Structurally-Constituted Human Kinds[*]

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Abstract

Some kinds of human or person seem to be intimately involved in the extra-human or extra-personal world; this involvement can take a variety of forms. Social constructionists have suggested that various human kinds may exhibit surprising dependence upon socially caused or constituted aspects of the world, and some have appealed to externalist, causal historical accounts of the semantics of kind terms for a model of how to reconcile such unappreciated sociality with successful reference of the terms. Focusing on the case of race in the U.S., I suggest that following this appeal to externalist semantics may lead, in some cases, to the embrace of human kinds that are constituted by the causal and material effects of past social practices. I also suggest that such structural dependence has counterintuitive consequences.

Key Words: social construction, semantic externalism, human kinds, race

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Some kinds of human or person seem to be intimately involved in the extra-human or extra-personal world, and this involvement can take a variety of forms. For example:

    a. Elvis impersonators are metaphysically dependent upon Elvis.

    b. Being a serf under medieval feudalism involved performing certain kinds of labor, but also being enmeshed in a system of culturally local institutions (including manors, and lords) that assigned various rights and obligations. One cannot be a serf (in anything like the same sense) now.

    c. Being a master cellist (or expert in playing another instrument) requires that one have had long and interactive causal connections to a cello (or the other instrument). There would be no cellists if there had been no cellos.

    d. The "foodie" is a kind of human that has emerged along with a host of cultural institutions that include physical and social entities that support her—entities like organic farms, artisanal butchers, wine tastings, and so forth. [1]

    e. Some putatively natural human kinds are said to be inventions that emerged roughly in tandem with the widespread adoption of concepts for those kinds. Michel Foucault, for instance, claimed there were no homosexuals before the nineteenth century (1978), and that homosexuality emerged along with the concept for it. Arnold Davidson (2001) says the same of "perverts." And a number of authors have claimed that race came in the eighteenth or nineteenth century as people came to be divided by race, where that was understood as picking out people and groups with underlying, essential differences (e.g. Guillaumin, 1980).

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[1] I'm grateful to Aaron Meskin for leading me to consider the example of foodie, and for discussion of the possibility of world-dependent aesthetic human kinds more generally.

These are just a few examples of human kinds (kinds of person, trait, or action) that arguably are constituted by persons enmeshed in some intimate way with the world. I take it that the existence of externally-metaphysically-dependent human kinds is not very controversial, and in any case, in this paper I assume it. I also take it that the existence of such kinds is ethically significant, for some of the relevant kinds of human are also identities that we employ to develop our characters and skills, and accommodate ourselves to our social situations. These choices of identification and accommodation can give our lives meaning.

Some human kinds are dependent upon things in the world in ways that are recognized in the meanings of the terms we use to pick them out. It is part of the concept of an *impersonator of t* that one be causally linked to *t*. So one cannot be an Elvis impersonator without some sort of causal link to Elvis. Similarly, one cannot be a *child of* Pablo Picasso without being causally linked to Pablo Picasso, or be a *biographer of* Marvin Gaye without being causally linked to Marvin Gaye, or *remember* your fourth-grade teacher without being causally linked to your fourth-grade teacher. These concepts recruit and entail causal understandings that require certain relata.

But human kinds may also depend upon the world in ways that outrun our *a priori* understanding of the concepts of those kinds. Since Kripke (1980) and Putnam (1975), it has been a familiar thought that some kind terms may receive "external" *a posteriori* definitions that reveal necessary facts about the kind. Such *externalist* accounts of the semantics of kind terms tell us that water is H_2O although this identity is revealed by science rather than by reflection upon the meaning of "water" or the concept of *water* alone. Could this be true of a term for a kind of human?

The *constructionist* accounts alluded to in e. imply that some putatively natural kinds of human may exhibit some degree of widely unacknowledged causal or metaphysical dependence upon our social and conceptual activities involving the concepts associated with those kinds. If so, these kinds are *covert constructions*—that is, they are widely believed to be natural, usually biological, kinds; they

instead are products of something "social"—here I will just say products of our *concepts or mental states or social practices* involving the concept of the kind.

