The Rights of Transgender People and the Bathroom Bill

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Introduction

A person is called transgender if their sex is not defined as male or female or if they intentionally change their gender. A transgender person is physically defined as a person of one gender, but they feel themselves to be a person of the other. The term originated when the first operation took place in Germany by a sexologist named Magnus Hirschfield. When a person is born with a sexual deformity, they are classified by the people around them, who define their orientation and how they will be treated in the future. When a person is born with a deformity or intentionally changes their gender, society does not accept them, and they face a lot of hate for their abnormality. This culture triggers gender hate, and people objectify each other based on their gender belonging. When a person has a feeling of belonging to the other gender, they sometimes change their natural gender through a physical realignment procedure and enter the community of their choice. Being a part of a different community, they face a number of laws that are based on their gender change. These laws define their access to public facilities that are defined by law to be used by one gender or the other; collectively, they are called “bathroom bills.” The name comes from the first issue that originated when people started changing their gender intentionally. The issue was about the use of women’s bathrooms by men who had converted to women through an operation and started using women’s public washrooms. This bill was presented in March 2014 by the Maryland State Senate. This paper is focused on the rights of transgender people and the bathroom bill. While some people believe that transgender people should have their rights and freedom to choose their orientation, some believe that they should not receive rights and their change is unethical.

Discussion

The term “transgender” was introduced in English literature in 1949 by David Oliver Cauldwell (Hixson-Vulpe, Jack., 2016). Since its origin, the concept has been popularized by various people who have used the term in their research. By 1990, the term was popular in literature, but it became an actual concept after the first surgery was performed in 1952 on Christine Jorgensen, who started the initiative of transgender rights. Transgender people have faced discrimination since the term became an actual concept. The courts did not declare transgender rights for decades, and transgender people were facing hate from society.

The first conflict that is highlighted in every discussion about transgender rights is their identity. Some people believe that transgender people are just like other humans, but their attraction to the opposite sex and the definition of personal sex orientation encouraged them to change their gender; they claim that changing their gender is their personal decision and they should not be objectified or criticized for their decision. This argument is backed up by many researchers, and according to them, every person should have the right to decide what way of life they choose, and they must not be objectified for their decision (Konvitz, Milton, 2017). There are people who are against this concept, and they reject the idea of accepting transgender people's identities. The arguments provided against the identity of transgender people point to the fact that they are changing the natural order, that this action is directed against how God wanted them to be, and that this change is unnatural (Gegenfurtner et al., 2017). Many European countries have now given identity to transgender people, and other countries of the world follow the process.

The second biggest conflict is about transgender marriage rights. As people change their gender, they also change their choices about life partners and who they might want to spend their lives with. Based on this concept, they claim to have the right to marry, their marriages should be legalized, and they should be considered a respectable part of society (Gates, Gary, 2015). However, the people who are against marriage equality first base their argument on the concept of being unethical and then provide an argument of nature. According to them, marriage is a natural process of bringing children into the world, and the very aim of marriage is to continue the human race. This argument is a part of the famous "Baskin v Bogan" case, and it is used to negate the marriage rights of transgender people (BASKIN v. BOGAN, N.P). As transgender people cannot produce children, they should not be given the right to marry, as it will fail the very purpose of marriage.

The public acceptance of transgender rights leads to the discussion of the use of public facilities. In Florida, the commission passed legislation named the "bathroom bill," abolishing the discrimination of gender identity in public washrooms in January 2008 (Schilt, Kristen, and Laurel, 2015). This legislation was thought to be a key step in giving rights to transgender people in America. However, just after a year, the opposition got so strong that the government thought of repealing the law. This opposition was made in favor of the transgender community to provide them with equal rights to use public washrooms and places where differentiation based on gender is essential. This law allowed transgender women converted from men to use female lavatories like other women, as they are now considered women. When this law became applicable, many people started opposing it and took it as a government action to promote sexual assaults. This bill was accepted by 58 legislators who voted for the legislation, and it went into effect immediately.

The response that was seen after the implementation of the bathroom bill was both positive and negative. The Colorado state transgender community was in favor of this law as they considered it to promote their equality. They were now free to use public women's lavatories, which was not allowed before the legislation. The anti-discrimination legislation was appreciated by the transgender community and various politicians. In 2011, a study was conducted on the law and its application to the transgender community. According to the study, the law increased the transgender adoption rate

and increased the confidence of transgender people in their workplace (Grant, Jaime M. et al., 2011). They appreciated the government law and described it as being in favor of America's equality rights. By this law, transgender people were protected when using women's lavatories after they had undergone surgery and became women.

While it received a lot of appreciation from the transgender community, the bill was rejected by most natives. Their argument was that undergoing a surgical operation does not make a woman a man or a man a woman. Evelyn Reilly provided her argument by using the term sexual predator and said that this act would be exploited by sexual molesters, and they would use it to fulfill their sexual needs (Schilt, Kristen, and Laurel Westbrook., 2015). As the law allowed men to enter women's washrooms, the risk of sexual assault increased, and an argument was made by those who opposed this act. Their argument was accepted as it was directly against laws concerning rape and child molestation. Sexual assault is not an issue that can be taken lightly. The people who were against this act were totally valid in their points that it would promote rape cases. They claimed that this act is against the laws that protect women and will promote the abuse of women.

Conclusion

In short, transgender culture is flourishing in every part of the world. Transgender people have solid reasons for their conversion to opposite genders, and they consider it ethical and moral. The transgender community is facing a lot of hate and discrimination based on their unique choice. Though it is considered unethical and immoral by the people who oppose it, the community still is fighting for its rights in most countries. The opposition gives the argument that this act is against nature, but the community rejects it by claiming they have the right to choose their own lives. Similarly, they reject the concept that marriage is only meant to produce children and continue the human race, and they claim that they have the right to choose anyone they like as a life partner. Transgender rights are still suppressed in all parts of the world. The community is not giving up, and they choose to fight for their rights until they receive their identity and equality.

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