

GERMANY TO SIMPLIFY LEGAL CHANGE OF GENDER

Posted on March 27, 2023



Adults will only need to self-declare their desire to legally transition, while teenagers will be able to take

their parents to court if they oppose it.

Category: [NEWS](#)

Tags: [gender dysphoria](#), [Germany](#), [law](#), [SPD](#), [Tamás Orbán](#), [transgender](#)

The socialist government of Germany has agreed to introduce a new law that would make it easier to change legal gender, including giving authority over the decision to the court instead of parents, the [Local](#) wrote.

“As a parliamentary group of the [ruling] SPD, we expressly welcome the fact that the law on self-determination is finally moving forward,” Jan Plobner, the Social Democrat party’s spokesman for LGBT issues said, adding that “the undignified procedure [now in place] will soon be a thing of the past.”

The bill, which was finally agreed upon by the justice and family ministers, was [proposed](#) last year to replace Germany’s previous ‘transsexual law’ from the 1980s. The older law required two expert reports (usually from psychotherapists) before allowing a person to change name and gender on official documents.

German LGBT groups lobbying for new legislation criticized the old procedure for being long, costly, and humiliating, as it was based on the ‘outdated’ assumption that gender dysphoria was a mental illness, and thus needing to be weighed in on by medical experts.

Under the new “self-determination law,” however, adults will only have to self-declare if they wish to change their name or gender in the civil registry, without the involvement of experts or the court.

Another important aspect, hailed by the proponents of the law, is that it will resolve a few sensitive issues regarding minors. Under the new law, children of all ages will be allowed to change their legal names and gender, but the procedure varies with age.

For children under the age of 14, only the parents or legal guardians can initiate the changes. For those aged 14 or above, the principle of self-declaration is basically the same, as long as they bear parental consent—if the parents would oppose the legal transition, then it's up to the court to decide.

The law also includes a “time for reflection,” set at a period of three months, before the civil change would come into effect. Another clause, that would make a new request for gender change only possible a year after the previous one, was added to “ensure the seriousness of the desire to change,” said Lisa Paus, the German Minister for Family Affairs.

“We live in a free and diverse society that is already further along in many places than our laws are. It's about time that we adapt the legal framework to societal reality,” Paus [said](#) after unveiling the plan last year.

During the past months, many have also [voiced](#) their opposition to the law, albeit in vain. For instance, the leading German newspaper *Frankfurter Allgemeine Zeitung* [brought up](#) possible administrative problems regarding sporting events, schools, and prisons, that went seemingly unaddressed by the legislation.

A well-known criminal defense lawyer, Udo Vetter, also [criticized](#) the legislation, saying that it would open up the possibility for men to have their legal gender changed “for fun, as a political protest or to gain an advantage.” For example, he said, sex offenders could easily get away with many of their crimes by simply declaring themselves as women.

Another [commentary](#) in the *German Pro* magazine went further, questioning if it was a good idea to let teenagers at the “peak of their rebellion” make life-altering decisions, and even going into philosophical questions regarding society as a whole:

The plans for this law send out a fatal signal: gender becomes an arbitrary

category. Biology, nature, and creation become something from which a person can emancipate himself at will. It seems that sex—biological sex—should no longer play a role in determining whether someone is male or female.