marriages and Registered Partnerships
(f_2) At least one of the two people getting married is a Dutch national or resident in the Netherlands
(f_3) Both people have registered their intention to marry
(f_4) etc.
Carving (s-facts) = c-facts Facts f_1, f_2, f_3, …etc., ground fact F
Social practices: Legal practices concerning marriages, religious practices concerning marriages, Dutch traditions concerning marriages, etc.

Historical facts about different yet related practices concerning marriages in the Netherlands have contributed, have caused, our current practices. Our current legal practices carve out the exact grounding facts for facts about what it takes for an act to count as a marriage. While we cannot change the past, the facts that have caused our current carving to obtain, we can however attempt to change the carving by changing our current practices, such as the legal practices. In the case of marriage, social practices have an influence on the grounding conditions. In cases such as marriage, because the s-facts are acts and behaviours of people, these can be influenced by the practices. While the grounding conditions are facts about the way the world currently is, these are informed by the social practices.

With this example in mind, I want to look at one of the most famous, yet notoriously misunderstood, accounts of social construction: Judith Butler on gender and sex. I believe that this confusion lies at the heart of many debates about gender and sex. In this chapter I will apply **SC$_P$** to Judith Butler's account of gender and sex, to illustrate how this captures the way in which they understand gender and sex to be constructed. In the case of sex, we will see that the s-facts are facts about the way the world is.

V.1 Butler on Social Construction

As we saw in Chapter II, Butler argues that gender doesn't exist as a reality before it's performed. They claim that gender is not an innate essence seeking expression, but rather something created through performance. The way we walk, talk, and act, gives the impression that being a woman is

something biological, but it is not. How does this fit in the definition of construction as given in this paper? What Butler in effect is arguing is that facts about gender are socially constructed facts, because they are established via linguistic and conceptual practice, where facts about gender are not s-facts given by the substratum, but c-facts that have been carved out of people's acts (s-facts). Facts about gender in Butler's account are of kind **SF-II**, where the grounds are social. The property of 'being a woman' results from these performances being carved out as gendered. Due to this, in some cases, we might say: 'That guy throws like a girl.' Our linguistic practices take certain ways of throwing to be 'girly.' Yet, there is no gendered identity behind the 'performances.'

Gender is constituted by performances; it is a 'fiction added to the deed.'[74] Our practices impose such a carving; they impose what grounds what. The distinctive practices here are linguistic and conceptual practices. For this, they give a genealogy to show what sort of facts have caused such practices to obtain. According to Butler, discourse has the power to create what it describes, and it comes to life through constant repetition.[75] The categories we use in language play a significant role in forming our perception of reality. Butler contends that social constructs become 'real' not because they exist independently, but because they acquire influence and meaning through how we talk about and understand them in our social discourse. Our linguistic and conceptual practices carve out genders, stipulating what grounds what.

In a similar vein, Butler argues that '[…] "sex" is as culturally constructed as gender.'[76] They argue that sex isn't a natural, pre-linguistic fact but that it has always been shaped by language. According to Butler, sex isn't simply a static bodily condition. They contend that the body isn't naturally 'sexed' before it's defined within discourse. Both sex and gender are effects rather than origins with inherent essences. Language has the power to produce reality and create divisions that are mistaken for fundamental facts.[77] Again, our linguistic and conceptual practices carve out constructed facts. Butler rejects the idea of sex as an unconstructed s-fact 'given' by the substratum. Sex does not belong to a 'natural order.'[78] Rather, similar to gender, facts about sex are constructed c-facts. The carving takes certain s-facts, facts about people's bodies, and produces c-facts. In the case of Butler, it roughly looks as follows:

Constructed Fact: (c-facts)	(F_g)Facts about gender	(F_s) Facts about sex
Grounding Facts: (s-facts)	(f) Facts about the way people talk, walk, act, sit, etc.	(g) Facts about peoples body parts.
Carving: C(s-facts)=c-facts	C_{gender} (f_1, f_2...,)= F_g's Facts f_1, f_2..., etc, ground facts about gender	C_{sex} (f_1, f_2...,)= F_s's Facts f_1, f_2..., etc, ground facts about sex
Social Practices	Linguistic and conceptual practices imposing differences between 'femininity' and 'masculinity'	Linguistic and conceptual practices imposing differences in sexed bodies

