

Human Kinds as Conferred Kinds

Recently there has been a debate about to what extent human kinds (women, teenagers, whites, homosexuals, garçons de café, child molesters, people suffering from multiple personality disorder, refugees, WASPs, redheads, etc.) are social constructs. This debate over the social construction of human kinds evokes earlier debates in the history of philosophy over the dependency of objects, properties, and kinds on human thought and practices: realism/idealism on the one hand, and realism/conceptualism/nominalism on the other. The question is to what extent human kinds, and even the humans that make them up, although that is more controversial, are dependent upon concepts, modes of description, or human practices. The realist holds that human kinds are entirely independent of human thought, practices, and description: a child molester molested children even though no one recognized it as child molesting--what else would be the point of consciousness-raising about child molesting? The opponent (social constructionist, nominalist) touts a deeply historicist line, insisting that certain ways of being are only available given certain social conditions, and modes of description, and that human kinds are the reification of such ways of being, and thus deeply dependent upon those social conditions and modes of description: there have been people sexually attracted to members of their own sex throughout history, but they were not homosexuals, because they did not consider themselves homosexuals and being attracted to members of one's own sex wasn't a socially significant property.

In this paper I offer a view of human kinds that tries to do justice to the intuitions of both realists and their opponents. The key idea is that of a *conferred property*, a property that something has in virtue of some attitude, action, or state of subjects, or group of subjects. For instance, if one thinks, as Euthyphro initially did, that an action is pious because it is loved by the gods, and not the other way around, then one thinks that the property of being pious is conferred by the love of the gods. Conferred properties abound, but they are not all created equal. They differ in who does the honors and under what conditions. They also differ in how transparent it is that they are conferred, and how close a relationship they bear to other, perhaps non-conferred, properties. I make precise what is involved in saying that a certain property is conferred, and in that way offer a framework for conferralism about any property. To offer a conferralist account of a property one then needs to spell out the details of the conferral as specified by the framework offered.

Armed with the conferralist framework, I argue that certain properties humans have, and that divide them into human kinds, are conferred properties, and I spell out the details of their conferral. With the help of the conferralist framework I am then also able to reframe the debate over the social construction of human kinds. Given that reframing, the realist insists that human kinds are not conferred, and the various kinds of social constructionists give various forms of conferralist accounts of human kinds. The account I offer of human kinds is decidedly conferralist, but I hope that the details of the account show how it nevertheless can do justice to the realist intuition as well in cases where the conferral of the socially significant property in question is meant to be tracking some other, perhaps physical or legal, property.