

***Transviadecendo* the Comprehension of the Pervasiveness of Hegemonic
Masculinity on Transmasculinities in Brazil and its Non-Hegemonic Alternatives:
Fostering Non-Discrimination**

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Abstract

[English] This thesis employs a *transviado* perspective to comprehend the pervasiveness of hegemonic masculinity over transmasculinities in Brazil, and to explore the non-hegemonic masculinity alternatives emerging within this community. The aim is to understand how a *transviado* approach can foster the human right to non-discrimination by addressing hegemonic masculinity, which, rooted in cisheteronormativity, is identified as a foundational cause of discrimination against transmasculinities. Recognising that experiences of discrimination are shaped by the specific social, historical and geographical contexts where transmasculinities are situated, this thesis applies decolonial thinking by utilising *transviado* studies as a theoretical framework. *Transviado* studies, a Brazilian derivation of queer theory, translate and transform principles of queer theory to enhance their applicability and intelligibility within Brazilian contexts. This framework is used to elaborate on concepts surrounding transmasculinities in Brazil and to analyse the effects of cisheteronormativity and hegemonic masculinities on transmasculinities, as well as current international human rights frameworks concerning gender identity. The findings suggest that a *transviado* approach can contribute to non-discrimination as a human right to transmasculinities in Brazil by: questioning cisheteronormativity and hegemonic masculinity as a basis of discrimination; broadening the concepts of self-determination and autonomy through non-hegemonic alternatives; advocating for the complete depathologisation of gender identity as a crucial aspect of self-determination and non-discrimination; and critiquing rights-guaranteeing processes that rely exclusively on the criminalisation of discrimination. The thesis proposes recommendations for enhancing human rights frameworks concerning gender identity while acknowledging the alignment of current international human rights with *transviado* principles.

[German] Diese Arbeit wendet eine *transviado*-Perspektive an, um die Allgegenwärtigkeit hegemonialer Männlichkeit gegenüber Transmaskulinitäten in Brasilien zu verstehen und die nicht-hegemonialen Männlichkeitsalternativen zu erforschen, die innerhalb dieser Gemeinschaft entstehen. Ziel ist es, zu verstehen, wie ein *transviado*-Ansatz das Menschenrecht auf Nichtdiskriminierung fördern kann, indem er hegemoniale Männlichkeit konfrontiert, die, verwurzelt in Cisheteronormativität, als grundlegende Ursache für die Diskriminierung von Transmaskulinitäten identifiziert wird. In Anerkennung der Tatsache, dass Diskriminierungserfahrungen durch die spezifischen sozialen, historischen und geografischen Kontexte geprägt sind, in denen Transmaskulinitäten verortet sind, wendet diese Arbeit dekoloniales Denken an, indem sie *Transviadostudien* als theoretischen Rahmen nutzt. Die *Transviadostudien*, ein brasilianischer Ausläufer der Queer-Theorie, übersetzen und transformieren Prinzipien der Queer-Theorie, um ihre Anwendbarkeit und Verständlichkeit im brasilianischen Kontext zu verbessern. Dieser theoretischer Rahmen wird herangezogen, um 1. Konzepte rund um Transmaskulinitäten in Brasilien zu erläutern und 2. die Auswirkungen von Cisheteronormativität und hegemonialen Männlichkeiten auf Transmaskulinitäten sowie 3. auf die gegenwärtigen internationalen Menschenrechtsbestimmungen zur Geschlechtsidentität zu analysieren. Die Ergebnisse zeigen, dass ein *transviado*-Ansatz zum Recht auf Nichtdiskriminierung für Transmaskulinitäten in Brasilien beitragen kann, indem er Cisheteronormativität und hegemoniale Männlichkeit als Grundlage für Diskriminierung in Frage stellt, die Konzepte von Selbstbestimmung und Autonomie durch nicht-hegemoniale Alternativen erweitert, für die vollständige Entpathologisierung der Geschlechtsidentität als entscheidenden Aspekt von Selbstbestimmung und Nichtdiskriminierung eintritt und Prozesse zur Rechtsgewährleistung kritisiert, die ausschließlich auf der Kriminalisierung von Diskriminierung beruhen. In dieser Forschungsarbeit werden Empfehlungen für die Verbesserung des Menschenrechtsrahmens in Bezug auf Geschlechtsidentität gegeben, wobei die Übereinstimmung der aktuellen internationalen Menschenrechte mit den Grundsätzen von *transviado* anerkannt wird.

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List of Acronyms and Abbreviations

IACHR	Inter-American Commission on Human Rights
LGBTQIA+	Lesbian, gay, bisexual, transgender/travestite/trans*, queer, intersex, asexual and other gender and sexuality dissidences.
UN	United Nations
USA	United States of America
ANTRA	Associação Nacional de Travestis e Transexuais / Brazilian National Association of Transvestites and Transsexuals
IBRAT	Instituto Brasileiro de Transmasculinidades / Brazilian Institute of Transmasculinities
SUS	Sistema Único de Saúde / Unified Health System of Brazil
TSQ	Transgender Studies Quarterly
DSM	Diagnostic and Statistical Manual of Mental Disorders
APA	American Psychiatric Association
ICD	International Classification of Diseases
WHO	World Health Organization
CFP	Conselho Federal de Psicologia / Federal Psychology Council of Brazil
CFM	Conselho Federal de Medicina / Federal Medicine Council of Brazil
UNHRC	United Nations Human Rights Council
STF	Supremo Tribunal Federal / Supreme Federal Tribunal of Brazil

1. Introduction

Transmasculinities exist in a cisheteronormative social structure. This involves, for instance, the expectation that transmasculine people conform to hegemonic masculinity. Different negative effects on the transmasculine population are related to this, including significant discrimination, which leads to hindering various human rights such as the right to the highest attainable standard of health¹ and the right to bodily and mental integrity.² Aligning with a decolonial perspective, it is important to understand transmasculinities locally. Therefore, *transviado* studies, which holds the possibility of establishing a Brazilian contextualised dialogue with queer theory, have the potential for approaching transmasculinities in Brazil. Additionally, it is relevant to consider the discourse of the transmasculine community on the possibilities of exercising masculinity in a non-hegemonic manner. In this sense, human rights international frameworks in relation to non-discrimination of transmasculinities can be comprehended through a *transviado* perspective. Also, non-hegemonic approaches to transmasculinities can enrich the principle of non-discrimination in human rights frameworks with trans-centered perspectives on transness.

Thus, the research question of this thesis is:

How can the pervasiveness of hegemonic masculinity on transmasculinities in Brazil and its non-hegemonic alternatives be comprehended from a transviado perspective, fostering non-discrimination?

Answering this research question will require firstly to delve into queer theory, understanding its main principles and parts of its history. ‘Queer’ theory apprehends gender and sexuality as historical and social constructs, challenging binary classifications regarding those categories - it is also a practice of opposing cisheteronormativity³.⁴ However, as queer

¹ The right to the highest attainable standard of health consist of the 17th Principle in the Yogyakarta Principles. The Yogyakarta Principles: principles on the application of international human rights law in relation to sexual orientation and gender identity (adopted November 2006), p.22.

² The right to bodily and mental integrity consists of the 32nd Principle in Yogyakarta Plus 10. The Yogyakarta Principles +10: Additional principles and state obligations on the application of international human rights law in relation to sexual orientation, gender identity, gender expression and sex characteristics to complement the Yogyakarta Principles (adopted 17 November 2017) p.10.

³ See p. 18 for a definition of cisheteronormativity.

⁴ A. S. Gomes Filho, ‘Estudos Transviados: algumas reflexões’, *Revista Interfaces: saúde, humanas e tecnologia*, vol. 3, no. 11, 2015, p. 22, Available from <https://interfaces.unileao.edu.br/index.php/revista-interfaces/article/view/557> (accessed 10 April 2024); B. Bento, *Transviad@s: Gênero, Sexualidade e Direitos Humanos*, Salvador, EDUFBA, 2017, p.124, 133; G. L. Louro, ‘Teoria Queer: uma política pós-identitária para a educação’, *Estudos Feministas*, vol. 9, no. 2, 2001, p. 546, Available from

theory emerges in the United States of America (USA) and only later arrives in Brazil, when examining Brazilian transmasculinities it is important to, in a decolonial movement, apply theoretical understandings that are more compatible with its localised context. For this purpose, an analysis of *transviado* studies will be performed. This encompasses examining the arrival of queer theory in Brazil through academia and how it sought to increase its significance and social application by finding options of translation. According to Bento, ‘queer’, when used in Portuguese, lacks the same connotations it has in its original context, as an alternative, other terms, such as *transviado*⁵, started to be implemented.⁶ The author argues that *Transviado* has more local comprehensibility, offering the possibility of reaching beyond academic niches and fitting better into the Brazilian context. Its relevance also lies in the potential of questioning the colonial thinking within the usage of *queer* in Brazil, as Bento explains. It entails an anthropophagic process of translation and transformation of queer theory. Moreover, in an interdisciplinary approach combined with the field of trans studies, *transviado* studies will allow for addressing discrimination towards transmasculinities by analysing cisheteronormativity.

After developing a comprehension of *transviado* studies, including an understanding of what its application would entail, questions about transmasculinities will be explored. In this framework, transmasculinities are part of the transgender umbrella, which in a *transviado* perspective can be defined as an ‘identitarian experience, characterised by conflict with gender norms.’⁷ As transmasculinities cannot be apprehended outside the trans* spectrum, before approaching transmasculinities, *transviado* conceptions of transgender will be defined. Examining transness⁸ and transmasculinities will be the foundations to then adopt a regional perspective to transmasculinities, acknowledging the specificities and violations experienced by this community in Brazil.

Comprehending transmasculinities through *transviado* and trans studies will also entail clarifying perspectives regarding transness that foment discrimination, such as its pathologisation. The pathologisation of transgender will be historically and socially analysed, as it is a construct that has various effects until this day. For instance, to access legal body modifications, including surgeries and hormonal therapy, in Brazil in the public health system

<https://www.scielo.br/j/ref/a/64NPxWpgVkt9BXvLXvTvHMr/?format=pdf&lang=pt>, (accessed 12 April 2024); B. Scherer, ‘Introduction’ in B. Scherer (ed.), *Queering Paradigms*, Lausanne, Peter Lang AG, 2009, p.1.