A fact, such as a fact about gender or sex, is thus socially constructed, iff it is grounded in facts where the grounding relation obtains due to a carving C, i.e. is established via distinctive social practices. This is also the sense in which Butler claims that perhaps: '[…] "sex" is as culturally constructed as gender; indeed, perhaps it was always gender, with the consequence that the

[74] Butler, *Gender Trouble*, 33.
[75] Judith Butler, *Bodies that Matter* (London: Routledge, 1993), 12.
[76] Butler, *Gender Trouble*, 33.
[77] Idem, 117
[78] Idem, 34

distinction between sex and gender turns out to be no distinction at all.'[79] My model explains Butler's claims clearly: rather than facts about gender being c-facts and facts about sex being s-facts, both are carved c-facts. That is the way in which they are similar. However, I do believe there to still be a distinction, due to the grounds being different sort of facts. I also think that Butler's claim is less radical than Stock thinks, which I will expand upon in the next section.

Which account of gender or sex is correct heavily depends on whose understanding of these constructed facts you subscribe to and even what your aims might be. My point here has been mainly to show which general structure they should follow and how we can best understand their claims. In the next section, I want to look again at Butler's account to show in which sense things could have been different and what it thus would take for things to change. This is another important aspect of social construction accounts.

V.3 Modelling Possibilities

In the previous sections, we saw that social practices and conventions impose carvings, and the carvings stipulate what grounds what. We have also seen that social constructs come in different forms: some are socially grounded and some are not. Facts about us thus are related to socially constructed facts in different ways. In some cases, social constructs are even claimed to be by some politically and or ethically laden. Hence, some feminists believe that certain facts must be changed because they are unjust. Our current model is neutral on whether social constructs are unjust. It takes further explanation to show that some construct is unfair or unjust. Explanations are needed to show for example that certain practices are biased against some group, or that certain carvings are unjust in some way. Or perhaps that a certain carving leads to or causes injustice. In this section, however, I want to discuss how we can think about modelling possibilities. If a construct is unjust, this section will aid in what it would take to change them.

Let us start with how we usually model possibility. Let's say we are interested in decreasing crime in Baltimore, especially drug crime. Take the following example:

[P]: Avon Barksdale is a drug trafficker

[T]: Avon Barksdale possesses great quantities of illegal drugs.

[R]: Avon Barksdale has been distributing illegal drugs.

What constitutes 'being a drug trafficker'? Under some laws, it is possessing large quantities of illegal drugs with the intent to distribute. Fact [P] obtains because [T] and [R] do, those are the facts that ground [P]. Of course, this is a simplified example. If we want to know what exactly grounds 'being a drug trafficker', we would need to look at specific laws concerning drug trafficking in Baltimore. This example, however, will do for the point I am trying to make. To lower drug crime, we could look at which facts causally affect the grounding facts such as [T] and [R]. This is what policy researchers often do. Their work consists of modelling social facts and finding out what the causes are that lead to certain grounding facts obtaining and how we could intervene. Similarly, Haslanger wants to influence the factors that affect 'being a woman', having

[79] Butler, *Gender Trouble*, 13.

certain roles along different social dimensions. This is why her ameliorative account is formulated in that way. On my model, if *being a woman* depends on having a subordinated social role, then we can intervene in the causes that lead the grounding facts to obtain. This results in there being fewer to no *women* in the future.

What does this say about the synchronic relation between on the one hand [P], and [T] and [R] on the other hand? Take the following counterfactual: 'Had our practices been different, then there would be no drug trafficking.' A useful tool with which we can interpret such counterfactuals is possible world semantics.[80] This means that we look at a possible world that differs minimally from ours, where certain 'practices' are different, in that world there is no drug trafficking. In a possible world where, perhaps because Avon Barksdale grows up differently, goes to a different school and has other friends, [T] and [R] do not obtain. In different worlds, different grounding facts could obtain. When we hold what-grounds-what fixed, in that possible world Avon Barksdale is not a drug trafficker.

The reason it is useful to think in terms of carvings is that a carving framework also allows us to distinguish between s-possibility and c-possibility. Possible worlds are represented as substratum-carving pairs $<s, c>$, and our actual world, $w_@$, is represented by $<s_@, c_@>$.

