



Written by [Angeline Tan](#) on February 27, 2023

Socialist Spanish Government Permits Legal Gender Change Without a Medical Evaluation

SINGAPORE — The Spanish government recently authorized a law permitting people 16 and older to change their legally registered gender without undergoing psychological and medical evaluations to confirm gender dysphoria, thus becoming one of the few countries to radically permit such gender change by self-declaration, following countries such as Denmark and Argentina.

Moreover, the law, officially known as the “Law for the Real and Effective Equality of Trans Persons and for the Guarantee of the Rights of Lesbian, Gay, Trans, Bisexual and Intersex Persons (LGTBI),” or simply the “Trans Law,” permits transgender genital surgery and hormonal treatments from the age of 16 without parental consent.



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The law passed the Congress of Deputies notwithstanding protests from advisory bodies during the legislative process. Both the Council of State and the General Council of the Judiciary vehemently objected to some of the provisions of the law, particularly with regard to the lack of protection for minors.

Nonetheless, Spain’s leftist minister of equality, Irene Montero, said on the Parliament floor that the new law acknowledged transgender people’s ability to free determination and prevented transgenderism from being treated as a pathology. “Trans people are not ill people,” she said. “They are people, full stop.”

The gender law has stoked tensions among different political parties across the spectrum, as well as within the Socialist Party.

Víctor Gutiérrez, the LGBT secretary of the Socialist Party, lauded the law, posting on Twitter that it was a “law that improves the life of millions of people.”

However, Carmen Calvo, a notable Socialist politician and the former deputy prime minister, refrained from voting on the law, and a Socialist senator declared on Twitter that lawmakers should protest it in the name of feminism and socialism.

“Laws that are being called off in other countries must not be imposed by the will of a minority,” *Feministas Socialistas*, an association of socialist feminists, said in a statement.

Some feminists raised the prospect that men accused of crimes against women could declare themselves female to procure legal and even prison benefits.

Fears have also been stoked that men could enter women’s sports competitions claiming to be women,



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creating unequal conditions owing to the natural constitution of men compared with women.

“The Calvary is over,” Mar Cambrollé Jurado, a pro-transgender activist, wrote on Twitter. “Today is a historic day for trans people.”

According to the new law, children between 14 and 16 will be able to legally change their gender in the civil registry with the consent and accompaniment of parents or a legal guardian. Nonetheless, a judge may intervene should there be discrepancies.

To amend their gender on the national ID card, children between 12 and 14 years of age need to have judicial authorization.

Before the age of 12, the civil registry cannot be changed, although the law states that minors must be treated in their various environments based on their expressed sexual identity.

After the initial application for a legal gender change, applicants will need to ratify their decision within three months. Until now, it had been mandatory to verify that applicants had been taking hormones for a significant period of time to hinder normal sexual development.

The law additionally bars any form of professional or informal counseling — even at the request of the interested party — entailing reversing the process of changing one’s natural sex. It also ensures the access of “LGTBI” people to assisted reproduction treatments, and allows the filiation of children to a lesbian couple without even a “civil marriage.”

The law also alludes to the condition of being a “sexile,” those cases where “LGTBI” people leave their place of residence owing to perceived social discrimination.

The reality is that prior to the passing of this law, transgender ideologies had already infiltrated much of Spain, leading to a sharp increase in transgender cases in the healthcare system.

In January, the feminist group *Confluencia Movimiento Feminista* published [the first study](#) of the transgender phenomenon in the country.

The report discovered that, since 2014, over 40 laws and regulations have been passed at the regional level to facilitate medical “transition” to the opposite sex. “The data analyzed reveals an exponential increase in the volume of people cared for by units specialized in the treatment of gender identity in all the Autonomous Communities,” the study posited.

The study stated that the rise, which it estimated has been prominent in the last five years and “accelerated in the last two,” is the “result of exponential growth parallel to the approval of transgender laws and protocols in the Autonomous Communities based on the so-called ‘affirmative model.’” That growth came mainly through an increase in the number of young people and children seen for gender treatments, especially females. In one region, women made up 86 percent of the cases of sex reassignment procedures and, in another, 70 percent.

According to the study, in Valencia the number of transgender cases grew by more than 10,000 percent between 2016 and 2021. In Catalonia, it grew by 7,000 percent between 2012 and 2021, with the number of new cases rising by 40 percent between 2020 and 2021. In Madrid, between January and August of 2022 alone, the endocrinology departments of the city’s six public hospitals had a total of 848 visits from referrals by the gender identity units, almost half of which were first consultations.

To boot, the study found that in many of the regional health systems, protocols banned all non-affirmative psychotherapy, and did not mandate a psychological evaluation prior to cross-sex hormone



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treatments.

“In childhood and adolescence, it is explicitly recommended not to establish mental health assessment as a prerequisite for hormone therapy,” the study read. Protocols only proposed referrals to mental health for minors undergoing hormonal treatment for “psycho-emotional accompaniment.”

The report also singled out a disparity between parts of the country that had passed laws backing leftist gender ideologies and those that had not.

“Although with great caution, we can observe differences between Autonomous Communities with or without a transgender law: in the Autonomous Communities without a transgender law, there are clearly more men [undergoing transgender treatments] and a slower rate of growth in the cases of women and minors,” it said.

The study concluded: “In other words, where a service is installed and the transgender ideology begins to be published, more cases occur.”

Now these protocols have been codified in national law, which also permits for the “self-determination” of gender. Citizens can now amend their gender in the civil registry without medical evidence, and change it an unlimited number of times.

That being said, elections are right around the corner and conservative Spanish parties have pledged to repeal the law should they come to power.

Alberto Nuñez Feijóo, the leader of the Partido Popular (PP), stated in remarks to the press that if his party won elections he would reverse the law, although there is little proof of his party’s objections to such insidious transgender ideologies. In fact, the party only abstained from voting, rather than voting against the Trans Law. What is more, his party passed a law in the Madrid regional government in 2016 that permits minors to undergo cross-sex hormone treatments without parental approval.

The more conservative party VOX has contested the PP on this point. VOX, under regional leader Rocio Monasterio, refused to back this year’s budget unless the PP agreed to reverse the regional transgender law. The PP refused.

VOX, besides pledging to take down the law if elected, is disputing the law in the country’s legal system, a move that the PP has not yet supported.

Various bishops have slammed the provisions of the Trans Law in recent months. Last December, Bishop José Ignacio Munilla of Orihuela-Alicante adopted a satirical tone to denounce the law, saying: “Weren’t we scientists? How is it possible that we now override genetics completely? To hell with the fascist chromosomes! The chromosomes are not going to tell me what I am.”



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