⁵ *Transviadecendo*, a verb derived from *transviado*, can be an equivalent of the verb queering, referring to a process of challenging normative perspectives on gender and sexuality.

⁶ Bento, 2017, p.131.

⁷ B. Bento, *O que é transexualidade*, São Paulo, Editora Brasiliense, 2008, p.18.

⁸ Transness is a term that refers to the state of being transgender, it makes a reference to trans*.

individuals need to possess a medical diagnosis certifying that they are transgender.⁹ What confirms that someone is transmasculine often comes from a medical perspective, with an expectation that transmasculinities express or pursue hegemonic masculinity, experience a strong discomfort with their bodies and long-term suffering related to their physicality.¹⁰ So, to access body modifications through the public health system, there is a necessity to comply with certain cisheteronormative standards.¹¹ This points out that the access to human rights such as the right to health and the right to bodily autonomy of transmasculine people is permeated by a medical discourse and the pathologization of their identities, which is tied to cisheteronormativity.

The discussion on the pathologisation of transgender will enable delving into how cisheteronormativity affects and relates to transmasculinities. This involves defining cisheteronormativity, which are systematic social norms that demand congruency between the identified sex of birth, gender, and sexual orientation of a person.¹² Within cisheteronormativity a standard of masculinity exists where the ideal is to be heterosexual, cisgender, endosex¹³, white, able-bodied and to exercise certain behaviours.¹⁴ This standard translated into repetitive practices of establishing domination can be described as hegemonic masculinity - and in a cisheteronormative context, transmasculinities do not conform with hegemonic masculinity.¹⁵ From this stance, the different implications of not conforming will be explored, aiming to grasp

⁹ M. I. Lobato, B. M. Soll, A. B. Costa et al, 'Psychological distress among transgender people in Brazil: frequency, intensity and social causation—an ICD-11 field study', *Brazilian Journal of Psychiatry*, vol. 41, no. 2, 2019, p. 311, <https://www.scielo.br/j/rbp/a/XpWQL8bGCwQfpw3Rt7xjpVp/?lang=en> (accessed 12 April 2024); Ministério da Saúde, Redefine e amplia o Processo Transexualizador no Sistema Único de Saúde (SUS), Anexo 1 do Anexo XXI, 2017, Available from https://bvsms.saude.gov.br/bvs/saudelegis/gm/2017/prc0002_03_10_2017.html#ANEXO1ANEXOXXI (accessed 15 April 2024).

¹⁰ Instituto Brasileiro de Transmasculinidades (IBRAT), *Mapeamento de Saúde das Transmasculinidades Vivendo no Brasil*, 2023, p.15, Available from <https://ibratnacional.com/2024/02/07/mapeamento-de-saude-das-transmasculinidades-vivendo-no-brasil-2023/> (accessed 29 May 2024).

¹¹ B. L. Pfeil, and C. L. Pfeil, 'Da sombra da cisgeneridade a subjetivações transmasculinas', in Pfeil, B. L., Victoriano, N., Pustilnick, N (eds.), *Corpos Transitórios: Narrativas Transmasculinas*, Salvador, Diálogos, 2021(a), p.165; P. C. Rocon, F. Sodr , A. Rodrigues et al, 'Desafios enfrentados por pessoas trans para acessar o processo transexualizador do Sistema Único de Saúde', *Interface-Comunica o, Sa de, Educa o*, vol. 23, 2019, p.9, Available from <https://www.scielo.org/article/icse/2019.v23/e180633/> (accessed 20 April 2024).

¹² Bento, 2017, p.325.

¹³ Endosex is an adjective used to describe individuals with sex characteristics that can fit the binary notions of male or female. Intersex individuals, on the other hand, possess sex characteristics that are not read in the binary male/female categories.

¹⁴ Pfeil and Pfeil, 2021(a)(a), p.161.

¹⁵ B. Bento, *Homem n o tece a dor: queixas e perplexidades masculinas*, Natal, Editora da UFRN, 2015(a), p.89; S. Ferreira, 'A emerg ncia do debate da transmasculinidade negra', *Revista Estudos Transviades*, vol.1, no.1, 2020, p.164, Available from [file:///Users/marinaabagge/Downloads/revista-estudos-transviades-v.1-n.1-jul-2020-163-172%20\(1\).pdf](file:///Users/marinaabagge/Downloads/revista-estudos-transviades-v.1-n.1-jul-2020-163-172%20(1).pdf) (Accessed 20 April 2024).

the impacts of transmasculinities existing in a social structure that does not have the imaginary to validate their identities,¹⁶ leading to various forms of discrimination.

Opposing a cisheteronormative determination of masculinity, discourses from sectors of the Brazilian transmasculine community¹⁷ reiterate the importance of creating transmasculine parameters to transmasculine existence, objecting to the employment of a hegemonic reference.¹⁸ So, an effort will be made to comprehend how these non-hegemonic alternatives within transmasculinities in Brazil can be defined. This encompasses understanding how they are a collective construction which contains depathologisation and gender self-determination as core elements. It also involves grasping the possible effects of non-hegemonic alternatives on the cisheteronorm.

Together with a *transviado* perspective on the topic, these alternative masculinities proposed by transmasculinities in Brazil can signal paths to guarantee non-discrimination as a human right for transmasculinities in Brazil. Before developing this analysis current international human rights frameworks regarding gender identity and their alignment with a *transviado* perspective will be examined. This examination will integrate an overview of documents such as the Yogyakarta Principles¹⁹ and the Yogyakarta Principles plus 10²⁰, reports of UN Independent Experts on protection against violence and discrimination based on sexual orientation and gender identity, and material issued within the Inter-American Human Rights System such as the Advisory Opinion OC-24/17 on Gender Identity, Equality and Non-discrimination of Same-sex Couples²¹, by the Inter-American Court of Human Rights, and reports by the Inter-American Commission on Human Rights (IACHR).

In international human rights frameworks depathologisation, self-determination and autonomy, and legal recognition of trans* people can be considered pillars of the protection, promotion and fulfilment of non-discrimination of trans* people, which can be applied to the case of Brazilian transmasculinities. When examining those frameworks, it is also important to understand how they arrive in Brazil and are reflected in the right to non-discrimination and other rights such as the highest attainable standard of health and the right to bodily and mental

¹⁶ Pfeil and Pfeil, 2021(a), p.158.

¹⁷ It is important to acknowledge that this discourse cannot be generalized and might not represent the totality of transmasculine individuals in Brazil. It is reinforced by the *Instituto Brasileiro de Transmasculinidades* (Brazilian Institute of Transmasculinities - *IBRAT*) and other social and educational movements, it has also been developed in academia by transmasculine scholars.

¹⁸ Pfeil, and Pfeil, 2021, pp.157-175.

¹⁹ The Yogyakarta Principles.

²⁰ The Yogyakarta Principles +10.

²¹ Inter-American Court of Human Rights, Advisory Opinion OC-24/17 of November 24, 2017, Requested by the Republic of Costa Rica, Gender Identity, and Equality and Non-Discrimination of Same-Sex Couples.

integrity of transmasculinities in the country.

1.2 Methodology

1.2.1 Theoretical Lens

Transviado Studies

Transviado studies are the core theoretical perspective of this thesis, they are the lenses applied throughout the process of answering the research question. A detailed exploration of *Transviado* studies will be executed in Chapter 3) *Transviado Studies: Anthropophagising Queer Theory*. This investigation is not developed in this methodology section because as *transviado* studies are a golden thread in answering the research question, the process of comprehending this lens is a substantial part of the content, where its history, principles and characteristics are examined. The practice of *transviadecer* requires a thorough understanding of its theories, without which responding to the proposed question is not possible. *Transviado* studies are utilized to examine current international human rights frameworks concerning gender identity. This involves applying its principles when analysing different human rights documents, for instance, observing if concepts of gender and trans* within human rights resemble or align a *transviado* perspective. It also encompasses examining how human rights frameworks incorporate and approach root causes of discrimination.

Trans* studies

Trans* studies emerged from an objection to medical, juridical, and psychiatric approaches to transness, which were related to its pathologisation.²² It is an interdisciplinary field that aims to look at transgender particularities without exoticisation or objectification.²³ As claimed by Stryker and Currah the field delves into the normative frameworks of power that are connected to the understanding of transgender expressions as abnormal - in this framework, 'transgender' is the main category of analysis.²⁴ Trans* studies is relevant to this research because it seeks to explore themes and approaches not yet fully covered by queer or feminist theories.²⁵ It contradicts normative knowledge about trans topics²⁶ and has been

²² Bento, 2017, p.124.

²³ TSQ: Transgender Studies Quarterly, About the Journal (website), 2023, Available from <https://read.dukeupress.edu/tsq> (accessed 21 April 2024).

²⁴ S. Stryker and P. Currah, 'Introduction', *TSQ: Transgender Studies Quarterly*, vol. 1, no. 1, 2014, pp.4-5, Available from <https://read.dukeupress.edu/tsq/article/1/1-2/1/91692/Introduction> (accessed 21 April 2024).

²⁵ TSQ: Transgender Studies Quarterly.

²⁶ Stryker and Currah, p.4.

developed also with a decolonial perspective.²⁷ Trans studies propose certain ethical directions in studies involving transness, for instance, in questioning the usage of trans people only as ‘voices’ or objects of research.²⁸

The specific field of *transviado* studies within this thesis overlaps with trans* studies, as it proposes an analysis of matters related to transness from a *transviado* outlook. Trans* studies can contribute to *transviado* perspective in the sense that they intend to cover certain gaps in queer theory and are an interdisciplinary approach aligned with *transviado* principles. It is relevant to adopt this theoretical lens since it enhances an ethical approach to transness, avoiding promoting stigma through knowledge development.

Trans studies also possesses an engagement with human rights. The field is attentive to paradigm changes within human rights in relation to transgender - Balzer and Lagata recall how transness started to be addressed in human rights, mentioning its important role in the depathologisation of transgender, for instance.²⁹ From the thoughts presented by the authors, it can be considered that trans studies also have potential to recognize the obstacles that can be tied to the advancements concerning the inclusion of gender identity in human rights frameworks, being significantly relevant as a theoretical lens of this thesis.