Thus, it is typical of constructionist accounts of human kinds to deny that putatively natural kinds are really biological or natural. For instance, the critical sociologist Stuart Hall claims that:

> 'black' is essentially a politically and culturally *constructed* category, which cannot be grounded in a set of fixed trans-cultural or transcendental racial categories and which therefore has no guarantees in nature. (1996: 166)

And Catharine MacKinnon has argued:

> Gender has no basis in anything other than the social reality its hegemony constructs. Gender is what gender means. (1987: 173)

A number of philosophers have considered the possibility that such covert constructionist accounts of human kinds might fit well with and be supported by appeal to externalist accounts of the semantics of kind terms—that, in effect, just as "water" turns out to refer to H_2O, human kind terms sometimes turn out to refer to socially constructed kinds, because that's the way (or one of the ways) that the semantics for human kind terms works (Boyd, 1992; Haslanger, 2003, 2005; Mallon, 2003, 2016). Such semantic externalism is now widely accepted for kind terms in part because they allow kind terms to refer to kinds even in the face of widespread mistaken beliefs about the kinds by term users. Since, by hypothesis, covert constructionists assume human kind terms are used in connection with mistaken beliefs about natures, appeal to semantic externalist accounts of reference allows them to argue that human kind terms could refer to social constructions even in the face of widespread errors in understanding by those who employ the terms.

My strategy here is to articulate this externalist argument, and then follow it to a conclusion about what it might show about

constructed human kinds, looking especially at racial terms and kinds in the U.S. context. I argue that this sort of argument can lead constructionists towards the surprising view that race (and perhaps other human kinds) may be *structurally-constituted.* The term, "structure" is used in a range of different ways in the social sciences and social theory, and here I will stipulate:

> *Structures* are material and institutional causal consequences of social-conceptual activity involving a concept C that are not themselves constituted by the concept C.

Such structural constitution of human kinds thus stands as an alternative to constructionist accounts (including those mentioned in (e) as well as MacKinnon) that emphasize the constitution of socially constructed kinds by the socio-conceptual activity organized around the concept of the kind. Here, I argue that constructionists' appeal to semantic externalism supports the idea that human kinds may be constituted by structure.

In Section I, I articulate and motivate the appeal to external accounts of reference by covert social constructionists. In Section II, I argue that externalist accounts of reference suggest kind terms may pick out the underlying kinds or properties that underlie and explain the features that help fix the referent. Having set out this semantic externalist argument, I point out in Section III that following this argument seems to imply that extra-individual aspects of the world—including those that may be caused by, but are not constituted by, socio-conceptual activity involving the kind concept—can be involved in constituting human kinds. In Section IV, I locate this claim with respect to philosophical articulations of constructionism. In Section V, I suggest that structurally-constituted kinds fit with recent trends in the theory of natural kinds, and explore some of their consequences for thinking about human kinds like race in this way. I conclude in Section VI.

I. Social Construction and Semantic Externalism

Social constructionist claims like those in (e), as well as those from Hall and MacKinnon, raise a difficult problem for the covert constructionist (Mallon, 2016: Ch. 8). Since putatively biological human kinds are *putatively biological*, and constructionists offer, by hypothesis, some alternative, social, account of these kinds, constructionists are committed to holding that ordinary understandings of these human kinds are profoundly mistaken in their central explanatory claims concerning these human kinds.

This raises problems for the constructionist since the constructionist holds that everyday terms like "homosexual" or "black" refer to social constructions rather than biological kinds. Terms that figure in centrally mistaken theories are often taken to be ripe candidates for elimination because we become skeptical that they refer to anything. We say, for instance, that ether and phlogiston do not exist because they were posits of theories that were false in central ways (e.g. Churchland, 1981; Stich, 1983). Applying similar reasoning to covert constructionist claims, similar reasoning might lead us to conclude *not* that race is a social construction or that gender is a social construction, but rather that that there is nothing that satisfies the ordinary theory of what race is, or of what gender is. As with ether and phlogiston, we could conclude that these things do not exist.

One strategy for a social constructionist at this point is to become a *reconstructionist*, to insist that while it is true that, say, race or gender or some other human kinds as ordinarily conceived do not exist, nonetheless, *something* exists in the neighborhood that we may wish to pick out with our ordinary racial/gender vocabulary (e.g. Glasgow, 2009).

However, another strategy is available: across a range of domains, others have pointed out that skeptical conclusions about kinds that terms pick out can be resisted by embracing some sort of externalist account of reference on which the reference of those

terms is achieved via some relation that is independent of the satisfaction of theories or descriptions currently associated with the term—usually via some sort of causal-historical relation (e.g. Lycan, 1988; Stich, 1996). These semantic externalists have insisted that theoretical and empirical investigations often teach us surprising things about the parts of the world that our kind terms pick out. It remains simply for the constructionist to embrace this strategy and claim that careful investigation reveals that a range of putatively natural human kind terms in fact pick out social kinds, and some have done so (Haslanger, 2003, 2005; Mallon, 2003).

