

# The Silencing and the Vocalization of the Transgender Latin American and Transgender Latinx Identity

## SILENCING

How has identity silenced this group?

### The Construction of the Gender Binary

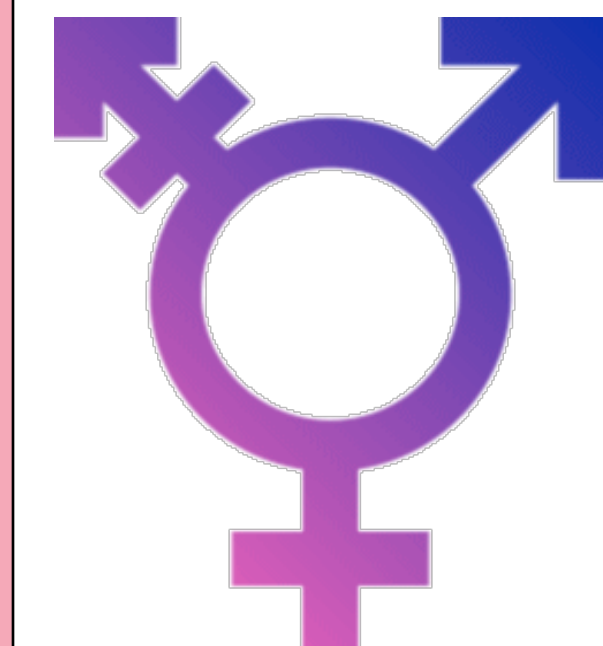
Transgender persons are silenced for their transgression of the rigidly enforced binary. Transgender individuals experience a loss of personhood for their attempt to defy the fiercely and rigidly upheld social boundaries and gender role expectations (Hill 172). When individuals fail to sit comfortably in their assigned gender role, they lose gender privilege critically tied to personhood, thus earning the label of "it" to signal the loss of humanity (Heidenreich 60). As a result, these people become increasingly vulnerable as they are denied fundamental rights of existence and exposed to transphobia that permeates across social classes and institutions (REDLACTRANS 4). It should be noted, then, that transgender women face an additive oppression and additive silencing in terms of the construction of gender.

Throughout the Americas, one's racial or ethnic identity can leave them exposed to violence or discrimination as a result of racist ideology. For transgender Latinxs living in the United States, they experience oppression and erasure in terms of racial and ethnic identity in addition to oppression and erasure in terms of their gender identity. In the United States, the racial binary schema includes only the categories of white and black, identifying any racial mixture, even if predominantly white, as black (Roth 17). While the Hispanicized racial binary exists as well as and sometimes alongside the racial binary schema, identifying third racial category for Latinxs, there is no doubt that in the United States, the racial binary continues to hold substantial weight in terms of silencing and oppression by race and that the Hispanicized racial binary offers very few advantages as far as representation and humanity dignity (Roth 17). Within the racial binary, Latinx individuals are forced to accept either the erasure of an identity of whiteness or the erasure and the oppression of an identity of blackness (Roth 28). Either option represents the silencing of identity as persons are forced into existing constructions. Within transgender communities, the white narrative exists predominantly, receives the most attention, and comes to represent the transgender voice in terms of awareness and advocacy (Vidal-Ortiz 264). The transgender individuals of color experience then a silencing even within their own community.

It is important to note that these identities intersect with many others that create variety and uniqueness of experience. Certain identities can leave some individuals even within this identity group under greater oppression and greater silencing and at heightened risk of violence or discrimination. For example, both indigenous transgender Latin Americans/Latinxs and non-citizen transgender Latinxs in the United States may have a significantly harder time vocalizing and find their experience largely unrepresented by the widespread vocalization of the transgender Latin American/Latinx experience.