Decolonial Thinking

Analysing Brazilian transmasculinities through a *transviado* perspective was associated with a decolonial approach. Decolonial thinking applied to trans* studies reiterates the importance of looking at transness from a local and contextualised perspective, avoiding using a universalized concept of trans* that originated in the Global North.³⁰ According to Bento, there is a growing movement employing decoloniality to queer or *transviado* studies in Brazil; it aligns with a critical usage of Queer theory in the Brazilian context and the application of the *transviado* perspective to the study of transmasculinities.³¹

²⁷ T. Boellstorff, M. Cabral, M. Cárdenas et al, ‘Decolonizing transgender: A roundtable discussion.’ *Transgender Studies Quarterly*, vol. 1, no. 3, 2014, pp. 419-439, Available from <https://read.dukeupress.edu/tsq/article-abstract/1/3/419/24768/Decolonizing-TransgenderA-Roundtable-Discussion> (accessed 25 April 2024); A. Z. Aizura, T. Cotten, C. B/C. LaGata et al, ‘Introduction: Decolonizing the Transgender Imaginary’, *TSQ: Transgender Studies Quarterly*, vol. 1, no. 3, 2014, pp. 308–319, Available from <https://www.dukeupress.edu/decolonizing-the-transgender-imaginary-1> (accessed 25 April 2024).

²⁸ Boellstorff, Cabral, Cárdenas et al, p. 424.

²⁹ C. B/C. LaGata, ‘Human Rights’, *Transgender Studies Quarterly*, vol.1, no.1-2, 2014, p.101, Available from <https://read.dukeupress.edu/tsq/article/1/1-2/99/92084/Human-Rights?searchresult=1> (accessed 26 April 2024).

³⁰ Aizura, Cotten, LaGata et al, p.314.

³¹ Bento, 2017, p.130.

The process of translation, of ingesting queer theory, of its digestion by Brazilian authors and of its relocalization to a Brazilian context is essentially decolonial. Additionally, decoloniality is embedded into looking at practical impacts of international human rights frameworks on transmasculinities in Brazil. Thus, a decolonial practice is prominently applied in the process of elaboration of this thesis. Although it is also set forth as explicit content in the text at times, it is in the knowledge construction that decoloniality is mostly exercised - for instance in the movement of centralising the academic publications of Brazilian transmasculine authors, of implementing a reverse process of translation in comparison to what is most commonly performed, which is to translate to Portuguese Global North centred authors and attach more value to their works in comparison to Brazilian or Latin American scholars.³² Thus, decoloniality is present in the processes of translation, not only on the act of transferring meanings from one language to another but in the theoretical understanding of what translation might carry. Decolonial thinking applied to *transviado* studies will be explored further in Chapter 3) *Transviado Studies: Anthropophagising Queer Theory*.

1.2.2 Methods

The procedures of this thesis were composed of literature research aiming to provide a broad understanding of the topics covered while maintaining autonomy in directing the investigation to the sources that would most accurately answer the research question. Materials utilised were scientific articles, reports by Associations and NGOs on gender identity, as well as documents issued by international human rights organisations such as advisory opinions, treaties, principles and reports. The academic search tool Google Scholar was utilised to find the majority sources. Additionally, the search for materials was also realised in relevant journals in *transviado* and trans studies such as *Revista Estudos Transviados*³³, considering that its academic knowledge is developed by transmasculine scholars in Brazil, and *Transgender Studies Quarterly:TSQ*, in light of its relevance in the trans studies field. During the writing process the online assisting tool Grammarly was used to assist in identifying possible spelling, grammar and punctuation mistakes. Additionally, DeepL translator website³⁴ was utilised in assisting translations of direct quotes from Portuguese to English.

³² Bento, 2017, p.139.

³³ Translates to Journal of *Transviado* Studies.

³⁴ DeepL, *Translator*, (website) <https://www.deepl.com/pt-BR/translator>.

1.2.3 Positionality

The choice of topic relates to the specific context and community that are part of the aim of the research. Since I wish to work in Brazil, possibly with the trans population, I am interested in investigating this theme and location. I wish to participate in the development of knowledge on the subject in Brazil, an area with a demand for the elaboration of scientific research. Also, I am familiar with parts of the discourse and claims of the transmasculinities in Brazil. From that, I understood that there was a need to investigate more the expectations, violences and issues in the interactions of hegemonic masculinity with transmasculinities; and to possibly contribute to a non-normative construct of what transmasculinities are. This is a movement that sectors of the transmasculine community are attempting as well, thus, adding to that through also possibly amplifying the reach of Brazilian transmasculine authors appears to be relevant. Furthermore, as a human rights student and future practitioner, I am able to participate in the dialogue on those topics in the human rights field. This involves comprehending how the field has developed in relation to a *transviado* or queer approach and how a *transviado* perspective can contribute to human rights frameworks concerning transgender, and more specifically, to transmasculinities. I believe that the theoretical lenses chosen fit well in seeking a more trans-centred perspective on transmasculinities, and in being critical of gender norms and the pathologization of transness - also matching with critically addressing the Brazilian context. Realising this thesis through a Master's in Vienna places me in an advantaged position to look both to an international setting of *queer* theory and trans studies and to Brazilian efforts of *transviadecer* these theories, establishing a bridge between these scenarios.

2 Anthropophagising Queer Theory

2.1 Queer theory

To address queer theory and its transformations in Brazil³⁵ it is important to draw back to the theory's history and context of origin. Queer theory emerged in the USA as a political movement, in the 1960s, against the sexual norms present at that time.³⁶ Queer politics and theory gained concreteness in the second half of the 1980s with the emergence of AIDS/HIV

³⁵ To grasp queer theory's development and its main concepts to then delve into a Brazilian production around it, named *transviado* studies, mainly Brazilian thinkers were referenced. This was an effort to prioritize thought developed in Brazil and to contribute to the generation of a Brazilian perspective on the history and emergence of queer theory and its core thoughts.

³⁶ R. Miskolci, *Teoria Queer: um aprendizado pelas diferenças*, Belo Horizonte, Autêntica: UFOP, 2016. p.21.

and a consequent conservative wave against homosexuality and sexual freedoms.³⁷ According to Miskolci, before this, there was a predominance of gay and lesbian movements aimed to incorporate homosexuality into the heteronormative society, adapting it to its social standards.³⁸ The author remarks that in this perspective, gay people would strive to live by the same parameters of heterosexual life, for instance, monogamously marrying, having children, and performing their masculinities or femininities consistent with what was socially expected. Queer was more radical than that, it critiqued the social norms themselves - the prejudice and exclusion faced by queer people was seen as a result of the cultural conventions of the time.³⁹ As stated by Louro, the queer movement did not wish merely for the acceptance and standardisation of homosexuality.⁴⁰ Therefore, the scholar claims that the targeted issue was heteronormativity, since it was responsible for the marginalisation of some, as not necessarily merely homosexuality was the reason for exclusion.

Part of comprehending the foundations of queer movement and theory is understanding from where its nomenclature derives. Queer had a negative connotation in the U.S. American context, being used as an offence to homosexual individuals.⁴¹ The term was incorporated by the political movement and turned into a positive term of self-identification and naming of the movement.⁴² This inversion of the usage marked an opposition and using the insult as a political statement.⁴³ This points towards the phenomenon approached, which, as outlined by Miskolci, is abjection - defined by the separation from social functioning of the ones that do not conform with the current social and political standards.⁴⁴ The author describes that abjects are individuals considered to be potential threats to the collective status quo. Considering these characteristics, the anti-normalization quality of queer is highlighted in its name.

Beyond a historical overview, queer, as a term, possesses other implications that can assist in the comprehension of the movement and theory. One of these implications is that, according to Pereira, often in the analysis of the usage of the term queer, there is a focus on its

³⁷ Miskolci, 2016, p.22; C. C. De Jesus, 'História e Teoria Queer: possibilidades nas margens', *Boletim Historiar*, vol. 7, no. 1, 2020, p.34, Available from <https://periodicos.ufs.br/historiar/article/view/13594/10469> (accessed 30 April 2024).

³⁸ Miskolci, 2016, p.25.

³⁹ Miskolci, 2016, p.25; R. Borba, *Discursos transviados: por uma linguística queer*, Belo Horizonte, Cortez Editora, 2020.

⁴⁰ Louro, 2001, p.546; Miskolci, 2016, p.25; Borba.

⁴¹ Louro, 2001, p.546

⁴² Gomes Filho, p.22; Bento, 2017, p.131.

⁴³ Louro, 2001, p.546; L. Pelúcio, 'O cu (de) Preciado—estratégias cucarachas para não higienizar o queer no Brasil', *Iberic@l*, no. 9, 2016, p.126, Available from <https://hal.science/hal-03805214v1/document> (accessed 29 April 2024).

⁴⁴ Miskolci, 2016, p.24

meaning, as an adjective or noun.⁴⁵ However, the scholar mentions that it is important also to give attention to the motion itself, to recognise the action that exists in queer - that it stands for the plural possibilities of bodies, which are not resumed in a fixed identity. Those bodies contain moving practices which are transgressive. Pereira argues:

It is not, therefore, the security of the operated body, finally conforming to its "gender identity", that queer propagates, but above all the instability of bodies that do not conform. Bodies, surgeries, prosthetics, sexual practices; transsexuals, drags and transvestites appear in movement, denouncing the precariousness of what is announced as the norm and which is installed as a coherent way of life and a privileged path.⁴⁶

Thus, the verbal character of queer can, and has to, also be considered.

From understanding the context of the origin and core aspects of the political movement, it is possible to delve into the elaboration of the theory, which is related to it. Queer theory started to develop with the release of the article "Queer Theory: Lesbian and Gay Sexualities" in 1991 by Theresa de Lauretis - there queer theory was first mentioned as an academic discipline.⁴⁷ Before that, in 1990, foundational publications of the field were released, such as *Epistemology of the Closet*, by Eve K. Sedgwick and *Gender Trouble*, by Judith Butler.⁴⁸ As remarked by Louro, queer theory introduced the questioning of identity categories related to gender and sexuality that were previously considered fixed.⁴⁹ The author asserts that this accompanied the crisis in the political strategies of the homosexual movements, which were identitarian, meaning that they focused on acquiring specific rights related to identities rather than dismantling and objecting structures that produce the marginalisation of those individuals. Observing these foundational differences between queer theory and previous movements will be important when comprehending the theory's main propositions.

When trying to define queer theory's key premises it is necessary to recall that it is not a monolithic theoretical framework. Queer theory emerged as a multifaceted study area that carried divergences between its thinkers, still, some understandings can be considered a common ground in the field, as Louro notes.⁵⁰ The following section of the chapter will outline some of the fundamental concepts of the theory, especially those which will be useful to the elaboration of a queer perspective on transmasculinities.