Here is the argument I think that such constructionists may be appealing to:

1. **Semantic externalism for natural human kind terms**: A human kind term "T" (can) refer independently of the satisfaction of the description ordinary users associate with the term.
2. **Reference is secured by causal explanation**: The parts of the world a kind term "T" refers to are those parts that, roughly, stand in a causal explanatory relation to some aspect or aspects of the world that we use to fix the reference of the term.
3. **The world is in part a human product**: The parts of the world that stand in an explanatory relation to aspects of the world we hope to explain by use of the human kind term "T" are in some way socially constructed; viz. they are caused or constituted by human mental states, decisions, social practices, and so forth.
4. **Constructionism**: The human kind term "T" refers to a socially constructed kind.

This argument provides the social constructionist answer to the threat of eliminativism, and it secures constructionism as a standard option for explaining the metaphysics of human kinds. Is it a good argument?

Premise 1 remains controversial, representing only one approach to reference among others. While some have argued that semantic considerations are less decisive than they are sometimes treated, especially in contexts of socially and politically charged categories like race (e.g. Mallon, 2006), something like (1) does command a widespread following, and it suggests perhaps the most plausible defense for the covert constructionist to achieve successful reference. Since here my aim is to discover the implications of this strategy, I assume it here.

Similarly, Premise 3 is the central claim of the constructionist views I am exploring, and I also assume it in what follows.

In the next section, I say more by way of motivating Premise 2.

II. Explanation and Reference

Let us consider in more detail what role causal explanation might have in fixing reference. Externalist accounts of the reference relation for a class of kind terms hold that terms in the class refer to the things they do via some external reference relation, but what is this relation? Many accounts refer to it as a "causal-historical" relation, meaning that the kind a term refers to depends upon the causal history of the use of the term. So, for example, someone introduces "planet" to pick out planets, and then at some later time we do so, and our term refers to planet-kind (if anything) because it is causally-historically related to or inherited from the "baptismal" use.

However, spelling this picture out in more detail is quite difficult. One problem is the "qua problem." Suppose someone dubs a group of celestial bodies "planets." In virtue of what does the name pick out planet-kind rather than some other property that the samples have in common (e.g. *visible objects in the night sky*, say, or *things that look like, but different than, stars*)? One canonical solution to the qua problem suggests that the kind is fixed by some description that *the baptizer* of the kind used to fix the referent, and

future users of the kind term can inherit this success from them, attaining a causal connection to the referent (Devitt & Sterelny, 1999; Stanford & Kitcher, 2000; Thomasson, 2007).

This way of answering the qua problem represents a family of externalist accounts that holds that the kind picked out by our kind term is one that bears a special role in *explaining features* of the kind in the actual world that provide our initial "grasp" or "take" on the kind.

One way this might occur is simply that a kind stands in a certain causal relation to us, or to some aspect of our thought or our experience. Consider Kripke's claim that, "We fix what light is by the fact that it is whatever, out in the world, affects our eyes in a certain way," (1980: 130) and similarly, "we identify heat and are able to sense it by the fact that it produces in us a sensation of heat" (131). These passages indicate that it is some causal connection between the kind in the world and some key phenomena that allows our term (say a term associated with the experience) to connect to the relevant kind. But in virtue of what is the cause the referent?

Michael Devitt and Kim Sterelny defend the canonical response to the *qua problem* on which successful *baptism*—the naming of a kind with a term—works via some description, associated with the term, that rigidly fixes the kind that satisfies the description at baptism. On their view, this description includes specification of a causal role:

> People group samples together into natural kinds on the basis of the samples' observed characteristics. They observe how they behave and infer that they have certain causal powers. At some level, then, people "think of" the samples under certain descriptions—perhaps, 'cause of O' where O are the observed characteristics and powers—and as a result apply the natural kind term to them. It is this mental activity that determines which underlying nature of the samples is the relevant one to grounding. (Devitt & Sterelny, 1999: 92)

Like Kripke, Devitt and Sterelny imagine the baptizer having an observational take upon a kind, where the kind is described or thought of, in part, as being the cause of some properties one observes. The reason the cause is important is simply because the description says so.[2] On Devitt and Sterelny's view, it is in virtue of (more or less) satisfying a description that specifies (and requires) a causal role in producing central observed characteristics and powers—what I'll call "key properties"—that a kind term refers to the kind. Later uses of the kind term "borrow" reference to the kind that satisfied the baptismal description.