### Racial and/or Ethnic Oppression and Homogeneity

**Abstract:** Throughout Latin America and the United States, transgender individuals experience a political and social silencing and loss of personhood due to their transgression of the rigid gender binary. In the United States, transgender Latinx individuals are subject to the intersection of racial oppression and anti-transgender discrimination that work individually and jointly to strip one of their own humanity. The rates of violence against trans Latinx individuals exemplifies their societal rejection and loss of personhood, and the lack of publicity, public awareness, and public reaction regarding these widespread instances of violence emphasizes the silencing of this group of people. On local, national, and international levels, with aid from media and the internet, transgender Latin American/Latinx communities have come together both physically and virtually to provide each other support and solidarity through shared experiences and identity and to give one another an audience for individual vocalization and platform for vocalization of the identity to work to affirm a sense of humanity and value that they may feel denied. In many cases, the majority of transgender Latin American/Latinx advocacy arises from these communities. The legislation passed and rights granted in various countries across the region since the 1990s reflect the heard voices of these individuals and the increasing polarity of attitudes regarding LGBTQ+ issues and specifically transgender issues throughout the region. Despite the discrimination, violence, and silencing transgender Latin American/Latinx individuals continue to face in Latin America and the United States, in varying degrees depending on the specific area, the transgender Latin American and transgender Latinx voice has grown in volume and strength, leading to passed legislation, linguistic changes, widespread advocacy groups, greater media attention, education of the general public, and increased public awareness of the presence, experience, and demands of those that identify as transgender Latin American/Latinx as a group within but distinctly different from the predominantly white transgender identity, predominantly cisgender Latin American or Latinx identity, and predominantly white and cisgender LGBTQ+ identity.



### What is gender identity?

One's gender identity refers to one's deeply felt identification with an available identity label within the socially constructed concept of gender. This gender identity may or may not match the gender identity that one is assigned at birth.

### What does it mean to be transgender?

The term 'transgender' reflects one's identification with a gender different from the one that they were assigned at birth. Transgender identities can exist within the constructed binary as male-to-female (MTF) and female-to-male (FTM) or outside of the constructed binary to encompass an endless number of nonbinary and genderqueer gender identities.

### What does it mean to be transgender and Latin American/Latinx?

This identity refers to the intersection of transgender identity with the Latin American or Latinx identity, including any transgender person (binary or non-binary) that identifies racially or ethnically as Latin American or Latinx, whether or not they live in Latin America presently. The transgender Latin American/Latinx identity serves to unite a group of people with possible shared experiences. However, this identity will intersect with numerous other identities such as socioeconomic status, age, religion, sexual orientation, ethnicity, etc. that create a variety of experience even within a specific identity group.

## VOCALIZATION

In response to these systems of oppression, in which individuals lose their own humanity, the quest for vocalization is not just the attempt to be heard but the desperate search for the status of personhood as well. Feelings of personhood may accompany feelings of being heard, included, represented, and respected, which commonly begins through community formation, in which individuals deprived of humanity offer each other a space in which one receives the elements necessary to regain it. Local and internet communities both have the potential to develop a sphere counter to the mainstream society in which their otherized identity or identities are no longer other, in which their experiences are normalized and shared. Smaller communities function as platforms for national, regional, and international organizations and movements which have significantly greater visibility and opportunity for advocacy and awareness. The development of extra-community vocalization often hinges on intra-community recognition of humanity in terms of support, resources, and opportunities. These initial communities, no matter the size or the extent of extra-community involvement or interaction, serve as essential elements for the validation of identity and humanity of individuals in order to encourage the discussions and forms of expression that challenge the forces of oppression and silencing.

How has this identity group vocalized?

### Local Community Formation

Much like the "coming out" process, the development of a local community around an identity or the immersion within an existing identity community has the potential to offer the greatest rewards and the greatest risks for individuals. Communities of individuals with like identities and similar experiences offer not only an opportunity to be connected to like others but also to be connected with their truest selves (Doetsch-Kidder and Bracamonte 445). Often minorities find these types of groups when they have identified within themselves a desire to belong within a certain in-group, which takes the shape of an identity community in which their identity fits into the realm of normalcy (Doetsch-Kidder and Bracamonte 446). Within these in-groups, there exists a profound sense of respect for themselves, each other, and their identity, despite the disrespect and foulness frequently faced outside of the community (Doetsch-Kidder and Bracamonte 446). These groups not only offer one validation of their humanity and identity but support for and education regarding economic struggles, like unemployment and poverty, and health issues, like HIV and drug or alcohol addiction (Bracamonte 446).