⁴⁵ P. P. G. Pereira, 'Queer nos trópicos', *Contemporânea-Revista de Sociologia da UFSCar*, vol. 2, no. 2, 2012, p.373, Available from <https://www.contemporanea.ufscar.br/index.php/contemporanea/article/view/88/53> (accessed 30 April 2024).

⁴⁶ Pereira, 2012, p.373 (author's translation).

⁴⁷ De Jesus, p.34.

⁴⁸ Miskolci, 2016, p.30.

⁴⁹ Louro, 2001, p.546.

⁵⁰ Ibid.

Louro brings an exploration of the definition of queer that can be interesting to start navigating its foundational concepts:

Queer is also the individual of deviant sexuality (...). It's the eccentric who doesn't want to be "integrated", let alone "tolerated". Queer is a way of thinking and being that neither aspires to the centre nor wants it as a reference; a way of thinking and being that challenges society's regulative norms, that embraces the discomfort of ambiguity, of the "between places", of the undecidable. Queer is a strange body that bothers, disturbs, provokes and fascinates.⁵¹

This highlights the motion present in queer - clarifying that it is as well a practice. It also points towards other elements that are core to queer thinking such as: analysing and objecting heteronormativity; questioning fixed identities related to gender and sexuality; considering the body as a place of dispute and expression of queerness; and not seeking the integration of dissidences to a normative social context.⁵² Additionally, Belizário indicates that queer theory does not consider identities as essential and inherent to individuals.⁵³ It problematises determinist relationships between sex and gender, and the notion that sex is a given and stable natural concept.⁵⁴ Queer theory proposes a critical overlook and deconstruction of binary conceptions and addresses the concept of abject to apprehend how dissident individuals are segregated from social engagement.⁵⁵

After outlining the central propositions of queer theory, it is possible to expand on them. Since countering heteronormativity is one of them, it becomes relevant to detail how it is composed, what it entails, and how intertwines with other factors, such as binarism and cisgenderism. Bento describes heteronormativity as the systematic social norms that expect an alignment between the identified sex of birth, gender, and sexual orientation of a person.⁵⁶ For instance, a child who is born with female genitalia is expected to identify as a woman and to sexually and romantically relate to men. In this regime, according to Borba, heterosexuality is considered self-evident and desirable, it is safeguarded by institutions, relations and actions.⁵⁷

⁵¹ G. L. Louro, *Um corpo estranho: ensaios sobre sexualidade e teoria queer*, Belo Horizonte, Autêntica: UFOP, 2018, p.7 (author's translation).

⁵² Louro, 2001, p.546; Bento, 2017, p.133.

⁵³ F. Belizário, 'Por uma teoria queer pós colonial: colonialidade de gênero e heteronormatividade ocupando as fronteiras e espaços de tradução', *Gênero, direitos humanos e ativismos: Atas do V Congresso Internacional em Estudos Culturais*, 2016, p. 387, Available from <https://estudogeral.uc.pt/bitstream/10316/43727/1/Por%20uma%20teoria%20queer%20p%20c3%b3s%20colonial.pdf> (Accessed 30 April 2024)

⁵⁴ B. Bento, 'O que pode uma teoria? Estudos transviados e a despatologização das identidades trans', *Florestan*, no. 2, 2014(a), p.52, Available from https://www.revistaflorestan.ufscar.br/index.php/Florestan/article/view/64/pdf_25 (accessed May 1 2024); P. B. Preciado, *Testo Junkie: Sexo, drogas e biopolítica na era farmacopornográfica*, Rio de Janeiro, Zahar, 2008, p.66.

⁵⁵ Louro, 2001, p.548; Miskolci, 2016, p.24.

⁵⁶ Bento, 2017, p.325.

⁵⁷ Borba.

Moreover, it means that the reproductive heterosexual couple is a frame that structures relationships towards the gender binary.⁵⁸ For this contemporary social order to be stable and continuous there is a need for the persistent reinforcement of the norms that sustain it, as Louro highlights.⁵⁹ In this setting, binarism is key for heteronormativity - it can be described as the structuring of society in opposing categories related to gender and sexuality such as men/women or heterosexuality/homosexuality.⁶⁰ Binarism and heteronormativity are understood as roots of the repression of non-normativity.⁶¹ Thus, they are the core phenomena that queer theory analyses and confronts.

When addressing matters related to transness, it can be more suiting and encompassing to use the term cisheteronormativity instead of heteronormativity. This entails actively examining how cisgenderism plays a role in the abjection of trans* people. Cisgender was a term that emerged decades after the creation of 'transgender', referring to people who experience an alignment between sexed body and gender.⁶² C. L. Pfeil suggests that:

While heterosexuality is the norm in the field of sexual orientations, in relation to non-heteronormative sexualities, cisgender is the norm in the field of gender identities, in relation to transgender.⁶³

Using the term cisgender counters the stability and imperceptibility of those identities considered normal, it sheds light on their privileged position within the cisheteronorm.⁶⁴ Sampaio affirms that it gives a name, coming from the trans* community to what occupies a standard position.⁶⁵ The importance of this movement also lies in the fact that transness was historically categorised from an external perspective. Cisgenderism, in this context, is an ideology and system of oppression that poses a hierarchy where trans* is located in a place of inferiority - it can be used as an analytical tool to comprehend the subjugation of trans* people,

⁵⁸ N. P. Pino, 'A teoria queer e os intersex: experiências invisíveis de corpos des-feitos', *Cadernos Pagu*, no. 28, 2007, p.160, Available from <https://www.scielo.br/j/cpa/a/knKyktZNBtwJrkF9dL3zvbB/> (accessed 30 April 2024).

⁵⁹ Louro, 2001, p.550.

⁶⁰ L. Colling, *Políticas para um Brasil além do Stonewall*, in L. Colling (org.), *Stonewall 40 + o que no Brasil?*, Salvador, EdUFBA, 2011, p.14; Louro, 2001, p.548.

⁶¹ Colling, 2011, p.14.

⁶² C. L. Pfeil, 'Pela emancipação dos corpos trans: transgeneridade e anarquismo', *Revista Estudos Libertários*, vol. 2, no. 5, 2020, p.136, Available from <https://cpdel.ifcs.ufrj.br/wp-content/uploads/2023/10/36238-174165-1-PB.pdf> (accessed 2 May 2024).

⁶³ C. L. Pfeil, p.136 (author's translation).

⁶⁴ A. G. S. Sampaio, *Notas Sobre Psicologia, Prática Profissional, Cisnormatividade e População Trans*, *Revista Estudos Transviades*, vol.2, no. 3, 2021, p.32, Available from <https://revistaestudostransviades.wordpress.com/wp-content/uploads/2023/01/revista-estudos-transviades-v.2-n.3-jun-2021-31-39.pdf> (accessed 2 May 2024); C. L. Pfeil, p.136.

⁶⁵ Sampaio, p.33.

as Lennon and Mistler propose.⁶⁶ The term cisheteronormativity carries the content that queer/*transviado* theorists coined about heteronormativity but also highlights the oppression particular of cisgenderism towards gender non-conformity. Furthermore, it is the terminology currently used by transmasculine Brazilian scholars when addressing the interconnections of transmasculinities and normativity.

Grasping the concept of cisheteronormativity allows for its confrontation. Part of challenging cisheteronormativity is to question the notion that identities are essential to individuals, and therefore treated as stable categories.⁶⁷ Identities such as heterosexual, transgender, gay and others were created at a specific moment in history, however, they are often considered a static starting point to address gender and sexuality.⁶⁸ In contrast, queer theory considers the malleability present in gender and sexual identities, and argues that fixed understandings of identity reinforce the hierarchisation and standardisation of individuals.⁶⁹ Colling reiterates that the theory proposes a post-identitarian approach which involves questioning the strategy of affirmation of LGBTQIA+⁷⁰ identities as the primary means to tackle the oppression of this population.⁷¹ The scholar explains that the critique stems from the fact that this strategy does not destabilise the position that heterosexuality occupies, and reiterates that from a queer standpoint, it is important to ask how heterosexuality is constituted and to consider that it is an imposition. As stated by Colling, these stands would contribute to dismantling discrimination towards gender and sexuality non-conformity from its foundations. Considering this, it is possible to notice differences between strategies of tackling discrimination between queer and other approaches.

The current social order attempts to exert control over bodies - from a queer theory perspective, gender plays an essential role as a means to do so, it is not natural or inherent, instead, it is developed and sustained socially.⁷² The sexed body, the body which is assigned a sex at birth and then is expected to perform a corresponding gender, exists within culture⁷³.⁷⁴

⁶⁶ E. Lennon and B. J. Mistler, 'Cisgenderism', *Transgender Studies Quarterly*, vol.1, no. 1-2, 2014, p.63, Available from <https://read.dukeupress.edu/tsq/article-standard/1/1-2/63/92024/Cisgenderism> (accessed 3 May 2024).

⁶⁷ Belizário, p.387.

⁶⁸ Borba.

⁶⁹ Scherer, p.1; Louro, 2001, p.550; Belizário, p.387.

⁷⁰ LGBTQIA+ stands for: lesbian, gays, bisexuals, transgender/travestive/trans, queer, intersex, asexual and other gender and sexuality dissidences.

⁷¹ Colling, 2011, p.15.

⁷² Colling, 2011, p.15; Belizário, p.388.

⁷³ Culture, for the purpose of this thesis, is understood as something that contains actions - in that sense gender is performed within culture, which holds certain scripts for reiterative actions which then become fixed understandings of gender identity. Cultural discourses form identities that individuals adopt.

⁷⁴ Bento, 2014(a), p.52.

Louro recalls that when a person is born, or even before birth, there is an assignation of gender based on the physical characteristics of the body.⁷⁵ The author explains that in this process, sex is assumed as a piece of observable information, a fact; it is not seen as historical, multiple or fabricated by culture. The designation of gender will guide a process of designing the body into an existence that is either masculine or feminine.⁷⁶ However, this construction of gender needs to be performed continuously through actions, norms and signals - it requires a constant cultural apparatus that reinforces it.⁷⁷ Considering this, from a queer perspective the body is understood as a place of possible confrontation with cultural norms.⁷⁸ According to Pereira, it can be this unstable location of transformation where the unconformity of queerness lies,⁷⁹ exposing the cracks of the sex-gender continuum.