Return to structurally-constituted human kinds. We are thrown into a social world in which people are already differentiated on numerous different dimensions. The discussion of this section suggests that the kind terms by which we articulate these dimensions may refer to whatever explains the "observed characteristics and powers" that we take to figure in the relevant baptism.

One problem in the case of covert social constructions is that, by hypothesis, ordinary users of social kind terms misunderstand these causes as biological. By employing externalist reference relations, the covert social constructionist can say that apparent biological kind terms actually refer to socially constructed kinds *in virtue of* those constructed kinds being the kinds that stand in the right explanatory relation to the key properties with which baptizers were confronted. The covert social constructionist holds that the explanation of differences along these dimensions is to some significant extent a product of social-conceptual practices rather than of intrinsic, natural differences among kind members.

If the discussion of this section is correct, then ordinary terms for human kinds may refer to underlying kinds that are or are the

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[2] Compare: if I stipulate that, "By 'Edgario' I mean the world's tallest living human." Then, the tallest living human (if there is one) falls under the name in virtue of satisfying the description. Since the description does not require that Edgario have any causal-explanatory properties, Edgario need not be causally connected to me to fall under the name.

products of our social practices where those social entities are the correct explanation for the properties that figure in attaching the term to the kind.

III. What Explains the Characteristics and Powers We Use to Pick Out Human Kinds?

If the key properties of serfs require the existence of specific social relations among people, then these relations constitute the kind. While it is possible to conceive and even identify with being a serf, we cannot actually be one because we cannot stand in those relations. Now consider the cellist and the foodie. These kinds of human are social constructions, at least in the sense that they are products of cultural and historical processes. Each emerged along with *both* a conceptually-framed *identity* and the emergence of physical, material parts of the world that support the development of the characteristic properties of the kind. Cellists could not do the things they are able to do without an extended network of physical and social support structures, that includes the cellos themselves. Foodies could only emerge when supported by social and material structures (markets, stores, restaurants) that allow intense attention to the aesthetic aspects of food. If these claims are true, then considerations rehearsed above raise the possibility that the cello and resources like the artisanal farmers' market are not merely causally implicated in these human kinds, but partially constitute these kinds in virtue of being part of the thing that causally explains the key properties figuring in baptism of the kinds.

At this point, it would be reasonable to object that externalist reference was introduced in connection with proper names and natural kind terms, and it is far from clear it can or should be extended to other sorts of kinds like cellist or foodie. Whether or not this is correct, the case of covertly constructed, putatively natural human kinds looks different, for ordinary discourse treats these kinds as natural, and so it seems very appropriate to apply a

semantics introduced for natural kind terms to these cases. There is, for example, wide agreement that ordinary racial and gender thinking imputes biological significance to race and gender, in effect treating racial and gender terms like biological kind terms.

When we grant this thought, we are left asking what sort of "social constructs" might explain key properties associated with human kind terms, and we find that there are a range of potential mechanisms that present themselves as possibly explanatory. We have already indicated a rough distinction between biological and social mechanisms, and then within the social, we can further distinguish roughly between:

(a) ongoing social relations and conceptually-guided social practices
and;

(b) the causal effects of past socio-conceptual practices, effects that I have labeled with the term "structure."

Consider how this distinction might go for the case of race in the U.S. What properties might be "key properties" and help to fix the reference of racial terms?[3]

It's quite difficult to answer this question because, as we noted, racial terms are commonly associated with false beliefs about races. Still, many of us sympathetic to constructionism about race resist

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[3] Elsewhere, I have argued that simply importing the standard solution to the qua problem will not quite work for covert constructionists that hold that a constructed kind *did not exist* when the term was initially introduced, and rather *came into existence as the result of processes of social construction.* For example, if race exists only as a product of socio-conceptual activity involving racial terms and concepts, then race came into being *after* racial terms and concepts, and so race would not have been there as those terms were introduced to serve as a referent. This problem forces such constructionists to adopt some account of "reference switching"—a view on which the referent of a kind term changes sometime after it is introduced to pick out some new kind in keeping with its ongoing contemporary uses (Mallon, 2016: Ch. 8). Even if we allow such switching, we still have to ask what are the key properties that might fix the contemporary use of race?

