University of HUDDERSFIELD

University of Huddersfield Repository

Monro, Surya and Van der Ros, Janneke

Non-Binaried Genders: Citizenship and the State in Norway

Original Citation

Monro, Surya and Van der Ros, Janneke (2016) Non-Binaried Genders: Citizenship and the State in Norway. In: 24th World Congress of Political Science: Politics in a World of Inequality, 23rd - 28th July 2016, Poznań, Poland.

This version is available at http://eprints.hud.ac.uk/id/eprint/29778/

The University Repository is a digital collection of the research output of the University, available on Open Access. Copyright and Moral Rights for the items on this site are retained by the individual author and/or other copyright owners. Users may access full items free of charge; copies of full text items generally can be reproduced, displayed or performed and given to third parties in any format or medium for personal research or study, educational or not-for-profit purposes without prior permission or charge, provided:

- The authors, title and full bibliographic details is credited in any copy;
- A hyperlink and/or URL is included for the original metadata page; and
- The content is not changed in any way.

For more information, including our policy and submission procedure, please contact the Repository Team at: E.mailbox@hud.ac.uk.

http://eprints.hud.ac.uk/

Trans and gender variant citizenship and the state in Norway

Janneke van der Ros
University College of Lillehammer, Norway
Surya Monro
University of Huddersfield, UK

Introduction

1. Paper stems from a collaboration with trans scholars across Europe

2. Janneke van der Ros conducted research with a range of gender variant people in Norway – acknowledgements to them and the funders

3. Norway makes an interesting case study – specific political context, divergences in rights and recognition for trans and non binary people

Aims and Objectives

- Demonstrate a lack of citizenship rights for non binary and not recognized trans and gender variant people
- Analyse this in relation to the Norwegian medical-legal situation
- To discuss how this situation is changing

Structure of the presentation

- Methods
- Citizenship theory
- Norwegian situation
- Towards Norwegian trans and gender variant citizenship

Methods

	FtM	MtF	Gender queer, androgynous
Diagnosed F64.0, post-ops and non-ops	4	1	
Not diagnosed (not accepted by GIC and/or not willing to undergo gender reassignment treatment (GRT)	1	8	2
Crossdressing, no treatment needs		3	

Transgender citizenship: Background

- Sexual and intimate citizenship
- Feminist citizenship
- Trans and gender variant citizenship
  - '*Full transgender citizenship entails fundamental changes in the way that gender is conceptualized by politicians and policy makers*' (Monro 2003: 435).