### Internet Community Formation

The wide reach of the internet has enabled marginalized perspectives to dramatically increase the scope of the dissemination of their ideas and perspectives, with potential to access a greater number of bodies than ever before ("The Reality of Virtual Reality" 3). The scope of the internet has both enabled the breakdown of separation of intra-community separation by socioeconomic status and enforced divisions between those with access to the internet, who tend to be more urban, of higher socioeconomic status, and non-indigenous and those without ("The Reality of Virtual Reality" 3). The internet has a profound potential to connect individuals of a certain identity and allow the formation of community between individuals who may otherwise remain disconnected. These internet communities foster nationwide and international community development, benefiting a wide range of transgender Latinx persons while protecting them through anonymity.

### National, International, and Regional Community Formation

Local community development and internet community development serve as the foundations for the formation of national, international, and regional organizations, as they provide the initial connections and the support to sustain growth. These larger organizations are hugely important as they have the ability to challenge and fight the systemic oppression that individuals experience but cannot address. These are the organizations that have the potential to change legislation in order to protect transgender Latin Americans/Latinxs from violence and discrimination as well as facilitate the social change to breakdown the notion of otherness.

## Evidenced by

## Expression of Silencing

### DISCRIMINATION & DENIAL OF EQUALITY

The most common way silencing of a minority group appears through acts of discrimination or through the social or political restrictions on rights and freedoms. Acts of discrimination occur when some individuals are viewed as being unworthy of holding the same freedoms, equalities, dignities, and rights as others. Minority individuals and minority communities are frequently subject to these subhuman statuses (Hill 171). As a result, they may experience hate, ignorance, and inclusivity that restricts their daily life and dictating how, when, where, and why they may present themselves. The relegation to a subhuman status and the exclusion from established aspects of society have significant impacts on the well-beings and the psychological and social health of minorities who are "disfranchised from the access and accommodation that go hand in hand with the rights and privileges of citizenship" (Hill 171). Acts of discrimination span across social, political, and economic realms of life, meaning that transgender Latin Americans/Latinxs and other minority groups may face social rejection within their family and local community, discriminatory legislation or political decisions, unemployment and poor employment opportunities, lack of education or poor educational opportunities, housing discrimination, and absent, minimal, or ineffective healthcare (REDLACTRANS 8).

While Central America remains one of the regions of the greatest hostility towards transgender citizens, especially towards transgender women, there has been some recent progress in protecting and providing equality for LGBTQ+ individuals (REDLACTRANS 31). In 2009, Nicaragua appointed the first procuradora especial para la Diversidad Sexual to analyze the state of the rights of LGBTQ+ individuals and to monitor implementation of legislation to promote those rights (REDLACTRANS 31). Honduras has attempted to reduce gender-related inequality, discrimination, and violence with the Plan de Igualdad y Equidad de Género. El Salvador tried to remedy the sense of otherness through a state recognition of the citizenship of LGBTQ+ persons and through the establishment of the Dirección de Diversidad Sexual in 2010 (REDLACTRANS 32). The Salvadoran government addressed gender identity discrimination in the executive decree "Disposiciones para evitar toda forma de discriminación en la Administración Pública por razones de identidad de género y/o de orientación sexual" (REDLACTRANS 31). Each of these measures serves as an initial foundation for the protection of transgender persons, as, even if they have had little to no effect on the transgender experience, they have established the position of the state, in which gender relations are beginning to be broken down and LGBTQ+ individuals are viewed as maintaining their personhood.

### LACK OF REPRESENTATION & INCLUSION IN MOVEMENTS FOR EQUALITY

The press for transgender Latinx equality and protection should fall within national and international movements for gender equality, racial equality, and LGBTQ+ rights. However, the vast majority of these movements overlook or fail to include either the transgender identity or the non-white identity, let alone the identity of transgender individuals of color. While their lack of inclusion in these movements does not actively deny transgender vocalization and agency as violence and discrimination do, it admits to the satisfaction with the current situation and continues to deny either the humanity of transgender persons or the validity of one's gender identity. Feminist movements offer a potential opening for the vocalization of the transgender identity, but these efforts are primarily rooted within the constructed gender binary and heavily cissexist in emphasis on characteristics of assigned gender at birth. For this reason, feminist efforts can range from merely dismissive and ignorant to the transgender narrative, simply leaving them out due to a lack of knowledge and awareness, to pure cissexism that actively excludes transgender individuals on the basis of gender identity and a cissexist understanding of the construction of gender. Despite the fact that, like feminist organizations, LGBTQ+ groups have been increasingly successful, little attention has been paid to the transgender identity specifically within LGBTQ+ movements and therefore few gains have been made for transgender individuals in the Americas.

