



## **MamSir: On Misgendering, Dignity, and Legal Protections**

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Received: September 30, 2025 | Published: January 20, 2026

### **Abstract**

Misgendering refers to a person by pronouns, honorifics, or forms of address that does not correspond to their gender identity—is more than a momentary social lapse: it has documented psychological and sociopolitical consequences. In the Philippine sociocultural context, cases of misgendering highlight the gap between evolving understandings of gender diversity and legal or institutional protections. This article examines the conceptual foundations of misgendering, reviews empirical evidence of its harm, discusses intersectional and structural dynamics, and argues for the urgent passage of a comprehensive SOGIESC Equality Bill.

Keywords: *misgendering, SOGIESC, gender diversity*

### **How to Cite:**

Elipane, L.E. & Callueng, E. (2026). MamSir: On Misgendering, Dignity, and Legal Protections. *Journal of Health Research and Society*, 4(3), 5-8. <https://doi.org/10.34002/jhrs.v4i3.231>

### **Introduction**

In the country, public recognition of LGBTIQ+ identities has advanced markedly since the early 1990s, including through the emergence of advocacy organizations and more inclusive discourse in educational curricula. Yet, despite growing visibility, many legal and institutional structures remain neglectful of the realities of gender diversity. In public spheres such as restaurants, schools, workplaces, and in the service sector—misgendering remains a common yet understudied phenomenon. In 2024, a widely circulated social media account of a transgender woman being addressed as “Sir” by a waiter, and of that waiter enduring a lengthy gender-sensitivity lecture, offers an instructive case for reflection.

That incident is not an isolated curiosity; it exemplifies how everyday misgendering can crystallize broader patterns of exclusion. In what follows, we first define key terms and conceptualize misgendering, then review evidence

of its psychological impact, explore the sociocultural and intersectional contexts that sustain it, and finally argue for legal reform through the passage of a SOGIESC Equality law as both remedy and prevention.

### **Defining SOGIESC**

A useful analytic framework is SOGIESC, which stands for Sexual Orientation, Gender Identity & Expression, and Sex Characteristics. This framework recognizes that (a) all people possess sex characteristics (biological traits including intersex variation), (b) all people have a gender identity (one’s internal sense of gender), and (c) all people express gender (through behavior, dress, pronouns), while also having a sexual orientation (pattern of attraction). This inclusive model underscores that diversity in gender is not limited to LGBTIQ+ persons but is part of the human condition. Though one might think that this concept is just applicable for the LGBTIQ+ community, it is actually inclusive of all

genders because everyone has SOGIESC. Let's start with the SC part of the SOGIESC. Sex is what everyone terms as the "biological" sex that is usually assigned at birth. Who assigns it? The doctor, or the midwife. It's either Male or Female, but there is also "intersex" – and here is where **Sex Characteristics** would come into play. Sex characteristics are primary (present at birth) and secondary (often develop at puberty, such as facial hair, breast, pelvic structure) biological characteristics that may show either female, male or intersex. Intersex are individuals that possess biological characteristics of both male and female. Because these dimensions may diverge (e.g., a person's gender identity may not align with their assigned sex, or their gender expression might not conform to stereotypical norms), societies that rigidly adhere to binary assumptions are prone to misrecognize and misgender individuals.

### What is Misgendering?

Misgendering occurs when someone is referred to—in pronouns, titles (e.g. "Ma'am/Sir"), or other language by terms that do not match their gender identity. In social interactions, this may result from assumptions based on appearance, voice, or comportment. Sociologists describe misgendering as a manifestation of cisgenderism: the presumption that cisgender identities are normative and that gender must conform to binary expectations (Pino and Edmonds, 2024). Because misgendering can be immediate, subtle, and habitual, it often functions as a microaggression, a brief, everyday exchanges that communicate bias or exclusion (Gibbs, 2024). Importantly, misgendering is not always intentional; cumulative effects of repeated misgendering, even if mistaken, can inflict sustained harm.

### Psychological and Health Impacts

Empirical work is beginning to expose the psychological toll of misgendering. Qualitative studies of transgender and gender-diverse individuals find that misgendering acts as a minority stressor, a chronic, stigmatizing experience that contributes to anxiety, depression, lowered self-esteem, and existential distress (Gunn, 2020).

In a study of nonbinary participants, 59% reported being misgendered daily, and nearly a third experienced misgendering weekly or monthly; these individuals also reported distress associated with feeling socially invisible. Other research frames misgendering as a form of invalidation: denying or dismissing the legitimacy of someone's identity. The failure to affirm one's preferred pronouns or forms of address disrupts one's coherence and undermines psychological well-

being (Trans PULSE Canada, 2022). Beyond individual mental health, the cumulative burden of misgendering contributes to social isolation, avoidance of public or institutional spaces, and reluctance to seek services or employment. By extension, misgendering is a social determinant of exclusion and inequality.

