

VATICAN

Fernández opens up to sex 'change' in new document

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During a conference organised in mid-February by the Catholic Theological Faculty of the University of Cologne in Germany, the Prefect of the Congregation for the Doctrine of the Faith (CDF), Cardinal Victor Manuel Fernández, made a video contribution. This

report was then incorporated into a document entitled *The Ontological Dignity of the Person in Dignitas infinita Some clarifications*. This document aims to explain some of the conceptual points contained in the Declaration *Dignitas infinita* published by the same Dicastery in March 2024.

Fernández's document was drafted to respond to some criticisms, but raises several critical issues of its own. One of these is undoubtedly the question of medical treatments aimed at so-called 'gender reassignment'. The document, which denounces gender ideology, recalls the condemnation of such interventions already present in *Dignitas infinita*, but if in *Dignitas infinita* the condemnation was absolute, that is, it allowed no exceptions, in the recent document signed by Fernández there appears one that is decisive. Fernández writes: "We don't want to be cruel and say that we don't understand the conditioning of people and the deep suffering that exists in some cases of "dysphoria", which manifests itself even in childhood. When the document [*Dignitas infinita*] uses the expression "as a rule", it does not exclude the possibility that there are cases outside the norm, such as severe dysphoria, which can lead to an unbearable existence or even suicide. These exceptional situations must be assessed with great care".

Let's focus our attention on the part where the Prefect refers to the *Dignitas infinita* and quotes the the words 'as a rule'. Let's look at the relevant passage in *Dignitas infinita*: "Any operation to change the sex of a human being normally risks jeopardising the unique dignity which the person possesses from the moment of conception. This does not exclude the possibility that a person with genital anomalies, whether present at birth or developed later, may choose to undergo medical treatment to correct these anomalies. Such intervention would not constitute gender reassignment as we use the term here (60).

In essence, *Dignitas infinita* is right to say: no to interventions on the reproductive system when the aim is to try unsuccessfully to change sexual identity. Yes to the same interventions when they are aimed at confirming sexual identity, that is, when they are therapeutic, modifying the reproductive system in order to bring it into line with genetic data, which is the primary reference for understanding which sex a person belongs to. In fact, in certain pathologies, the reproductive organs may not correspond morphologically and to varying degrees to the person's XY or XX chromosomes. This explains why *Dignitas infinita* uses the phrase "as a rule": it wants to affirm that in the majority of cases (as a rule) such interventions are to be condemned, except for those that are therapeutic in nature.

As already mentioned, Fernández refers in his document to the expression "as a rule", which is present in *Dignitas infinita*. We have seen that this expression is used by *Dignitas infinita* in relation to genital surgery. It is therefore reasonable to assume that Fernández also uses it in relation to these. So, if we re-read Fernández's text, we discover that he considers these interventions to be illegal, except in cases of severe dysphoria and, implicitly, in cases of therapeutic treatment. Therefore, the Prefect considers such interventions legal even in the case condemned by *Dignitas infinita*, that is, when they are used to contradict sexual identity, provided that the dysphoria is severe and involves serious risks for the person. Therefore, the prohibition does not concern, as in the case of *Dignitas infinita*, the moral nature of the act - treatments to "change" sex - but only the condition that motivates the intervention: no to those interventions where the dysphoria is mild. In short, for the Prefect, the "change" of sex is morally acceptable when the dysphoria is severe. But surgical interventions that contradict the genetic sex are intrinsically evil acts and remain so regardless of the conditions that motivate them. This is why Cardinal Fernández has accepted the principle of "yes to sex reassignment". Once the principle has been accepted, logical consistency will take us from borderline cases to common cases, from the exceptional to the normal.

This is why Fernández refers inappropriately to the "normal" contained in *Dignitas infinita*: in fact, he refers to it in order to legitimise sexual "change" in a sense that is the opposite of that indicated by the *Dignitas infinita* document itself. The latter declares that genital surgery is generally reprehensible, except when it is performed for therapeutic purposes; Fernández declares that genital surgery is generally reprehensible, except when it accentuates dysphoria (and when the purpose is therapeutic).

Conclusion: the Prefect of the Congregation for the Doctrine of the Faith qualifies the transsexual condition as morally acceptable.