### VIOLENCE & HARASSMENT

Violence and harassment exemplify the most extreme forms of discrimination and denial of rights and freedoms and ultimately the most definitive and obvious source of silencing. Acts of physical violence targeting minority groups or minority individuals on the basis of identity act to reinforce their minority, subhuman status, as their non-human status subjects them to acts of violence as punishment for their deviance from the constructed and established norm. For most of these acts of violence, it becomes apparent that the victim's gender identity stands as a significant motive for the crimes committed (REDLACTRANS 13). These violent acts, including assault, torture, and murder, come from sources familiar or unfamiliar to the victim as well as historically violent and non-violent sources, ranging from the members of the victim's family to members of local or regional gangs (REDLACTRANS 26). Far too frequently, the cases of violence are ignored both by the general public and the police force, allowing the perpetrator and the understanding of this as admissible and even acceptable behavior to remain unchecked (REDLACTRANS 9). At the intersections of one or more oppressed identities, individuals may be subject to heightened degrees of violence and harassment, as they are otherized and deemed unworthy by two or more factors. For this reason, transgender persons of certain races or ethnic backgrounds receive a greater proportional of the violent acts against transgender bodies (Doetsch-Kidder and Bracamonte 460).

### Bring it Home: Transgender Latinx Experience in the United States

Statistics from Harrison-Quintana, Pérez, and Grant

- Unemployment rate of 20%, almost three times the national average of 7%
- 26% of transgender Latinxs reported having lost a job due to bias; for non-citizens, the rate was much higher at 42% of individuals surveyed
- 47% reported having been denied a job due to their gender identity
- 29% were refused a home or apartment; for non-citizens, the rate was much higher at 46% of those surveyed
- 23% were refused medical care due to bias
- 36% of those surveyed postponed medical care due to fear of discrimination
- 77% reported experiencing harassment in school
- 36% reported sexual assault in school
- 54% reported harassment in the workplace
- 16% of transgender Latinxs surveyed and 47% of non-citizen transgender Latinxs surveyed reported physical assault in the workplace
- 14% of transgender Latinxs surveyed and 38% of non-citizen transgender Latinxs surveyed reported sexual assault in the workplace



**MEXICO:**  
In Mexico, an amendment to Article 138 of the Criminal Code for the Federal District added both sexual orientation and gender identity to the list of characteristics targeted in hate crimes, attempting to protect all members of the LGBTQ+ community from acts of violence and discrimination based entirely on their identity (REDLACTRANS 32). The acknowledgement of gender identity functions specifically to protect transgender Mexicans from otherization. In addition, in 2012, a Mexican transgender woman was appointed director of the Gestión Corporativa de Integración Social, and a transgender woman stood for the Senate for the first time, providing formal political opportunities for the representation of transgender Mexican voices (REDLACTRANS 32).

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**ECUADOR:**  
Ecuador's constitution explicitly addresses and prohibits any and all discrimination based on gender identity, in order to protect women and transgender Ecuadorans and work to eliminate gender inequality (REDLACTRANS 31). This explicit statement functions similarly to Article 14 of the Bolivian constitution that affirms humanity and right to equality regardless of gender identity, attempting to break down the concept of otherness that robs the personhood from genderqueer persons.

**BOLIVIA:**  
In 2009, the Bolivian constitutional reform delivered a significant increase in anti-discrimination policy, in which Article 14 states, "The State prohibits and punishes all forms of discrimination based on sexual orientation [and] gender identity" ("Gender, Sexuality" 249). This addition to the constitution reflects the stance of the nation in the recognition of transgender Bolivian humanity and in the drive for the delivery of equality to affirm that sense of humanity. This statement identifies the otherization of an LGBTQ+ community as being a punishable offense to counter any pressures by systematic social structures in order to protect transgender Bolivian lives.

**CHILE:**  
In 2011, the Chilean Ministry of Health developed a standard of national protocol to regulate procedure of gender confirmation surgery in order to increase the probability of surgery for the majority of the transgender Chilean population and reduce many of the possible risks associated with it (REDLACTRANS 32). In 2012, Chile passed an anti-discrimination law that explicitly listed gender identity in order to protect transgender Chilean persons from hate crimes and targeting based on identity (REDLACTRANS 32). Both of these measures serve to try to address the problems unique to the transgender experience in an effort to eliminate structures of inequality.