### Intersectionality, Power, and Cultural-linguistic Contexts

Not all misgendering is experienced equally. Intersectionality reminds us that gender misrecognition may be compounded by factors such as class, religion, ethnicity, age, disability, or geographical location. For example, a working-class transgender person in a rural area may have fewer resources or support networks to challenge misgendering than a middle-class urban professional. Moreover, the axis of power matters: would the same person confront misgendering by a superior, politician, or celebrity? Disparities in social status, authority, and norms of hierarchy influence both the likelihood and outcomes of addressing misgendering.

The country presents a unique linguistic terrain: Filipino/Tagalog is relatively gender-neutral in many pronouns and honorifics (e.g. "Ano po ang order ninyo?", "po sa kanya"). This structural feature provides a potential linguistic advantage for inclusivity.

However, social norms and habits frequently override linguistic flexibility. Many Filipino service conventions still default to gendered address based on appearance or perceived normative gender presentation. In that sense, the challenge is less grammatical and more cultural or attitudinal. Recent coinages like "MamSir" attempt to provide a gender-inclusive form of address. Whether they gain traction is uncertain, they reflect ongoing negotiation over respectful language in a society transitioning toward greater recognition of gender diversity.

### Legal-Policy Imperatives

Despite decades of advocacy, the Philippines remains one of Southeast Asia's most socially accepting nations of LGBTQI+ identities without a national anti-discrimination law protecting SOGIESC.

The SOGIESC Equality Bill—also referred to in some versions as the SOGIE Equality Bill or the Anti-Discrimination Bill—has been repeatedly filed across multiple Congresses. As of 2025, the bill has been refiled in the 20th Congress but has yet to be passed into law. The current versions of the bill are more inclusive: they explicitly proscribe discrimination on the basis of sexual orientation, gender identity, gender expression, and sex

characteristics; mandate internal redress mechanisms in public and private institutions; require SOGIESC-sensitivity education in government agencies; and establish oversight bodies (e.g. committees or commissions) empowered to monitor compliance.

The Commission on Human Rights has publicly welcomed the House committee approval of the revised bill and emphasized its alignment with constitutional and international human rights obligations. Yet, strong opposition from religious, conservative, or politically entrenched actors continues to derail or delay its plenary progress.

From a justice and policy standpoint, misgendering and broader SOGIESC discrimination cannot be addressed solely through individual education or correction; it necessitates a robust legal framework to institutionalize accountability. The documented harm, including psychological distress and barriers to essential services, demands a state response. Failing to legislate protections constitutes a state omission that actively perpetuates vulnerability. This legal institutionalization serves to both deter harm and mandate systemic change. Clear legal consequences for discriminatory acts, including persistent misgendering in public accommodations, employment, and education, establish credible deterrence and provide victims with concrete avenues for redress. Furthermore, legal requirements compel organizations—from schools to government agencies—to implement mandatory gender-sensitivity training and internal complaint mechanisms. This shifts the focus from voluntary compliance to enforceable institutional mandates, ensuring that respect for gender identity is embedded in policy rather than left to individual goodwill.

Ultimately, legal protection closes crucial equity and power gaps. Legislation offers a vital symbolic recognition, affirming the equal dignity of gender-diverse individuals before the law and countering narratives that trivialize their experiences. For a meaningful change regarding misgendering and discrimination against LGBTQ+ individuals, action must be taken across society, not just in politics. Academics need to step up by conducting focused research and monitoring in the Philippine context, studying how often misgendering happens, how people cope, and what the long-term effects are on mental and social well-being. This data will be vital for advocacy. At the same time, institutions such as schools, workplaces, and government offices must immediately adopt new, inclusive protocols. This means simply asking for and using a person's preferred name and pronouns, using gender-neutral language on forms, and training all staff using

simple, clear systems.

Beyond research and institutional rules, the fight for equality requires broad engagement and preparation. Civil society and advocacy groups must continue to apply pressure on legislators for the immediate passage of the SOGIESC Equality Bill, using personal stories to highlight both the harm of exclusion and the benefits of an inclusive society. Meanwhile, legal experts and rights defenders need to prepare for the law's eventual passage by developing model complaint templates and strong case law arguments based on constitutional principles like equal protection and human dignity. Finally, to secure lasting change, educational integration is key: curriculum developers should embed mandatory modules on SOGIESC, gender diversity, and respectful language into all levels of education, starting with teacher training and core subjects like ethics and social studies.

## Conclusion

Misgendering is not a benign slip of the tongue. It is a site where recognition is denied and dignity is challenged. In the Philippine context, each instance of misgendering underscores the gap between evolving public consciousness and lagging institutional and legislative frameworks.

To bridge that gap, we need more than polite conversation or ad hoc corrections. We need structural reform. The SOGIESC Equality Bill, properly enacted and enforced, would transform misgendering from a tolerated micro-injustice into a legally recognized breach of dignity and equality. Thus, for those committed to human rights, social justice, and educational equity, the passage of a national SOGIESC law is imperative—not merely symbolic, but foundational.

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