

## Gender Recognition Bill 2014

A Commentary by Séamas de Barra,

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[ADFAM]

The Gender Recognition Bill was presented at First Stage in Seanad Éireann on Wednesday, December 17, 2014, by Senator Maurice Cummins, on behalf of the Tánaiste and Minister for Social Protection, Joan Burton. An Order for Second Stage is to be moved on Wednesday, January 21, at 1.15 P.M. in Seanad Éireann, and Second Stage is to commence then. The Bill is dated December 19, 2014, on the Oireachtas website under ‘Bills’. As usual, an Explanatory [and Financial] Memorandum is published along with the Bill itself. The Bill was presented at First Stage, and published on the Oireachtas website just before the Christmas break. The Dáil is to resume on Wednesday, January 14, 2015, and the Seanad is to resume on Tuesday, January 20, 2015.

Oddly enough, though this Bill was No. 29 of the A List of Bills on the Legislative Schedule published by Government Chief Whip, Paul Kehoe, T.D., September 17, 2014, this Bill is published, but No. 21 on that same A List, the more wide-ranging [General Scheme of ] the Children and Family Relationships Bill 2014, has yet to be advanced from General Scheme to Bill. There have been conflicting reports about whether the latter piece of legislation is likely to be published and passed before the same-sex “marriage” referendum, a referendum that has been flagged for the first or second week of May 2015.

The following points from the Gender Recognition Bill 2014 are matters of particular concern.

In Part I, section 2, 'Interpretation', there is no actual definition of 'transition to preferred gender' though that is referred to in section 9. (1) (g) (ii) (I), for example; nor is there any precise indication in the Bill of how that 'transition' is to be proved. The 'primary treating medical practitioner', in the context of an application for a gender recognition certificate, may be either 'a person's primary treating endocrinologist or psychiatrist'.

'Transition to the preferred gender' involves mutilation of the male or female body in question, by surgical removal of the sexual organs, and artificial facilitation of sexual intercourse; such intercourse can't be procreative in any circumstance. Perhaps our TDs and Senators are too squeamish actually to be told what they are voting for.

Section 8 allows a person of at least 18 years of age to apply for the certificate of 'transition to preferred gender'. That is qualified by section 11 where a person of 16 or 17 years of age, either with the consent of his/her parents, or failing that, with the permission of the Circuit Family Court, may apply for a gender recognition certificate.

What is wrong with that, you may ask? Apart from the fact that the 'transition to preferred gender' involves a mutilation that leaves the person unable to have children in the natural way, allowing persons that young to apply for such a certificate doesn't take into account the confusion of preferring to be of the gender other than one's own. Dr Richard Fitzgibbons, MD, the top U.S. Catholic psychiatrist, and expert on marriage and sexuality, points out that preferring to be of the gender other than one's own is in fact a delusion, and in the vast majority of cases this delusion vanishes when the person leaves the teenage years behind. The same is true, he says, for same-sex attractions. So it is extremely barbarous and exploitative

to permit such operations at all. Dr Fitzgibbons's opinions may be perused on the Internet in the article 'Child Healing: Strengthening Families: Same-Sex Attractions in Youth and their Right to Informed Consent [Updated October 30, 2014]'. Dr Fitzgibbons deals with both sexual re-assignment surgery and same-sex attractions in that comprehensive article.

Some months ago on Mary Wilson's 'Drive Time' programme on RTÉ Radio 1, there were several items on 'transition to the preferred gender'. I don't recall that that programme interviewed even one expert who takes the view that 'transition to the preferred gender' is barbarous and exploitative. A case of 'don't confuse me with the facts; my mind is made up'?

According to section 17 of the Gender Recognition Bill 2014, if one is granted a gender recognition certificate, one will be permitted to marry a member of the "opposite" sex.

But the fun, or rather the lunacy, doesn't stop there. Sections 19, 20, and 21 deal with wills and property, where, for example, the "eldest daughter" has become the "eldest daughter" through 'transition to the preferred gender'. Wills and property can be mind-bogglingly complex, as things stand. Where there is a will there is a family! But countenancing 'transition to the preferred gender' is going to give rise to all sorts of crazy quandaries.

Section 22 deals with 'Gender-specific offences'. This will give a flavour of that section: 'the common law offence of rape can only be committed by a man,' and 'A person whose preferred gender has been recognised may still be physically capable of committing a sexual offence, or being the victim of a sexual offence, associated with the opposite gender.' Sanity breaking through the cracks?

Mercifully I couldn't find any reference in the text of the Bill or in the Explanatory Memorandum, to 'inter-sex', unless, that is, it is hidden in the Bill's non-definition of 'transition to the preferred gender'. The concept 'inter-sex' appeared in an earlier version. It is a total confusion to equate that with 'transition to the preferred gender'. 'Inter-sex' refers to persons who are physically either male or female, but have some of the physical features of the other sex. 'Inter-sex' persons can be freed of their extra physical sexual baggage through surgical intervention, and they can have children in the natural way.

As the poet William Butler Yeats said in his poem 'The Second Coming':

Things fall apart; the centre cannot hold;

Mere anarchy is loosed upon the world.

Why are the Loony Left, and Usual Liberal Suspects in all parties, so 'delighted and excited' at the prospect of such anarchy? What is so thrilling about mind-numbing nihilism? James Connolly, the Republican Socialist and leader of the 1916 Rising, was reconciled to the Church just before the end of his life. Never would he have consented to intruding into the intimate sexual life of Irish citizens. In times of water charges, local property tax, and USC, are there no sane voices within the Labour Party to cry 'halt' to this insanity?

Please contact your TDs and Senators about this, and advise them that you won't be voting for them in a year's time, if they go along with this madness. You'll find their contact details in the Eircom Phonebook, or on the website of the Alliance for the Defence of the Family and Marriage, [www.adfam.ie](http://www.adfam.ie)