**ARGENTINA:**  
Implemented in May of 2012, Argentina's Gender Identity Law stands as one of the most substantial, extensive, and thorough pieces of legislation globally to provide the rights and protections of transgender persons (REDLACTRANS 31). It stands as the standard globally for practices of legal gender recognition for transgender persons (Balzer/Lagata 101). The law guarantees the fundamental rights, dignity, and humanity of transgender Argentineans, and establishes the mechanisms for changes to legal gender and name (REDLACTRANS 31). The entire piece of legislation is based upon human rights discourse rather than medical discourse, reflecting the shift in understanding from the essentialism of gender to a more constructivist approach (Balzer/Lagata 101).

**BRAZIL:**  
Luiz Inacio Lula da Silva - Lula - established a Special Secretariat for Women's Policies (SPM), an advisory body to facilitate the addressing of gender issues in public policies ("Gender, Sexuality" 423). In 2007, their conference increased dramatically in terms of intersectionality and highlighted specifically the needs of transgender Brazilian women and how they may differ from the needs for cisgender Brazilian women with the ultimate goal to benefit all identities equally ("Gender, Sexuality" 423). This conference unfortunately had very little impact, as there was a significant lack of follow-through in the implementation of policy, but the sheer recognition of the transgender Brazilian lives and experiences reflects the state's awareness of the presence and uniqueness of the identity ("Gender, Sexuality" 423). In 2008, the Brazilian national government held the First National Conference of Gays, Lesbians, Bisexuals, Transvestites and Transsexuals, specifically recognizing the transgender Latinx identity ("Gender, Sexuality" 429). Also in 2008, Brazil presented Resolution 2435 (Human Rights, Sexual Orientation and Gender Identity) to the General Assembly of the Organization of American States as the first inter-American document to address the human rights violations that occur on the basis of sexual orientation of gender identity ("Gender, Sexuality" 429).

**Legislation & State Recognition**  
Within the past decade, countries throughout Latin America have implemented formal legislation that provides recognition and protection of transgender persons. These changes in legislation provide opportunities for legal changes of name and gender, access to gender-specific activities and facilities that match one's identified gender, and access to medical programs for hormones and surgeries as well as challenge the occurrence of violence and discrimination against specific individuals on the basis of identity. Even though transgender persons are still predominantly viewed as subhuman and other, state and legal recognition reflects the identification of transgender humanity and helps to develop the societal notion of transgender normativity (Gonzalez 123-124).

**Public Presence**  
The development of the scope and reach of non-governmental organizations (NGOs) and the rise in visibility of transgender Latinx spokespersons has increased the awareness of the general public in terms of transgender rights and freedoms. In the 2000s, there was a significant spike in the number of regional and international networks and organizations supporting and advocating for transgender Latin Americans/Latinxs, including the organization Real Latinoamericano y del Caribe de Personas Trans founded in 2004 (Balzer/Lagata 101). These organizations were predominantly founded upon local communities and serve to bridge the gap between these local communities that may or may not wish to remain anonymous and underground and the general public, in which the most substantial changes need to be made. They facilitate the spread of the notion of transgender humanity and equality to an ever-increasing portion of the population as the organizations themselves and their reach continue to increase. Large organizations, such as the Brazilian NGO THEMIS representing transgender sex workers, serve as amplifiers for the transgender voice in terms of community access and mobilization (Klein 338).

**Linguistic Changes**  
The development and increasing use of language to express the transgender experience, including gender neutral language and identity terminology, reflects the change towards transgender visibility in the environment. The highly gendered Romance languages throughout Latin America serve to reinforce the structured presence of gender throughout the region (Eichler et al. 554). The development of gender neutral language can both reflect and contribute to the breakdown of the social structure of gender and its oppression. Language can function as demonstration of ideology, with changes of language revealing changes of thought, and as force, in that language has the potential to activate change in thought. In that sense, language both mirrors the structures, beliefs, and conventions of society and culture and actively shapes one's cognitive understanding of that society and culture (Prestiv-Freilino et al. 268). 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