Continuing this trend of thought, queering are also practices, and ways of understanding and producing knowledge. It is interesting to go back to the proposition of the term queer itself, to its verbal attribute. To recognise that within the word a practice is implied in the motion, action and instability of transforming the word's meaning.⁸⁰ While questioning the supposed scientific neutrality and dominant epistemologies, queer theory proposes an epistemological shift.⁸¹ It suggests forms of knowledge-making that challenge processes that produce normativity.⁸² Such practices go beyond the areas and phenomenons of gender and sexuality, they involve knowledge development broadly.⁸³ Queering practices towards knowledge-making are part of reflecting propositions of *transviado* studies since the movement of employing Brazilian thought to examine transmasculinities in the country is a counter-normative and interdisciplinary one.

2.2 *Transviado* studies

Different from its origin in the US-American context, queer theory arrives in Brazil through academia.⁸⁴ Miskolci reiterates that the theory's introduction occurred in the

⁷⁵ Louro, 2018, p.15.

⁷⁶ Louro, 2018, p.15; Belizário, p.388.

⁷⁷ Belizário, p.388; J. Butler, *Gender Trouble: feminism and the subversion of Identity*, Routledge, New York, 1999, p.179.

⁷⁸ Bento, 2014(a), p.133.

⁷⁹ Pereira, 2012, p.373.

⁸⁰ Ibid.

⁸¹ Louro, 2001, p.549; Miskolci, 2016, p. 49.

⁸² Louro, 2001, p.551; Borba.

⁸³ Louro, 2001, p.550

⁸⁴ Pelúcio, 2016, p.126.

educational field, subsequently, different knowledge areas could find in queer theory a mutual ground to exchange on the normativeness related to gender and sexuality.⁸⁵ The author recalls that Guacira Lopes Louro published one of the first articles on queer theory in Brazil in 2001, entitled ‘Queer Theory: a post-identitarian Politics for Education’. He describes that although it enters the country in an academic setting, the thoughts developed are linked to educational practice. Finally, Miskolci argues that different from other locations where the theory was more speculative at that period, the closeness to practice offers an increased potential to interfere in normative social settings in Brazil. Acknowledging the paths that queer theory makes in Brazil is relevant to comprehend the interventions it proposes and how it carves its way into constructing a thought on gender dissidences.

At the same time that there was this applied character in education, the academic arrival of the theory was distant from the Brazilian social movements on gender and sexuality.⁸⁶ Along the history of queer theory in Brazil, it can be understood that certain tension developed between LGBTQIA+ movements and a queer perspective.⁸⁷ Pelúcio reiterates that it is important not to reinforce tensions and a supposed dichotomy between the theory and political stances.⁸⁸ The author agrees with Miskolci in the sense that queer theory is related to political action in Brazil. She reinforces the idea that queer possesses a strong political aspect, being a ‘combat theory’. For Pelúcio, through its premisses, queer theory can oppose the naturalisation of different oppressions, questioning the foundational core of cisheteronormativity and binarism.

Different from the LGBTQIA+ initiatives in Brazil, queer theory was non-identitarian, according to Pelúcio, as already mentioned.⁸⁹ The author claims that this was a reason for a critique of the queer conceptions by some sectors of the LGBTQIA+ movement, as identity politics were expanding at that moment in Brazil. Miskolci affirms that the notion that a divide existed between the LGBTQIA+ movement, the identitarians, and the 'queers' arose; one group consisting of activists and the other of academics.⁹⁰ However, the scholar reiterates that most queer theorists are critical of the division between activists/academics and reiterate that it is simplistic and reductive. Bento reinforces that ‘the opposition between "producing theory

⁸⁵ Miskolci, 2016, p.35.

⁸⁶ Pelúcio, 2016, p.126; B. Bento, ‘Queer o quê? Ativismo e estudos transviados’, *Revista Cult*, 14 August 2014(b), Available from <https://revistacult.uol.com.br/home/queer-o-que-ativismo-e-estudos-transviados-193-ago2014/> (accessed 4 May 2024).

⁸⁷ R. Miskolci, ‘Não somos, queremos - reflexões queer sobre a política sexual brasileira contemporânea’, in L. Colling (org.), *Stonewall 40 + o que no Brasil?*, Salvador, EdUFBA, 2011, p.38.

⁸⁸ Pelúcio, 2016, p.128.

⁸⁹ *Ibid.*

⁹⁰ Miskolci, 2011, p.43, 39.

versus doing politics" is another misleading binary'.⁹¹ Along these lines, queer thinking can play a constructive role in the LGBTQIA+ movement by offering an integration between theory and politics, according to Miskolci.⁹² Laying out these dynamics is important to situate the comprehension of how queer theory is received in the country, within its historical and political relations. Beyond proposing a Brazilian 'version' of queer theory, it is necessary to understand tensions, issues and specificities in the arrival and production of the theory in Brazil.

Queer theory enters Brazilian ground opening possibilities of reading gender and sexuality differently from the historically established Medical, Juridical and Psychological fields, according to Pelúcio.⁹³ The scholar argues that this forges the viability of resistance against State politics that aim at providing rights to gender and sexuality minorities but do not tackle the roots of their discrimination. However, Pereira arises the question if it is viable and unproblematic to employ queer theory in Brazil.⁹⁴ The author states that the matter is if it is possible to avoid adhering to generalist views of queer premises, to refrain from assuming their universality and uniformity.⁹⁵ According to him, there is a risk of introducing the theory in dissociation from localness, lacking the dialectic process of establishing a dialogue. Pereira emphasises that bringing queer theory to Brazil comes with a danger of repeating the motion of producing knowledge in the Global North and employing it in the Global South.⁹⁶ The author explains that this movement involves using Global South's phenomena as objects, as resources to create thought, but not considering those locations as places of elaboration of knowledge; further, it means applying those theories in the South. It is a movement where theories are produced from the 'centre' to the 'peripheries'.⁹⁷ According to Pelúcio, it entails, in the excitement of the possibilities that queer can offer, adopting the theory without producing it from the specificities of intersections of social markers present in Brazil.⁹⁸ She states that this would have a considerably negative impact since those specificities differ significantly from the experiences that supported the development of queer theory on its location of origin. These

⁹¹ B. Bento, 'Apresentação', in L. Colling, *Que os outros sejam o normal: tensões entre movimento LGBT e ativismo queer*, Salvador, EDUFBA, 2015(b), p.14 (author's translation).

⁹² Miskolci, 2011, p.39; Colling, 2011, p.12.

⁹³ Pelúcio, 2016, p.133.

⁹⁴ Pereira, 2012, p.371.

⁹⁵ *Ibid.*, p.374.

⁹⁶ P. P. G. Pereira, 'Queer decolonial: quando as teorias viajam', *Contemporânea-Revista de Sociologia da UFSCar*, vol. 5, no. 2, 2015, p.417, Available from https://www.researchgate.net/profile/Pedro-Pereira-17/publication/283346487_Queer_decolonial_quando_as_teorias_viajam/links/56353cdf08aeb786b702c4c2/Queer-decolonial-quando-as-teorias-viajam.pdf (accessed 5 May 2024)

⁹⁷ Pereira, 2012, p.371.

⁹⁸ Pelúcio, 2016, p.123.

factors signal the necessity of forging something different than queer theory in Brazil when thinking about Brazilian realities.

Authors such as Pereira inquire if the name of the theory, the usage of the term in English itself, already indicates the impossibility of breaking with that knowledge production dynamics.⁹⁹ Additionally, queer, as a foreign word to Portuguese, does not have the same effect as it has on its context of origin.¹⁰⁰ Bento, in 2014, illustrated the matter ‘If I ask anyone in Brazil ‘Are you queer? I will probably hear ‘What is queer?’.’¹⁰¹ Perhaps now, ten years later, there are chances that more people are familiar with the term. Yet, it can be considered that the dialogue presented by Bento still reflects a current translation and intelligibility issue. Borba adds that other than not causing the same discomfort to the Brazilian listener, the English term can even transmit a sense of elegance, producing an effect significantly distant from its original intent.¹⁰² These factors impulse a movement of translation of the term queer to Portuguese. However, this movement is not a simple or obvious one - at the same time that there are multiple possibilities of translation of queer none of them are completely accurate. Moreover, the process of translation can generate various paths of thinking and is directly interweaved with the elaboration of a theory committed to Brazilian realities.

Translation cannot be thought of only as a matter of finding a word that substitutes queer. Pelúcio and Bento propose making use of an anthropophagic¹⁰³ character, significantly particular to Brazil, to digest and translate queer theory.¹⁰⁴ In this context, an anthropophagical proposal would mean to symbolically eat foreign thought.¹⁰⁵ Through this assimilation, ideas can be processed, reassembled and subjected to transformation.¹⁰⁶ Anthropophagy seeks advantage of the encounter with what comes from abroad and suggests incorporating elements of the foreign that can be considered useful; it aims to critically produce an original Brazilian

⁹⁹ Pereira, 2012, p.371.

¹⁰⁰ Bento, 2017, p.131

¹⁰¹ Bento, 2014(b) (author’s translation).

¹⁰² Borba.

¹⁰³ Anthropophagy was developed in Brazil in the 1920s as part of the Modernist movement. It proposed the elaboration of an artistic national identity that would appropriate European influences to then recreate a Brazilian authentic production. There was an endeavor to subvert and critique domination logics that placed foreign creations in a superior level if compared to Brazilian ones. The meaning of the word anthropophagy is related to cannibalism as a religious ritual. From that, the movement suggested cultural cannibalism as a political strategy to revert Brazilian submission to eurocentrism. F. O. Filgueiras and M. M. Leonel, ‘A fome antropofágica: utopias e contradições’, *Revista Estudos Culturais*, no. 1, 2014, p. 8, 9, Available from <https://www.revistas.usp.br/revistaec/article/view/98377/97112> (accessed 7 May 2024).

¹⁰⁴ Pelúcio, 2016, p.123; Bento, 2014(b)

¹⁰⁵ Filgueiras and Leonel, p.8.

¹⁰⁶ M. R. C. G. Silva, *Antropofagia queer: imagem, (trans) gênero e poder*, Bachelor Thesis, Universidade Federal do Rio de Janeiro, 2016, p.37, Available from <https://pantheon.ufrj.br/bitstream/11422/5881/1/MSilva.pdf> (Accessed 7 May 2024).

expression from the foreign instead of denying it.¹⁰⁷ In that sense, brazilianising names in translation can be considered part of an anthropophagical movement.