eliminativism for racial terms because we see an important role for racial terminology in picking out real and important dimensions of the contemporary social world. These dimensions suggest a set of key properties fixing the continuing use of racial terms that are distinct from widespread false beliefs about race. Michael Root, for instance, has argued:

> racial differences in social or economic status or in rates of disease have a common cause; they arise from racial discrimination in employment, housing, education, health care, and the criminal justice system. That is, much of the variance between the races in socioeconomic standing, as well as health and disease, is explained by past or present acts of discrimination based on race. (2000: S629)

Putting these pieces together, a plausible proposal is that: the key properties associated with "race" (or a racial term r) and that fix its *contemporary* reference are those that feature in observed social scientific generalizations. Because, as Root notes, these generalizations tend to emphasize racial disparities, this view is, in short, that the key properties are disparities.[4]

But what explains disparities? Following earlier work by Ronald Sundstrom (2003), I have argued that most contemporary accounts of social construction tend to emphasize on-going social relations and conceptually-guided social practices at the expense of the material, causal effects of past practices (Mallon, 2018). Above, we saw this exhibited in the way that contemporary constructionist accounts emphasize constitution by socio-conceptual practices involving the kind concept. I have also suggested, again after Sundstrom, that there is good reason to believe in the case of race in

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[4] This assumption—that generalizations involving disparities express the reference-fixing properties of race—is a choice, and one that carries the risk of associating race only with disparities and not with aspects associated with race that are less troublesome or even valuable components of flourishing human lives (Jeffers, 2019a). For other explanatory purposes, other choices may be warranted. I am grateful to Anne Eaton for pushing me to think more deeply about this.

the U.S. that an essential part of the explanation of the numerous racial differences identified in contemporary social sciences stem in part from structural causes. That is to say, that if we considered the disparities associated with race, the kind that explains them will be constituted in part by material and institutional facts that are the causal effects of past practices of racialization. If so, this suggests that race in the U.S. is at least partially *constituted by* structure.

By way of example of the sort of structural element I have in mind, consider the role of U.S. racial residential segregation in sustaining U.S. racial differences. In the U.S. today, white families control seven times the wealth that black families do, a gap that has grown *larger* over recent decades (Jones, 2017). This wealth fact is connected to another: residential racial segregation; two-thirds of U.S. wealth is tied up in real estate. Indeed, Elizabeth Anderson has argued that such segregation determines a great many differences associated with race in the United States:

> Segregation of social groups is a principal cause of group inequality. It isolates disadvantaged groups from access to public and private resources, from sources of human and cultural capital, and from the social networks that govern access to jobs, business connections, and political influence. It depresses their ability to accumulate wealth and gain access to credit. It reinforces stigmatizing stereotypes about the disadvantaged and thus causes discrimination. (2010: 2)

Returning to our earlier argument, if we follow the semantic externalist argument so as to allow for the possibility of folk error in the use of racial terms, we are led to ask what explains the key properties that are used to fix the referent of a kind term. If we take these key properties to be racial disparities, we are plausibly led to the conclusion that a wide range of spatiotemporally-distributed and disjunctive structural elements including quite varying aspects of the environment like access to resources, wealth differences, and residential racial segregation. Such constituents seem to be crucial to the observed characteristics and powers of racial kinds, and by the

externalist argument to be the kind that we pick out with racial terms.

IV. Varieties of Social Construction

So far, I have been speaking of social constructionists as holding that some phenomena are "products of" the social, products of our *concepts, mental states,* or *social practices* involving the concept of the kind. But what does it mean to be a "product of"? A central thread of contemporary metaphysics distinguishes two sorts of dependence worth noting here: causal and constitutive.[5] Causal dependence plays out over time as things cause their effects, and constitutive dependence is an asynchronous relation that a thing has to the more fundamental things that constitute it.

In keeping with this thread, articulations of social constructionist ideas typically distinguish between two different ways that constructed kinds could be products of something social: *causal construction* and *constitutive construction* (e.g. Diaz-Leon, 2015; Hacking, 1999; Haslanger, 2012; Mallon, 2019). Roughly, *X* is a causal construction if its existence, persistence, or typical properties are caused by concepts, mental states, or social practices while *X* is constitutively constructed if its existence, persistence, or typical properties are constituted by concepts, mental states, or social practices.