There are two ways in which a socially constructed fact (f_{sc}) can obtain or fail to obtain. It is (a) possible that the substratum of a world is different, but it is also (b) possible that the carving is different:[81]

> $\Diamond_s \varphi$ is true at a world $w = <s,c>$ iff there is a substratum s' such that φ is true at $w' = <s', c>$ (i.e., iff φ is true at some world that differs from w only in virtue of its substratum).
>
> $\Diamond_c \varphi$ is true at a world $w = <s,c>$ iff there is a carving c' such that φ is true at $w' = <s, c'>$ (i.e., iff φ is true at some world that differs from w only in virtue of its carving).

Let us start with $\Diamond_s \varphi$. In the case of Avon Barksdale, in which we judged possibility against the backdrop of our actual carving, what grounds what is a form of $\Diamond_s \varphi$, where the carving is held fixed. This captures our intuitions concerning ordinary metaphysical modality, described here as a special case of s-modality.[82] Possibilities of type (a), $<s,c_@>$, can be described by 'countersubstratum' conditionals.[83] We hold the carving fixed and consider a substratum that differs minimally from ours, to make the antecedent true. What we would ordinarily call a counterfactual is a special case of the counter-substratum conditional, where the actual carving is held fixed. To illustrate, in the case of 'had our practices been different, then there would be no drug trafficking,' we hold fixed what constitutes 'being a drug trafficker' and consider a substratum where the antecedent is true. Recall Haslanger's project, some s-facts are different.

However, what some constructionists and feminists, such as Butler, have argued is that if a certain fact is socially constructed (f_{sc}), then how things stand f_{sc}-wise systematically covaries with social practices and conventions. They are interested in type (b), mentioned above, which is a form of $\Diamond_c \varphi$. How things stand c-wise systematically covaries with the relevant practices that put them in

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[80] David Lewis, *Counterfactuals* (Malden, MA: Blackwell Publishers, 1973).

[81] Einheuser, "Counterconventional Conditionals," 464-465. For the substratum and carving, each have x-possibility, x-necessity, and x-contingency.

[82] Idem, 466.

[83] Idem, 471-472.

place. When we hold the substratum fixed, which is of type (b), we get what Einheuser calls 'counter-conventional conditionals', $<s_{@}, c>$.[84]

There is for example a world in which the substratum is the same, the relevant s-facts obtain, but the communities do not carve 'being a drug trafficker'. Because we hold the substratum fixed, thus [T] and [R] obtain. It has nothing to do with change of s-facts, those remain the same. However, had our linguistic and conceptual practices been different, we would not have facts about 'being a drug trafficker'. This is strange for drug trafficking, because of the way we normally think about possibility. Usually, when we for example think across cultures or countries we would say that even if the country lacks a certain carving, if [T] and [R] still obtain, then they have drug traffickers. When modelling possibilities in the social sciences we hold the carving fixed when we consider policies for decreasing crime. Crime rates, on paper, could go down if we changed the carving to for example include in the grounding facts 'person x is pensioner'. Yet, this would not change facts like [T] and [R], and it is precisely those facts we want to change in order to lower crime. While on paper it might seem that crime has lowered, it would not affect the worldly stuff.

While counterconventionals might seem strange for facts about drug trafficking, it is exactly the sense in which some philosophers mean that things could have stood differently. I believe this to be the correct way of analysing social constructs. In the introduction of this paper, I mentioned a disagreement between Kathleen Stock and Judith Butler about sex. That debate can now be made explicit. In Stock's view, Butler is claiming something radical. How so? According to Stock, Butler argues that 'the categories of male and female are nothing but social meaning', and what's more is that 'if cultures and societies had ascribed social meanings differently, we could have had a different configuration of sexes, or even no sexes.'[85] This is true. What Stock finds inconceivable is that Butler ignores bodily materiality. She states: 'As argumentative gambits go, this is a bold one, a bit like arguing that an asteroid isn't about to hit earth by redefining the word "earth" as "thing incapable of being hit by an asteroid".'[86] My understanding of their discussion is that Stock reads Butler's claim as a counter-substratum conditional. That indeed seems absurd, because it is read as 'claiming that a change of a certain aspect of the substratum - namely, how we speak and think - is sufficient to bring about a change of an entirely unrelated aspect of the substratum.'[87] The 'unrelated' aspect of the substratum are the s-facts, facts about our bodies. Unlike the case of marriage, the way we think and talk does not affect these s-facts. The s-facts here are different. It is because of this particular counter-substratum reading that it seems so absurd and perhaps radical. But this is not Butler's claim at all. Let us analyse Butler's claim through the following conditional:

{SEX} If our practices had been suitably different, then we would not have had sexed bodies.