Citizenship in Norway

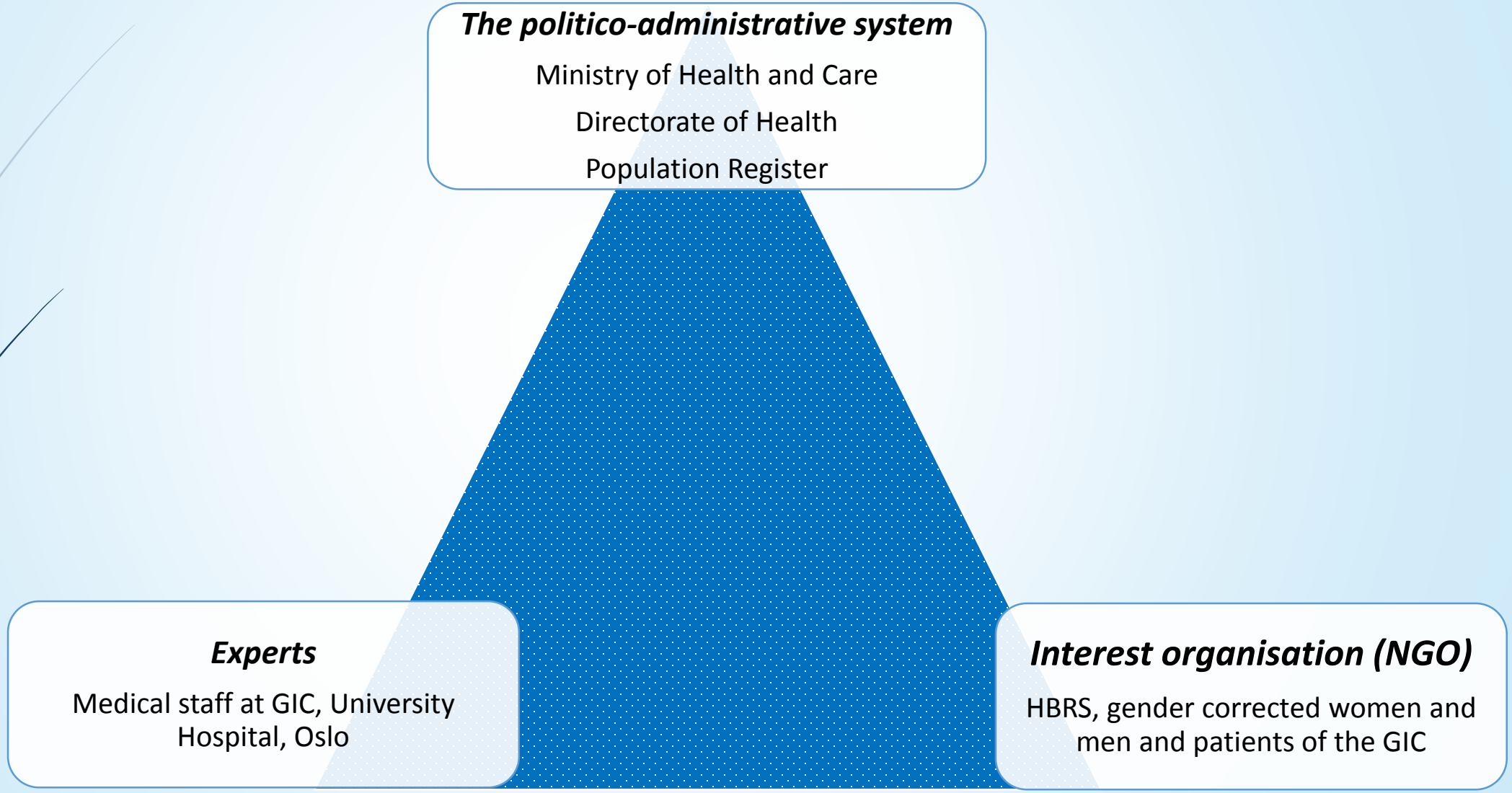
- Nordic political cultures and structures build on a corporatist approach to power and influence in policy formation and decision-making processes (Skjeie and Siim 2000).
- Norwegian state intervention in family life, heterosexual and same-sex families alike, is more substantial than that envisaged in liberal discourses on citizenship suggesting minimum state intervention .
- Women and LG people have, overall, left the second-class citizenship status to which they were previously (dis)placed.

Citizenship for trans and gender variant people

- Those who identify as gender nonconforming or non-binary hold lower social status than both
  - gender-corrected women and men
  - and cisgender women

In the hierarchy of minorities, gender variant individuals are in the lower part, while the gender corrected women and men, assimilated with the cis majority, are on top (Van der Ros and Motmans 2015)

The medical-administrative ‘iron triangle’