Now consider some causal constructionist accounts of human

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[5] A great deal of recent work in metaphysics focuses upon *grounding* rather than *constitution* in order to understand various sorts of asynchronous, metaphysical dependence, and some have suggested social construction could be so understood as well (Griffith, 2018; Schaffer, 2017). While this may turn out to be a fruitful approach, here I focus upon constitution because (a) it is entrenched in philosophical discussions of social construction as the term to pick out a key sort of metaphysical dependence, (b) the nature of the grounding relation itself remains a subject of continuing debate, and (c) it remains unclear whether understanding metaphysical dependence in terms of grounding offers benefits to discussions of social construction beyond those provided by understanding it in terms of constitution.

kinds. Adrian Piper has suggested that in the U.S. blacks are joined by "the shared experience of being visually or cognitively identified as black by a white racist society, and the punitive and damaging effects of that identification" (1992: 30-31). Taking such an account as an account of racial kinds, it suggests that social practices structured by racial concepts produce causal effects including (1) direct experiences racist identification, and (2) experiences of the "punitive and damaging effects" of such identification, and that a person's having these experiences constitutes their membership in the racial category of black. Or consider Jonathan Michael Kaplan's (2010) account of racial biological (but non-genetic) medical kinds. Kaplan holds that social practices of racial differentiation according to folk racial categories cause health disparities, and these health disparities *constitute* racial biological (but not genetic) kinds that are relevant to medical research and treatment. In both cases, social practices of racialization produce causal effects, and these causal effects (at least in part) constitute the kind.

In contrast to causal accounts, most covert constructionists seem to emphasize *constitutive* construction practices that are constituted by the concepts or word meanings and understandings associated with the kind. As I mentioned at the outset, Foucault famously claims that "the psychological, psychiatric, medical category of homosexuality was constituted from the moment it was characterized" (1978: 43). Or consider MacKinnon's claim that "gender is what gender means" (1987: 173) or Michael Omi and Howard Winant's charge that we should, "understand race as an unstable and 'decentered' complex of social meanings constantly being transformed by political struggle" (1994: 55). Such claims are best interpreted by an appeal to the idea that the word meanings or concepts constitute the kinds in question (Hacking, 1986; Mallon, 2016). When we look to more recent philosophical work on social construction, we also see an emphasis on conceptual dependence (Mallon, 2018). For instance, Ásta (2018) has offered an account of the construction of human kinds on which construction is

constituted by the conferral of a status, by *ascribing* to someone membership in a category. Since the actions or practices that confer status are socio-conceptual activities, they are individuated by the relevant concepts or word meanings that structure them. That is to say, what makes the conferral of status as a *man* different than the conferral of status as a *woman*, and both different than the conferral of status as *nonbinary*, are the different concepts or word meanings guiding those conferrals, as well as the actions that follow on from them. On such an account, membership in a category is constituted by the mental or socio-conceptual practices that "makes it up." This is *constitutive* social construction since the human or "social" employment of understandings of the kind constitute the kind. In commenting on understandings of construction emphasizing the role of conceptually structured behavior, Sundstrom wrote, "We get the sense, in reading these accounts, that what is meant by the social is the domain of human action—a domain that is apart from, though determinative of, material conditions" (2003: 87).

Obviously, a "structurally-constituted human kind" is at least in part constituted by structure, and so they must be at least in part causally constructed since structures, as I have understood them, are causal products of socio-conceptual activities.

At the same time, it is important to note that in drawing the distinction between causal and constitutive constructions that things that are caused also are constituted in some way. For instance, I might cause a hammer to rust by leaving it out in the rain, but the rust is constituted by iron oxides. When we think about constructionist accounts, knowing that a kind is caused by socio-conceptual activity involving the kind concept leaves open the question of how it is constituted. I have used "structure" to pick out "material and institutional effects" of socio-conceptual practices employing a kind concept. Thus, structures could themselves been constituted in a variety of ways, and they could even be involve institutions like property, wealth, schools, and so forth—entities that I suppose to be constitutive social constructions (e.g. Searle, 1995)—but they are not constituted by the human kind concept in

question. Drawing attention to a structurally-constituted human kind is thus a way of emphasizing constitution of a kind by aspects of the world that are independent of the concepts and conceptual practices centered upon the kind, and that therefore cannot be transformed simply by transforming our kind-related socio-conceptual practices (Diaz-Leon, 2015).

Consider again racial segregation. For over a century after the U.S. Civil War, such segregation was sustained by an evolving set of formal and informal restrictions that regulated the races of people who could buy particular pieces of property, and those to whom it could be sold (Rothstein, 2017). If race was constituted by these practices, it would have been a *constitutive construction*.