Translating the word 'queer' is necessary to engage with the theory through anthropophagy.¹⁰⁸ Pereira argues that more than the final product of translation, the reflection around it, and what this action implies, is central.¹⁰⁹ He states that translation has the potential to counter the universalising motion of applying the word queer to Brazilian dissident bodies. The fact that the theory is named in English could be pointing to an impossibility of reflecting on it in Brazil without reinforcing the knowledge power relation between the Global North and the Global South, as claimed by Pereira.¹¹⁰ Opposing that, he proposes that this factor can point out the necessity that queer absorbs Brazilian realities, knowledges, subjectivities and forms of constructing the body. Pereira describes that this entails resisting to adopt effortless translations and by that allow the space for queer to modify itself in Brazil. The author delves deeper into the matter by stating that

The term queer signals a perpetual movement in which the desire to translate would be an opening up to the Other. Welcoming this foreign term (...) could produce a reconfiguration of languages and perspectives in the process of constructing the comparable. Queer would force language to be filled with strangeness (...) and these experiences here in the Global South would invent an openness to other grammars and other ways of acting.¹¹¹

It is important to remark that mutuality is envisioned in this process. This entails, different from the usual movement,¹¹² that not only productions of the Global South should be affected and transformed - there should be an exchange where the Global North also receives and is altered by Southern thought.¹¹³ Therefore, part of the efforts of this thesis is to establish this reverse movement, of disseminating Global South elaborations within the Global North.

The bodies that queer theory would address in Brazil need to affect and appear in the process of translation.¹¹⁴ This involves seeking words, in this location, that can subjectively and socially represent the experience of dissidences, depict abjection and evoke discomfort in the listener. Considering this, there is no singular translation, but a multiplicity of possibilities. Authors have coined terms such as *teoria cu*, *teoria vadia*, *estudos transviados*, *teoria*

¹⁰⁷ Filgueiras and Leonel, p.8.

¹⁰⁸ Pereira, 2015, p.417.

¹⁰⁹ Ibid., p.429.

¹¹⁰ Pereira, 2012, p.389.

¹¹¹ Pereira, 2015, p.417 (author's translation).

¹¹² Bento, 2017, p.139.

¹¹³ Borba.

¹¹⁴ Pereira, 2015, p.417.

*cuir/kuir*¹¹⁵. In other countries of Latin America, there are also different translation options, according to each local specificity.¹¹⁶ Also, some scholars prefer maintaining the term queer, aiming to increase the dialogue with English-speaking locations.¹¹⁷ These different options point towards the plural character of translations, which are coined in relation to social and geographical locations.

It can be considered that in Brazil the most prominent versions being used are *cuir*, *cu* and *transviada(o)*. *Cuir* or *kuir* plays with the sonority of the terms, if the listener would spell 'queer' in Portuguese or Spanish they would arrive in *cuir*. It implies a Latinization of the term, signalling a disruption with the centralisation of knowledge in the Global North, and is also often used in other Latin American countries.¹¹⁸ *Teoria cu* can be directly translated to 'asshole theory'. Pelúcio, who first used the name, reiterates that the abject and 'unclean' terms can produce discomfort and embarrassment in the listener.¹¹⁹ She notes that it aims to invent a Brazilian tradition, emphasising its anthropophagic quality in the usage of an element that points to digestion.¹²⁰ The anal character of it also relates to the saying '*cu do mundo*' which can be translated to 'asshole of the world', according to Pelúcio - this refers to the peripheral and marginal locus and experiences within Brazilian productions. Additionally, Pelúcio derives the term from Paul B. Preciado's¹²¹ thought, elaborated in *Contrassexual Manifesto*¹²², which addresses the anus in a political sense in relation to dissidences.

A third possibility for the translation of queer is *transviado*, it is a combination of the words *trans*¹²³ and *viado*, and refers to sexuality and gender dissidences.¹²⁴ Viado can be translated to faggot - it often refers negatively to homosexual men.¹²⁵ It was, as well, appropriated as a term of self-identification and is sometimes also used by the transvestite

¹¹⁵ Possible translations of the terms are: *teoria cu* - asshole theory; *teoria vadia* - whore theory; *estudos transviados* - transfaggot studies. *Cuir* and *Kuir* do not possess translations because the word do not have a meaning by itself but play with the sound of queer in Portuguese or Spanish.

¹¹⁶ Pereira, 2015, p.412.

¹¹⁷ Borba.

¹¹⁸ Ibid.

¹¹⁹ L. Pelúcio, 'Traduções e torções ou o que se quer dizer quando dizemos queer no Brasil?', *Revista Periódicus*, vol. 1, no. 1, 2014, p.72, Available from <https://repositorio.unesp.br/server/api/core/bitstreams/e520a23f-9b7b-4ed0-a3b4-0a9d4949e22c/content> (accessed 8 May 2024).

¹²⁰ Pelúcio, 2016, p.127; Pelúcio, 2014, p.72.

¹²¹ Preciado is a Spanish queer theorist who can be considered one of the main scholars of the field.

¹²² P. B. Preciado, *Countersexual manifesto*, New York, Columbia University Press, 2018.

¹²³ Trans is an umbrella term that encompasses various gender identities different from the cisgender ones. It refers to individuals who do not identify with their assigned gender at birth.

¹²⁴ G. Lamounier, *Gêneros encarcerados: Uma análise trans viada da política de alas LGBT no Sistema Prisional de Minas Gerais*, Master Thesis, Universidade Federal de Minas Gerais, 2018, p.11, Available from <https://repositorio.ufmg.br/handle/1843/BUBD-AYVHBJ> (accessed 19 April 2024).

¹²⁵ Pelúcio, 2016, p.130.

community. *Transviado* offers the possibility of causing discomfort in the audience.¹²⁶ Additionally, as articulated by Bento, it has local comprehensibility, reaching beyond academic niches, being more intelligible to the Brazilian listener, and being closer to social movements.¹²⁷ From this point onwards the term *transviado* studies will be used to designate the theoretical framework used in this thesis, referring to a Brazilian ‘translation’ of queer theory. Although there are numerous possibilities of translations this does not mean that each of them indicates a different theory. The authors who propose wordings are in dialogue, perhaps disagreeing sometimes, but still in a conversation where various terms acquire validation. The choice for *transviado* in this thesis lies mainly in the factor that it is frequently used in the transmasculine community. This considers specifically the name of the journal *Revista Estudos Transviados*¹²⁸ which contains knowledge from transmasculinities regarding transmasculinities.¹²⁹

The matter of translation cannot be dissociated from questioning colonial thought within the processing of *queer* in Brazil.¹³⁰ The hierarchical disparity in knowledge production between Global North and Global South has its roots in coloniality.¹³¹ As conveyed by Quijano, coloniality refers to the effects and structures of power established during the colonial period that continue to shape societies long after the end of formal colonial rule.¹³² It is not only political but also economic, cultural, and epistemic domination. Moreover, it involves the imposition of Eurocentric¹³³ norms, values, and systems of knowledge.¹³⁴ According to Pereira, through coloniality a stratified classification of differences between cultures is established - there is a fabricated separation in terms of race, gender and geopolitical location where some are placed in a subordinate position.¹³⁵ The author reinforces that the key is that who is in control of these arrangements is in control of knowledge. Therefore, the universal imposition of concepts elaborated in the Global North is grounded in coloniality.

¹²⁶ Lamounier, p.11

¹²⁷ Lamounier, p.11; Bento, 2017, p.139; Bento, 2014(b).

¹²⁸ Translates to Journal of *Transviado* Studies.

¹²⁹ Revista Estudos Transviados, (website), <https://revistaestudostransviados.wordpress.com/> (accessed 10 May 2024).

¹³⁰ Bento, 2017, p.131.

¹³¹ Pereira, 2015, p.415

¹³² A. Quijano, ‘Colonialidad y modernidad/racionalidad’, *Perú indígena*, vol. 13, no. 29, 1992, p.14, Available from https://enriquedussel.com/txt/Textos_200_Obras/Giro_descolonizador/Colonialidad_modernidad-Anibal_Quijano.pdf (accessed 10 May 2024).

¹³³ To Quijano, eurocentrism has its foundations on colonial history and places Europe as the centre of modernity. It is a hegemonic and capitalist way of producing knowledge that supports the superiority of European culture and history. It possess a binary rationale that separates the world between civilized, which is Europe, and uncivilized, the colonized locations. A. Quijano, ‘Colonialidade do Poder, Eurocentrismo e América Latina’ in A. Quijano, *A Colonialidade do Saber: Eurocentrismo e Ciências Sociais - Perspectivas Latino-Americanas*, Buenos Aires, CLACSO, 2005, p.111.

¹³⁴ Quijano, 2005, p.115.

¹³⁵ Pereira, 2015, p.415.

Within this frame, there is a growing movement of employing decoloniality to *transviado* studies in Brazil.¹³⁶ To start delving into that overlap it is important to define that decolonial thinking analyses and opposes the coloniality of power.¹³⁷ Coloniality of power is described by Pereira as ‘a conceptual, political, ethical and governance structure of the social spheres that was forged in Europe in the first centuries of colonisation’.¹³⁸ The author argues that the higher prestige and power position that knowledge produced in Europe and the USA acquires, and the dynamics of employment of that knowledge in the Global South is part of a coloniality of power. In this geopolitics there is a lack of interest from the Global North¹³⁹ in absorbing what is produced in the Global South, as reiterated by Bento.¹⁴⁰ Therefore, what is frequently regarded as a ‘universal theory’ is likely derived from a European sociopolitical context and history.¹⁴¹

When queer theory was developed it aimed to subvert normative ways of producing knowledge and challenge canonical thinking that reinforces systems of oppression.¹⁴² However, when queer theory arrived in Brazil it gained the canonical character of a theory that was finalized and solidified; thus, elaborating *transviado* studies decolonially would mean to revert the European centre of knowledge.¹⁴³ It would entail, for instance, establishing a more intense dialogue with Latin American references.¹⁴⁴ Coloniality concerns both its relation to knowledge and the production of *transviado* studies and queer theory, and to gender and sexuality dissidences themselves. The organization of society in the heterosexual normativeness is part of the origin of the coloniality of power; at the same time, the coloniality of power enforces this normativeness.¹⁴⁵ What is considered the universal human, in a Eurocentric perspective, is a body that is straight, white and male; therefore, coloniality places non-normative gender and sexualities, non-white bodies and women in an inferior position.¹⁴⁶ So, when looking at dissident existences from a decolonial perspective, which can be considered dissident as well, there is a need to consider them interlaced with their geographical

¹³⁶ Bento, 2017, p.130.