Under Butler's claim, this should be read as a counter-conventional. Properties covary with changes of practice, where changes of practice are conceived as changes in carving. Read as a counter-conventional conditional SEX is not so absurd, nor as radical. Had our carving been different, given our actual substratum, $<s_{@}, c>$, then the output would have been different, we would have had different c-features, and we would have had no sexed bodies. Our bodies remain the same. Our current practices have been caused by a long chain of causal events. It is impossible to change the past, but what we perhaps could do is change the practices themselves. This can be done. Recall that marriages have recently changed in the UK, same-sex marriages are now legal. What constitutes a marriage now includes same-sex marriages. Sometimes changing public

[84] Einheuser, Conterconventional Conditionals, 471-472
[85] Ibid.
[86] Stock, *Material Girls* ,15.
[87] Einheuser, "Counterconventional Conditionals," 467.

opinion, and pushing for law reformation helps greatly. However, it remains rather difficult because there seems to be no blueprint for how exactly to do this.

Important to notice is that while our model makes Butler's claim more explicit, it does not make it true. That is a separate inquiry entirely. Such an enquiry would need to show that the function that stipulates sex and its grounding conditions are the product of conventional social practices, i.e. that it has been established via a carving, and that things thus could have stood differently. My aim has mainly been to aid the reader in understanding the structure of social constructs and specific cases such as Butler's account. Social construction theories that work within a tradition of genealogy are often rich in information but notoriously difficult. I believe that modelling social constructs in terms of grounds, substratum-caring pairs, and analysing possibilities with the counter-conventional are very useful tools for such theories in detail.

VI. Conclusion

At the start of this paper, I said that we should make the metaphysical underpinnings of social constructions explicit. I have aimed to do so by answering two questions: (a) what sort of things are dependent on people? (b) What does that dependence look like? My claim has been that what social constructs are about is worldly stuff. Thus we should be talking about facts. What sorts of things are dependent on people are social facts. Put simply, social constructs are social facts. Conversely, not all social facts are socially constructed. I have shown that there are three types of social facts, two of which are social constructs. Social facts of the kind **SF-I** are facts such as the crowd running up Alpe d'Huez. Social facts of the kind **SF-II** are facts such as facts about gender and race, constituted by facts about people. Social facts of the kind **SF-III** are facts such as facts about money or borders, not constituted by facts about people.

So, what does the dependence relation look like? I have argued that how socially constructed facts are built has two levels. The first is about what grounds such facts and how the grounding relation is due to a social carving. The second is about why we have those grounding conditions and how social practices establish the carvings. What makes **SF-II** and **SF-III** social constructs is that our practices have established them, people play a role in deciding what grounds what. I introduced Einheuser's notion of a *carving* and adapted it for social construction to show the general structure of social constructs. A carving is a function that takes facts 'about the world' and produces constructed facts. To be socially constructed means to be carved out via distinctive social practices. In some cases the grounds of such constructs are facts about people because we, our beliefs and our acts, are part of the world. I have given an example of what it would look like for a constructed fact to be put in place by social practice and to also have social grounds, by analysing Butler's account of gender and sex. Gender and sex are constructed facts in the sense that our linguistic and conceptual practices have taken some facts about people and carved out facts about gender and sex. Furthermore, I demonstrated in which sense constructionists mean to say that things could have stood differently had our practices been different. For this, we hold facts about the world fixed, the grounding facts, and model different carvings. What it thus would take for things to change is that we need to change our practices, practices that impose what grounds what.

In conclusion, this paper reveals the structure of social constructs by explicating their metaphysical underpinnings. By distinguishing between types of social facts and introducing the concept of *carving*, we gain insight into how social practices shape our reality. This structure also illuminates potential pathways for social change. Future research could explore how this metaphysical approach might inform practical strategies for addressing social issues or investigate the implications of this model for other domains of social theory.

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