Now, in 2020, it is many decades after explicit discrimination by race has been made illegal in the U.S., and also decades into a powerful decline in a wide range of measures of racism in America (Hopkins & Washington, 2019; Schuman et al., 1998), residential racial segregation by race remains a striking fact of modern life in many U.S. cities. While it would be seriously mistaken to deny that racial thinking and prejudice continues to shape a great deal of racialized behavior, it is a live empirical possibility that the primary causes of contemporary U.S. racial disparities lie in material environments and institutional structures that are not explicitly racialized rather than in behaviors or institutions that are constituted by racial thinking. For instance, Maria Krysan & Kyle Crowder argue:

> there is ample evidence that, once established, the deep segregation that characterizes many metropolitan areas tends to perpetuate itself with no overt discrimination required. (2017: 7)

I have argued that the right thing for the constructionist to say is that racial kinds are at least partially constituted by the material and institutional facts that explain their key properties. But if Anderson is right that such segregation is itself a cause of numerous racial disparities (that we have supposed to be key properties), then race is

a *causal* construction. That is, race is a consequence of socio-conceptual practices of racialization that is not constituted by them (because it can exist, and perhaps does persist and explain, without them).

The role of racialized structure thus parallels the role of racialized experience or of health disparities in the other causal constructionist accounts reviewed above (see Table 1).

Table 1   Some Theories of Causally Constructed Human Kinds

causal constructionist theories	social things	cause	constructed things	that constitute	causally constructed things
race as shared racialized experiences	social practices of differential treatment by race	cause	experiences of racialization	that constitute	race
races as medical kinds	social practices of differential treatment by race	cause	racially differentiated medical conditions	that constitute	racial biological (but non-genetic) kinds
structurally-constituted human kinds	social things	cause	structures	that constitute	human kinds
structurally-constituted race	social practices of differential treatment by race	cause	structures	that constitute	racial kinds

But structurally-constituted kinds contrast with these other causal constructionist accounts in that structures are themselves quite spatio-temporally disparate and heterogenous. If the present argument is right, then these disparate and heterogenous features can nonetheless play a role in constituting covertly constructed human kinds.

V. Disparate Kinds and Consequences

An externalist semantics for human kind terms suggests the conclusion that human kinds may be, at least in part, constituted by

material and institutional facts that are consequences of past conceptual practices. These facts may constitute kinds that are wildly disjunctive and heterogenous in the properties that are typical of them, and the mechanisms that hold those properties together.

This heterogenous picture of what human kinds in the social sciences can be fits in nicely with recent developments in the theory of natural kinds, in which older theories of kinds typified by essences gave way to a more liberal conception of "homeostatic property cluster kinds" (e.g. Boyd, 1999; Mallon, 2016). More recently, focus on such homeostatic property cluster kinds has begun to give ground to even more liberal "simple causal views" on which kind terms successfully pick out kinds when they pick out epistemically relevant causes (Craver, 2009; Khalidi, 2013). This picture also fits well with specific developments in thinking about *biological kinds*, where again essentialist understandings of species gave way to a range of ways of understanding species as populations (Mayr, 1984), and understanding the causes of the typical features of species members has gone from a focus on DNA to far-flung sets of causes including epigenesis, developmental niches (e.g. Stotz, 2010), and attention to the whole developmental system (Oyama et al., 2003). In each case, empirical investigation has led to conceptions of kinds, or of causes, of kind-typical properties that are more distributed, relational, heterogenous, and historical than initial inquiry assumed.

In all these cases, what lets us know that there is a kind is that relevant properties non-accidentally co-occur over time. This can be because of some single mechanism that determines other members of the property cluster; for example, perhaps Anderson is right that residential segregation plays this role in the case of race. Or it can be because the properties in the cluster are mutually reinforcing. For example, wealth, employment, educational, health, criminal justice, and environmental disparities may all serve to determine one another, sustaining a clustering of these properties over time, but with no one of them securing the others.

Endorsing the thought that nonconceptually-individuated and

heterogenous structural elements might constitute race also entails various counterfactuals. These include the following.

Surprising material dependence: as Sundstrom (2003) has argued, if human kinds are constituted in part by material environments, changing human kinds may require transforming material environments, a project that will be substantially more difficult and ambitious than conceptual or linguistic reform of kind concepts (cf. Diaz-Leon, 2015).