¹³⁷ Pereira, 2015, p.412.

¹³⁸ Ibid., p.412 (author’s translation).

¹³⁹ Bento uses the term ‘centre’ to refer to those locations, and states that some of the main countries are England, USA and France.

¹⁴⁰ Bento, 2017, p.137.

¹⁴¹ Pereira, 2012, p.378.

¹⁴² Louro, 2001, p.551; Borba.

¹⁴³ Pereira, 2015, p.414-415.

¹⁴⁴ Pelúcio, 2016, p.127.

¹⁴⁵ Belizário, p.388.

¹⁴⁶ Pereira, 2012, p.379.

location, history, language culture and specific socialisation.¹⁴⁷ Bento states that it is essential to contemplate different social markers from a *transviado* perspective.¹⁴⁸ In that sense, the scholar affirms that categories such as class, race, religiosity, regionality and generation should be included in the dialogue. Pereira illustrates that ‘the elaboration of a dissident body is not the same in all places’.¹⁴⁹ The violence in removing the comprehension of bodies from their contexts lies also in the erasure of elements that are significantly important to individuals in the construction of their own dissidences.¹⁵⁰ These factors are also explored in the human rights field, when for instance, the former United Nations (UN) independent expert on protection against violence and discrimination based on sexual orientation and gender identity, Madrigal-Borloz, developed a report on colonialism in relation to sexual orientation and gender identity.¹⁵¹

Considering the impact of coloniality on bodies and their importance in the understanding of dissidences, a point of encounter of decolonial thinking and *transviado* studies can be the body, according to Belizário.¹⁵² She mentions that another convergence point between queer theory and decolonial thinking is that they emerge aiming to challenge hegemonic knowledge. They strive to construct thought from perspectives that, in coloniality and cisheteronormativity, are peripheral, as argued by Belizário; in this process, they analyse where binary thinking originates, what are its effects are and how it can be countered. Pereira points out that decolonial thinking and *transviado* studies also do not refuse to engage with the knowledge that comes from the Global North.¹⁵³ Finally, the author claims that both are not fields that seek finalisation within themselves - instead, their premises allow openness to be influenced by a diversity of thoughts.

¹⁴⁷ Pereira, 2015, p.418.

¹⁴⁸ Bento, 2017, p.139.

¹⁴⁹ Pereira, 2015, p.426 (author’s translation).

¹⁵⁰ Ibid. p.389.

¹⁵¹ UN General Assembly, *Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity*, Victor Madrigal-Borloz, 25 July 2023. A/78/227.

¹⁵² Belizário, p.390-391.

¹⁵³ Pereira, 2015, p.418.

3 Transmasculinities

3.1 Transness and transmasculinities

*Transgender highlights the labors of translation, inhering an implied ‘before’ and ‘from which.’*¹⁵⁴

Opening the chapter with this thought on transgender aims to indicate possibilities of envisioning trans* outside the spectrum of what it is most commonly defined as. Defining transgender or trans*, from a *transviado* perspective, requires not adopting those categories as fixed and a-historical. Frequently, transgender is defined as an individual whose personal experience of gender is different from their assigned sex at birth.¹⁵⁵ This is often used as a starting point to address gender dissidence in fields such as human rights, public health and others.¹⁵⁶ A description as such serves the purpose of reaching a consensus that clarifies who is being addressed in processes of rights claiming, for instance. Still, it is relevant to mark that it is a category created in modernity, having its roots in a medical outlook, according to Bento.¹⁵⁷ The author states that it does not question the notion of sexed body, since the explanation of what is a divergent gender experience derives from the difference from the ‘assigned sex’, requiring the stability of the concept of sex. Cisheteronormativity, in that definition, is not questioned. In a *transviado* approach, being trans* can be outlined as an ‘identitarian experience, characterised by conflict with gender norms.’¹⁵⁸ This description carries a sense that individuals are not bound to the concepts of masculinity and femininity normatively reinforced, but that they can build new meanings around them, as stated by Bento.¹⁵⁹ The author reinforces that it also counters a pathologising understanding that the reason for the conflict lies within the individuals; instead, it places it in the struggle of encountering certain social norms, increasing the focus on normativity. It allows for questioning the structures that generate perceptions of abnormality in individuals.¹⁶⁰ Thus, the

¹⁵⁴ A. F. Enke, ‘Translation’, *Transgender Studies Quarterly*, vol.1, no. 1-2, p. 243, Available from <https://read.dukeupress.edu/tsq/article/1/1-2/241/91853/Translation?searchresult=1> (accessed 13 May 2024).

¹⁵⁵ D. Detournay, ‘The racial life of ‘Cisgender’: reflections on sex, gender and the body’, *Parallax*, vol. 25, no. 1, 2019, p.71, Available from <https://www.tandfonline.com/doi/epdf/10.1080/13534645.2019.1570606?needAccess=true> (Accessed 14 May 2024).

¹⁵⁶ Stryker and Currah, p.6.

¹⁵⁷ Bento, 2008, p.18.

¹⁵⁸ Ibid.

¹⁵⁹ Ibid., p.18, 22.

¹⁶⁰ Ibid., p.39.

aim is also to avoid locating possible suffering as an exclusively internal matter, and not stating that it can mostly arise from a social engagement.

Trans* and transgender can be used interchangeably as umbrella terms encompassing multiple experiences different from the cisgender¹⁶¹ one.¹⁶² The choice of those terms in this thesis aims to imply the wide spectrum of possible gender experiences. Also, it points towards the unfinished character of both of them, as highlighted by Tompkins.¹⁶³ When proposing a *transviado* definition of transgender, it is also relevant to state what trans* is not. This negation movement is important because certain definitions contribute to the permanence of norms that keep gender-dissident people marginalised. Therefore, being trans* does not necessarily mean having the wish to change one's own primary or secondary sexual characteristics aiming to reestablish the continuum between the sexed body and the experienced gender.¹⁶⁴ The desire for body modifications can be present but is understood as a self-determined construction of embodiment and process of becoming.¹⁶⁵ Being trans* is not 'being born in the wrong body', it does not require feelings of dissatisfaction with one's physicality.¹⁶⁶ There is a discourse that employs the idea that transgender individuals are born in the incorrect physical body, and thus have to undergo medical interventions to be aligned with the experienced gender.¹⁶⁷ It is relevant to observe the language used, since 'wrong body' is a repeated expression.

The existence of transgender occurs as an implication of a social structure where heteronormativity prevails.¹⁶⁸ Transness also evokes certain phenomena concerning normativity. It breaches the continuum between gender, sex and sexuality, shedding light on

¹⁶¹ According to Rodovalho, cisgender was a term that emerged decades after the creation of 'transgender' to refer to people who experience an alignment between sexed body and gender. Rodovalho proposes that cisgender is 'the opposite of trans, whatever this means'. A. M. Rodovalho, 'Cis by trans', *Revista Estudos Feministas*, vol. 25, no. 1, 2017, p.369. <http://educa.fcc.org.br/pdf/ref/v25n1/1806-9584-ref-25-01-00365.pdf> (accessed 17 May 2024).

¹⁶² Stryker and Currah, p.5; C. Williams, 'Transgender', *Transgender Studies Quarterly*, vol. 1, no. 1-2, 2014, p.232, Available from <https://read.dukeupress.edu/tsq/article/1/1-2/232/91833/Transgender> (accessed 30 May 2024); L. Lanz, *O corpo da roupa - A pessoa transgênera entre a transgressão e a conformidade com as normas de gênero*, Master Thesis, Universidade Federal do Paraná, 2014, p. 74, Available from <https://acervodigital.ufpr.br/handle/1884/36800> (accessed 1 June 2024).

¹⁶³ A. Tompkins, 'Asterisk', *Transgender Studies Quarterly*, vol. 1, no. 1-2, 2014, p.27, Available from <https://read.dukeupress.edu/tsq/article/1/1-2/26/91872/Asterisk> (accessed 2 June 2024); Stryker and Currah, p.1.

¹⁶⁴ Bento, 2008, p.21.

¹⁶⁵ B. L. Pfeil and C. L. Pfeil, 'Sobre A [Des]Patologização Das Identidades Trans' in IBRAT, *Mapeamento de saúde das transmasculinidades vivendo no Brasil*, 2023(a), p.11, Available from <https://ibratnacional.com/2024/02/07/mapeamento-de-saude-das-transmasculinidades-vivendo-no-brasil-2023/> (accessed 29 May 2024).

¹⁶⁶ Ferreira, p.162; D. C. J. Catalano, "'Trans enough?'" The pressures trans men negotiate in higher education', *Transgender Studies Quarterly*, vol. 2, no. 3, 2015, p.413, Available from <https://read.dukeupress.edu/tsq/article-abstract/2/3/411/79291/Trans-Enough-The-Pressures-Trans-Men-Negotiate-in?redirectedFrom=PDF> (accessed 5 June 2024).

¹⁶⁷ Catalano, p.414.

¹⁶⁸ Bento, 2008, p.19.

the possibilities of disrupting gender normativeness.¹⁶⁹ The category transgender was created in a Global North perspective - it originated within anglophone contexts in Europe and in the USA, being vastly used in modern science.¹⁷⁰ Therefore, it is important to apply decoloniality to the usage of transgender. Such a perspective warns of the danger of using ‘transgender’ as a definition for various experiences that are perceived as gender variances that occur especially in non-Western societies - this represents a form of epistemic domination stemming from colonial power.¹⁷¹ Comparably to the universalisation of *queer*, it can be characterised as the dissemination of a concept, as if it could be applied generally, over different social expressions.¹⁷² Therefore, a decolonial approach to trans* entails a critical application of the concept, especially when addressing realities in the Global South. It means to seek local and contextualised signifiers concerning gender dissidence and transgender.

