

This response was submitted to the call for evidence issued by the Nuffield Council on Bioethics' Working Party on Cosmetic procedures. Responses were gathered from 11 January to 18 March 2017. The views expressed are solely those of the respondent(s) and not those of the Council.

Response to Nuffield Council on Bioethics Cosmetic Procedures Consultation

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Introduction

When considering cosmetic procedures and the ethical concerns that arise in connection with increasing access to and demand for such procedures, as the call for evidence notes, issues of gender necessarily arise from the outset. In this response on behalf of the Health & Human Rights Unit, at the School of Law, Queen's University Belfast I would like to focus on expanding upon some of the gender concerns raised by increasing access to, and demand for, cosmetic procedures in order to consider the restrictive, but also possibly productive, possibilities of such procedures. The response will focus on the following question:

4. *How (if at all) does the increasing availability and use of cosmetic procedures affect social norms generally: for example with respect to assumptions about age, gender, race, disability etc (see above)?*

Gender Norms

In recent years feminist research has advanced gender as not a natural identity that we are born with, but rather something that is socially created in an ongoing way in everyday life.ⁱ The body and bodily actions, presentations and maintenance is a central part of how our gender is created and sustained.ⁱⁱ In particular, bodily presentations that fit with traditional ideas of "femininity"/female gender and "masculinity"/male gender are those that are encouraged by the dominant social norms of gender. Presentation of the body in ways that do not fit with these traditional ideas, and their association with heterosexual sexuality, is discouraged through consequences that can range from social stigma to use of violence.ⁱⁱⁱ In this context, both men and women can be understood as being encouraged by social norms to maintain their bodies in ways that conform with prevalent ideas of gender, beauty and their link to heterosexual desire.

Gender Norms and Cosmetic Procedures: Problems

With this background in mind, feminist research has also highlighted cosmetic procedures as one way in which traditional ideas of feminine beauty and

feminine bodily forms are maintained.^{iv} Marketed increasingly through mainstream media and celebrity culture,^v cosmetic procedures such as breast augmentation, liposuction and lip fillers are one means of encouraging traditional ideas about gender, and what is heterosexually desirable, within the wider context of consumer culture.^{vi} The aim of the majority of cosmetic procedures is to allow women to better conform to social norms regarding feminine gender and its intersection with age, (dis)ability, race, and other identity forms, or feel they are doing so. Cosmetic procedures are presented as a choice women as consumers can select in order to 'enhance' their appearance. This presentation often hides the problematic ways in which gender is encouraged or maintained by social norms and expectations, as opposed to selected with free choice. Cosmetic procedures can be thought of as another vehicle through which social norms regarding the female body and gender are maintained while simultaneously hiding such maintenance through the language of choice. Accordingly, cosmetic procedures often link into wider problematic maintenance of gender in a way that prohibits alternative ideas of 'masculinity', 'femininity' and their relation to ideas of sexuality, beauty, age, race, (dis)ability and social class.

Gender Norms and Cosmetic Procedures: Possibilities

However, it is also important to note that increasing access to cosmetic procedures can at times be seen as positive; offering possibilities to challenge as opposed to reinforce traditional ideas about gender.^{vii} Those who identify with a gender that is different from that socially assigned to them at birth may often benefit from access to cosmetic procedures. Access to cosmetic procedures to alter the body in such circumstances may present gender as something that is more fluid than traditionally assert, and can be part of facilitating wider possibilities for living and being gendered. In this respect, while the body is one site where traditional ideas of gender are enforced, and cosmetic procedures have been revealed as one vehicle for such enforcement in relation to female bodies in particular, it also offers possibilities to challenge traditional ideas of gender and their link to other identity forms such as sexual orientation, age and (dis)ability. Yet, it is also important to note that not all those who are gender non-conforming, or identify as transgender, wish to undergo gender reassignment procedures. Problematic issues arise when legal recognition of gender is dependent on undergoing such procedures and they can again can be used as part of the policing of gender identity.^{viii}

References

- ⁱ Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (London; New York: Routledge, 1990).
- ⁱⁱ Judith Butler. *Bodies That Matter: On the Discursive Limits of 'Sex'* (London; New York: Routledge, 1993).
- ⁱⁱⁱ Moya Lloyd, "Heteronormativity and/as Violence: The 'Sexing' of Gwen Araujo" *Hypatia* (2013) 28(4): 818-834.
- ^{iv} Suzanne Fraser, *Cosmetic Surgery, Gender and Culture* (London: Palgrave Macmillan. 2003); Kathy Davis, "'A Dubious Equality': Men, Women and Cosmetic Surgery" *Body and Society* (2002) 8(1): 49-65; Kathy Davis, *Reshaping the Female Body: The Dilemma of Cosmetic Surgery* (New York; London: Routledge, 1995); Kathryn Morgan, "Women and the Knife: Cosmetic Surgery and the Colonization of Women's Bodies" *Hypatia* (1991) 6(3): 25-53.
- ^v Sue Tait, "Television and the Domestication of Cosmetic Surgery" *Feminist Media Studies* 7(2) (2007): 119-135.
- ^{vi} Debra Gimlin, "Cosmetic Surgery: Beauty as Commodity" *Qualitative Sociology* (2000) 23(1): 77-98; Anthony Elliott, *Making the Cut: How Cosmetic Surgery is Transforming Our Lives* (London: Reaktion Books).
- ^{vii} Judith Halberstam, "F2M: The Making of Female Masculinity" in Janet Price and Margrit Shildrick (eds), *Feminist Theory and the Body: A Reader* (London: Routledge, 1999) 131.
- ^{viii} Dean Spade, "Resisting Medicine, Re/modelling Gender" *Berkeley Women's Law Journal* (2003) 15: 15-37.