

Could Gender Self-determination be a Medical Right?

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It is crucial to evaluate the potential risks and repercussions of advocating for gender self-determination as a medical right. The concept of permitting individuals to determine their own gender without proper assessment or counseling raises concerns about patient safety and well-being, despite the fact that autonomy and self-determination are essential in healthcare decision-making. Gender dysphoria, a recognized psychiatric condition, necessitates a comprehensive evaluation by trained professionals to guarantee the most suitable diagnosis and treatment. Negative physical and psychological consequences may arise from permitting individuals to make irreversible decisions, such as hormone therapy or surgery, without adequate supervision. Furthermore, medical guidelines are in place to guarantee that patients receive evidence-based care that is consistent with the most effective transgender health practices. Consequently, it is pivotal for healthcare providers to exercise caution when it comes to gender self-determination and to prioritize the comprehensive care of transgender individuals by providing comprehensive support services, rather than relying solely on individual autonomy.

Keywords: Biological Gender; Social Gender; Medical Right; Autonomy; Gender Dysphoria

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GENDER SELF-DETERMINATION, or the capacity for individuals to autonomously select their own gender identity, has been a subject of considerable contention in recent times. There is a widespread argument advocating for the individual's autonomy in determining their own gender, asserting that this should be recognized as a fundamental medical right. On July 2nd, 2024, Canadian Medical Association Journal (CMAJ) published an article discussed that if gender could be a self-determined medical right (1). Regarding this

issue, nevertheless, there are legitimate counterarguments, as it gives rise to apprehensions over possible adverse repercussions for people, families, and society at large.

An important counterargument is the possibility of harm to individuals who may not possess a comprehensive understanding of the consequences of their choice. Gender dysphoria is a multifaceted and intricate disorder in which individuals experience discomfort or difficulty due to their given gender at birth (2). It necessitates thoughtful examination and assessment.

Granting individuals the autonomy to determine their own gender without adequate medical supervision has the potential to result in irreversible choices that may not align with their long-term well-being (3, 4).

Moreover, there are apprehensions over the influence of gender self-determination on families and relationships. Parents, siblings, and other loved ones may encounter difficulties comprehending or embracing a child or family member's choice to undergo a gender change (5, 6). This can result in tense relationships, intense emotional distress, and discord among families. In the absence of adequate assistance and therapy, individuals may encounter difficulties in effectively navigating their newly acquired gender identity, hence intensifying sensations of seclusion and solitude (7).

Likewise, there are ethical factors that must be considered regarding the ability to determine one's own gender as a medical right. Some contend that granting individuals the autonomy to select their gender without adequate medical supervision may create opportunities for abuse or exploitation (8). There are instances where individuals could feel compelled to change their gender due to societal or peer pressures, rather than experiencing real gender dysphoria (9, 10). This prompts inquiries regarding informed consent and the responsibility of medical practitioners in ensuring the welfare of their patients.

One other objection to considering gender self-determination as a medical right is the possible influence it may have on society at large. Gender is a basic element of one's identity that influences how individuals engage with others and navigate social environments (11). Granting individuals the freedom to autonomously decide their gender could potentially have significant implications for cultural standards, anticipations, and establishments. For instance, inquiries may emerge over the inclusion of gender-neutral or non-binary individuals in facilities such as public restrooms, schools, and businesses (12, 13). This can result in legal issues, disagreements, and discussions regarding the rights and obligations of individuals in a varied and inclusive society.

Moreover, there are apprehensions regarding the enduring consequences of gender self-determination on mental health and overall well-being. Undergoing gender transition can be a demanding and emotionally burdensome journey that necessitates assistance from mental health experts, friends, and family members (14). In the absence of appropriate assistance and therapy, individuals may face difficulties in managing the psychological consequences associated with changing genders, including anxiety, depression, and physical dysphoria (15-17).

This can have an adverse effect on their general quality of life and their capacity to carry out daily activities.

Pragmatic factors must be considered regarding gender self-determination as a fundamental medical right. There can be restrictions on accessing gender-affirming healthcare services, including hormone therapy, surgery, and psychotherapy (18). Some may lack the financial resources or means to access these services, resulting in discrepancies in care and outcomes for those attempting to transition genders (19, 20). This prompts inquiries on healthcare fairness and the responsibilities of governments and insurance companies in guaranteeing universal access to secure, efficient, and reasonably priced gender-affirming healthcare.

Apprehensions are needed over the influence of gender self-determination on children and adolescents who are in the process of discovering their gender identity. While it is necessary to provide assistance and resources to children and adolescents in their journey of self-discovery, it is also important to support and validate them in making educated decisions about their gender identification (21). Granting kids the ability to independently select their gender without enough precautions and supervision may have enduring consequences for their emotional and psychological growth, as well as their connections with family members and peers (22).

Also, religious and cultural factors must be considered in relation to gender self-determination as a medical right. Certain religious and cultural traditions hold distinct ideas and ideals around gender roles and identities, which may contradict the idea of individuals having the autonomy to determine their own gender (23, 24). This can lead to the emergence of tensions and conflicts within communities, institutions, and society as a whole, as individuals strive to balance their personal ideas and identities with the expectations and norms of society (25, 26).

In conclusion, the evaluation of gender self-determination as a medical right is a multifaceted problem that necessitates meticulous examination from both medical and ethical standpoints. Although personal autonomy and self-expression are intrinsically linked to the fundamental right of individuals to establish their own gender identification, and recognizing gender self-determination as a medical right emphasizes the significance of validating all gender identities and offering complete healthcare treatments that are all-encompassing and validating for every individual, it is premature to give a positive response without conducting a thorough analysis of the issue and ensuring that all necessary preparations have been made. ■

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