Surprising elimination: if human kinds are constituted by structural elements, eliminating those elements will eliminate those kinds. If we eliminated structural determinates of racial differences, then race, thus understood, would cease to exist.[6, 7]

Kind alienation: all objective definitions of human kind terms brings the prospect of *alienation*: falling under, or failing to fall under a kind label that one takes oneself to fail to fall under or to fall under. This is a generally recognized feature of biologically essentialist conceptions of human kinds. If we think of gender categories as being constituted by objective, biological essences, then whether someone is a man or a woman would depend upon their

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[6] Sally Haslanger (2012) has defended a conception of gender and racial kinds as constituted by hierarchically unjust social practices that has a parallel consequence that eliminating injustice eliminates the kind. So, Mari Mikkola writes that Haslanger's account entails that, "gender justice would eradicate gender, since it would abolish those social structures that are responsible for sex-marked oppression and privilege. If sexist oppression were to cease, so would women and men" (2009: 562). Similarly, Chike Jeffers worries that Haslanger's conception of race leads "us to conclude that race cannot survive the end of racism" (2019b: 193). The present account is concerned not only with possible constitution by our ongoing social practices (which is Haslanger's focus), but with the possibility that human kinds might be partially constituted by the (material and institutional) causal effects of past practices.

[7] Here I have emphasized the necessity of structure and remained silent on its sufficiency for category membership. However, note that if material structure not only partially constituted race but was sufficient for race, then race—understood still as a social construction—would persist even in the face of a successful social revolution that eliminated racial concepts and terms from regular use, *so long as the relevant structural differences remained.*

objective biology, not upon their beliefs, and this would alienate someone who *identifies as*, say, a man, but has the biological features taken to be constitutive of being a woman.[8]

Constructionist accounts that focus upon identification or ascription can be an alternative to this sort of biological essentialism, for constructionists can hold that whether someone is a man or a woman does *not* depend upon biological facts about them, but rather upon some other facts, for example, facts regarding our identifications or our social practices. Even though they avoid biological essentialism, constructionist accounts can still result in alienation. On the one hand, if the "key properties" we associate with the use of gender terms are explained in substantial part by a person's *identification as* a member of a (gender or biological) category, then (on the argument on offer) that sort of intentional, self-constructive activity may be what constitutes membership in the gender kind, and kind-membership and identity would not come apart. Those who do not identify themselves as belonging will not, and those who do, will. Such views are, like Ásta's conferralism, conceptually-constituted since identification is constituted by the concept or word meaning that shapes the identification.

Contrast these conceptually-constituted views with constructionist accounts that instead focus on the role of structure—upon causal effects of past conceptual activity in explaining the key properties. If, as we supposed, the key properties associated with racial terms are racial disparities, then structural features of the material or institutional environment may turn out to constitute membership in the kind despite not themselves being constituted by the concept of the kind. In this case, someone who has kind-typical properties as a result of structural causes might count as a member of the kind whether or not they identify as a member of the kind,

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[8] While I don't engage these questions deeply here, how to understand the metaphysics of gender, and its consequences specifically for transgender identity, has been a major topic of recent philosophical work (e.g. Barnes [2020], Bettcher [2013], Dembroff [2018] offer a few examples).

and someone else might identify as a member of the kind without being a member. As the relationship to structure is objective, someone's membership in a kind would be objective.

VI. From Semantic Externalism to Structurally-Constituted Kinds

Covert constructionists about a human kinds are pushed towards semantic externalist accounts of reference for human kind terms to avoid skepticism about the kinds, and I have argued that these accounts drive us towards looking for the things in the world that explain the key properties we use to fix the referents of our terms. Looking closely at the case of race, I have supposed these key properties might be racial disparities, and I have suggested that the correct explanations of key properties of race are structural. If so, it leaves us with racial kinds that are constituted by a heterogenous collection of causal effects of past socio-conceptual activity that may be widely distributed over space and time.

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結構構成的人之類

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摘 要

　　某些類別的人似乎與人之外的世界有緊密的關聯，這些關聯可呈現為數種不同的形式。社會建構論者認為，某些人之類的形成，以令人驚訝的程度依賴於社會所造成或構成的面相；有些社會建構論者並以關於類別詞的外在論式的因果歷史語意論，來說明如何調和此一未受到足夠重視的社會性，以及我們對這些類詞的成功指涉。聚焦於美國脈絡下的種族，我認為遵循這種語意外在論，在某些情況下，會導致由過往社會習俗的因果效應所構造而成的人之類。我也主張，這種結構性的依賴會引發違反直覺的後果，並支持人之類的語意多元主義。

關鍵詞：社會建構、語意外在論、人之類、種族