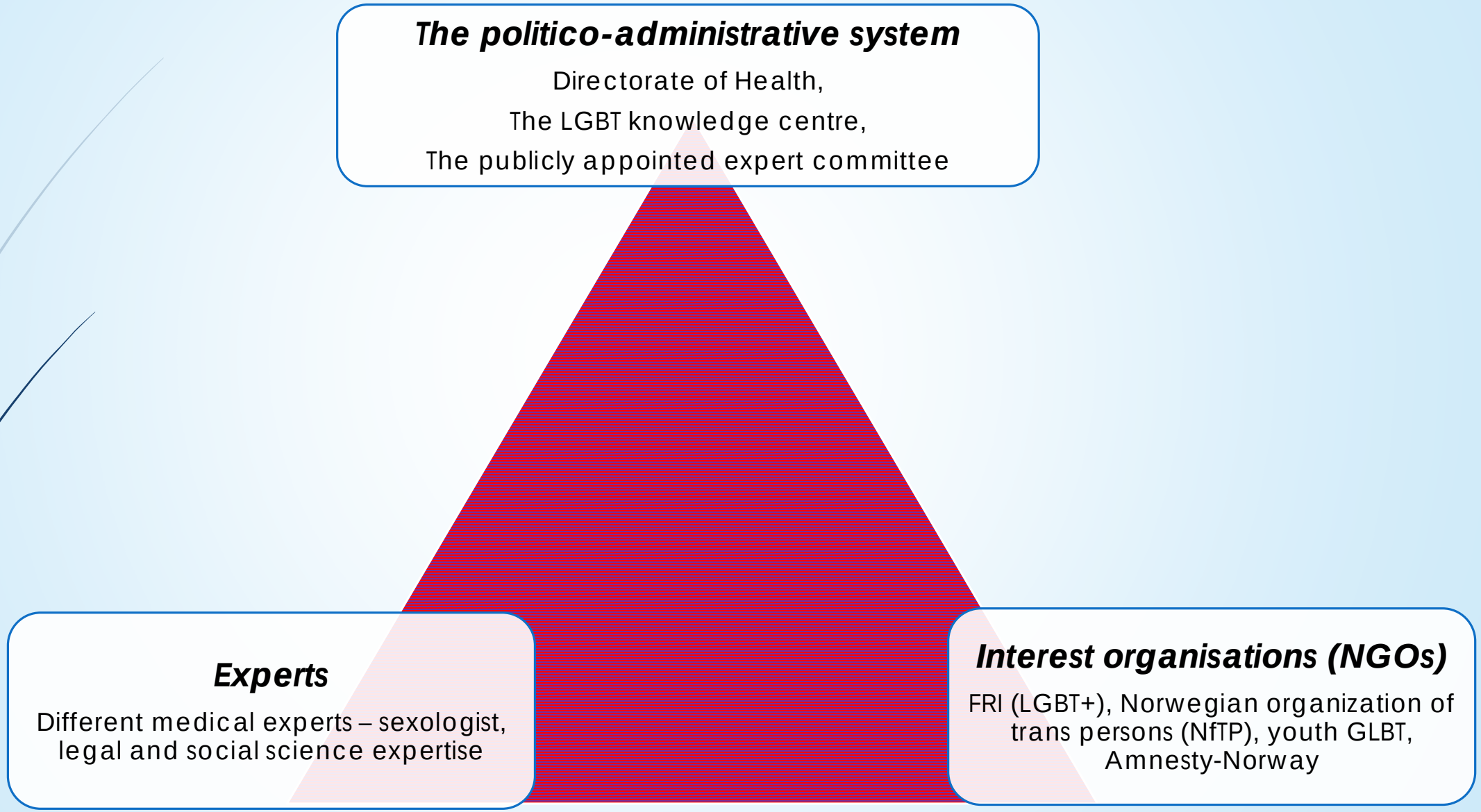


Even when I come in my female [gender] expression, they call me up by my male name. As if they won't acknowledge my gender identity. (trans woman early 30ies)

I was referred to the clinic in 2003, and it took to 2007 to get the message that I was a gender disturbed man, not a woman. In the meantime, I was discriminated [against], subjugated, made invisible… I did not exist as a woman for them. (trans woman 40ies)

It was really a hopeless situation. I could not rent a car, or get into my bank account; I had to wait with insurance, and could not go on vacation. I was really afraid of breaking a leg or being hospitalized during that time. I had no legal papers. (trans woman, late 40ies)

An alternative triangle emerges



2016: Legal gender recognition accepted as the individual's own choice and an individual right

- A majority in Parliament (78/13) approves legislation that individuals can demand a change of their legal gender
  - From the age of 16
  - Children between 12-16 can, with parents' agreement, change their legal gender
  - Parents can decide to change the legal gender of their child from the age of 6

- The legal change of gender recognition is *unconditional*
  - No diagnosis
  - No irreversible sterilisation
  - No "Real life Test"
  - No 'declaration of intent' to stay in this gender for the rest of one's life
  - No obligatory 'reflection' period

Conclusions

- Significant progress in gaining citizenship for trans and gender variant people in Norway
- Differences and tensions
  - Transsexual/gender-corrected women and men vis-à-vis gender variant individuals
  - The choice of legal gender stays within the binary – no 3rd alternative

The next process...
right to health access for all genders

- The expert committee's recommendations
  - Regionalized health care
  - Autonomy on health care
    - The gatekeeping role and monopoly position of GIC is to be disbanded

- Here, the iron triangle kicks in with full force - again
  - Defending GIC's interests at the expense of many transgender persons' health needs

'Full transgender inclusion would appear to entail fundamental changes to the current system of sex and gender categorization, which could be framed in terms of rights and social inclusion' (Monro 2003: 449).