After introducing definitions around trans* it is possible to address transmasculinities. Similarly to the idea of transgender, transmasculinities¹⁷³ are multifaceted.¹⁷⁴ It includes masculinities in the non-binary spectrum¹⁷⁵ and individuals who identify as transmasculine but not as trans men.¹⁷⁶ Transmasculinities fall under the transgender umbrella, referring to the identity of individuals who were assigned female at birth but conflict in multiple possible ways with this designation, comprising different identifications with masculinity.¹⁷⁷ Nery¹⁷⁸ reiterates that this identification or sense of belonging within masculinity can be partial.¹⁷⁹

It is important to approach transmasculinities from an intersectional perspective, considering the diverse social markers composing various transmasculinities experiences.¹⁸⁰ Some examples are class, race, geographical location, sexual orientation, nationality, able-

¹⁶⁹ Ibid., p.21.

¹⁷⁰ Stryker and Currah, p.8.

¹⁷¹ Pereira, 2015, p.415.

¹⁷² Stryker and Currah, p.8.

¹⁷³ The term will be employed in plural due to the diverse character of transmasculine experiences.

¹⁷⁴ G. Almeida, ‘Homens trans’: novos matizes na aquarela das masculinidades?, *Revista Estudos Feministas*, vol. 20, no. 2, 2012, p.515, Available from <https://www.scielo.br/j/ref/a/wkVvfpf58vHyvr35KTZyvt/?format=pdf&lang=pt> (accessed 6 June 2024).

¹⁷⁵ Non-binary, also an umbrella term, refers to a broad range of identities which posses a conflict with the assigned gender at birth without identifying with binary gender options such as man or woman.

¹⁷⁶ S. S. Rodriguez, ‘Homens não nascem homens: tornam-se homens’, *Revista Estudos Transviades*, vol. 1, no.2, 2020, p. 129, Available from <https://revistaestudostransviades.wordpress.com/wp-content/uploads/2023/01/revista-estudos-transviades-v.1-n.2-set-2020-120-134.pdf> (accessed 7 June 2024).

¹⁷⁷ Almeida, p.515.

¹⁷⁸ João W. Nery was a Brazilian transmasculine activist, writer and Psychologist. Nery was the first transmasculine person in Brazil to undergo a surgery for body modifications, in 1977. He is considered one of the first transmasculine individuals to socially expose his identity. His work contributed significantly for the rights guaranteeing and knowledge development regarding the transmasculine population.

¹⁷⁹ J. W. Nery, ‘Transmasculinidades: invisibilidade e luta’, in J. N. Green, R. Quinalha, M. Caetano, M. Fernandes (eds.), *História do Movimento LGBT no Brasil*, São Paulo, Alameda, 2018, p. 394.

¹⁸⁰ Pfeil and Pfeil, 2021(a), p.167.

bodiedness, and age. Those markers point towards different inequalities. Christoffersen and Emejulu argue that both in theory and in practice it is important not to separate them, since the structures that create and sustain inequalities shape and influence each other.¹⁸¹ Thus, the authors state that it is relevant to understand how historically they were collaboratively and mutually developed, as unequal social standings are created from the interaction of oppression systems. For instance, it is necessary to comprehend how a structure such as cisheteronormativity relates to another structure such as whiteness.

Analysing and intervening in inequalities separately can be harmful and ineffective, as pointed out by Christoffersen and Emejulu; this reductive approach limits individuals to a sum of social markers which when combined would categorise to which extent someone is privileged or unprivileged.¹⁸² For instance, in the case of transmasculinities, it would mean considering transness as the central point of analysis, and then in case the individual is not white, this would compute another obstacle. It would entail that it is optional to address race, when in the concrete reality of black transmasculine people in Brazil, for instance, those experiences of oppression are faced in correlation. Approaching transmasculinities intersectionally also aims to avoid reinforcing a generalistic representation of this group. The lack of an intersectional outlook can lead to a community being portrayed solely by its most privileged members.¹⁸³ Thus, intersectionality aims to deviate from the notion of a universal transmasculine person, which would be skinny, white, able-bodied, young, and expressing and experiencing masculinity inside cisheteronormative expectations, resembling a cis man.

It is essential to consider how transness and transmasculinities relate to whiteness. According to Detournay, ‘sex as the ground of gender is predicated upon whiteness’.¹⁸⁴ The scholar continues by emphasising that this intertwining of the sexed body with socially understood concepts of gender are transpassed by whiteness. Detournay states that femininity, as a normative construct, cannot be dissociated from whiteness. Whiteness intertwines with normative expectations towards gender, including in terms of what physical traits are associated with the notions of man and woman, according to Vidal-Ortiz.¹⁸⁵ He remarks that beauty standards linked to gender, also affecting trans* individuals, carry an association

¹⁸¹ A. Christoffersen and A. Emejulu, ‘‘Diversity Within’’: The Problems with ‘Intersectional’ White Feminism in Practice’, *Social Politics: International Studies in Gender, State & Society*, vol. 30, no. 2, p. 635, Available from <https://www.research.ed.ac.uk/en/publications/diversity-within-the-problems-with-intersectional-white-feminism-> (accessed 15 June 2024).

¹⁸² Christoffersen and Emejulu, p.633, 644, 645.

¹⁸³ *Ibid.*, p.631

¹⁸⁴ Detournay, p. 66,71.

¹⁸⁵ S. Vidal-Ortiz, ‘Whiteness’, *Transgender Studies Quarterly*, vol. 1, no. 3, 2014, p.264, Available from <https://read.dukeupress.edu/tsq/article/1/1-2/264/91877/Whiteness?searchresult=1> (accessed 13 June 2024).

between white traits to what is desirable and beautiful. So, pressure towards obtaining white characteristics can be present in processes of modifying one's body, for instance. Stances of beauty then, are related to the validation of transness.¹⁸⁶ Still, it is important to observe that the racial dynamics around trans* go beyond what is expected aesthetically in terms of 'gender transition'¹⁸⁷. Whiteness participates in the establishment of cisheteronormativity, and that unfolds in a variety of effects for transgender people. Meanwhile, when addressing expectations of physical appearances there is a need to acknowledge their depth. They have an implication on access to health care, or on the legitimisation of one's identity, for instance.

3.2 Brazilian transmasculinities

Following a general overview of transmasculinities and adopting an intersectional perspective, it is possible to explore the nuances of Brazilian transmasculinities and the discourses surrounding the subject in the country. Some specificities mentioned by Brazilian authors might not be exclusive to Brazil, however, they are part of the elaboration of pictures of what transmasculinities look like in this location. Additionally, it is important to mention that Brazil is a continental-sized country with highly heterogeneous social settings and inequalities. They interrelate and vary according to multiple factors such as region, class, geographical location in a city, urbanisation and others.

Before diving into Brazilian transmasculinities, it is relevant to establish a dialogue with a broader Latin American context. Romero and Mendieta state that there is a continuous invalidation of masculinities that are not cisgender in Latin America, this is linked to the fact they are often not read or acknowledged as masculinities.¹⁸⁸ The authors remark that the term invisibility is often used to refer to transmasculine struggles in the region. This phenomenon happens in the academic field of trans studies and in general social contexts.¹⁸⁹ Regarding trans studies, Romero and Mendieta argue that although there are movements towards its

¹⁸⁶ Vidal-Ortiz, 2014, p.265.

¹⁸⁷ The term 'gender transition' is in quotation marks since it was a choice in this thesis to employ the terminology 'body modifications' instead. The reason for this lies on the critique of a notion of transition, since it can imply that body modifications defines a trans* status. It aims at reinforcing the validity and visibility of the self-identified gender of a person before, or without, undergoing any body modifications. This is aligned with the positions of associations such as *Associação Nacional de Travestis e Transexuais* (ANTRA) - National Association of Transvestites and Transsexuals.

¹⁸⁸ F. F Romero and A. Mendieta, 'Toward a Trans* Masculine Genealogy in South America', *Transgender Studies Quarterly*, vol.9, no.3, 2022, p.524, Available from <https://read.dukeupress.edu/tsq/article-abstract/9/3/524/319369/Toward-a-Trans-Masculine-Genealogy-in-South?redirectedFrom=PDF> (accessed 17 June 2024).

¹⁸⁹ Romero and Mendieta, p.524; A. Z. Aizura, T. Cotten, C. B/C. LaGata et al, pp. 308-319.

decolonisation, it tends to place a larger focus on the Global North.¹⁹⁰ The authors also claim that in Latin America, there is a predominance of academic engagement with transfeminine matters. There was an erasure of transmasculine experiences in history since they were frequently classified as women ‘dressing up’ as men.¹⁹¹ Additionally, there is a lack of recognition of the contribution of transmasculinities to trans activism in Latin America.¹⁹² The combination of those conditions drafts a scenario of specific negligence of transmasculinities.

In Brazil, transmasculine invisibility prevails.¹⁹³ There are significant gaps in the characterisation and mapping of this population. The initiatives towards assessments come mostly from the transmasculine community itself. Nery, for example, possibly made the first attempt to enumerate the transmasculine population in the country in 2017.¹⁹⁴ Later, other efforts were made in that sense. In 2023, the Brazilian Institute of Transmasculinities¹⁹⁵ (IBRAT - *Instituto Brasileiro de Transmasculinidades*), published the Health Mapping of Transmasculinities Living in Brazil¹⁹⁶.¹⁹⁷ The study aimed to ‘trace the demands, difficulties and intersectionalities of transmasculinities in the field of health’.¹⁹⁸ The intersectional and overarching character of the research allowed a broad understanding of the community in Brazil. Still, there were important limitations to the data acquired since the proportion of data collected regarding race and region within the country was not representative of the national Brazilian population. There was a majority of white respondents¹⁹⁹, and the percentage of participants from the Southeast was higher than the region’s general population, while respondents from the North was lower²⁰⁰.²⁰¹ Additionally, the majority of the participants were aged between 18 and 30 years. And 69,7% had access to higher education, which is significantly more than the 23,3% of the general population who had or has access to higher education. According to the authors of the study, this share of respondents points out that the

¹⁹⁰ Romero and Mendieta, p.524.

¹⁹¹ Romero and Mendieta, p. 525.

¹⁹² Ibid., p. 524.

¹⁹³ Instituto Brasileiro de Transmasculinidades (IBRAT), p.15.

¹⁹⁴ J. W. Nery and F. E. M. A. Maranhão, ‘Deslocamentos subjetivos das transmasculinidades brasileiras contemporâneas’, *Periódicus*, vol. 1, no. 7, 2017, p.281, Available from <https://periodicos.ufba.br/index.php/revistaperiodicus/article/view/22279> (accessed 17 June 2024).

¹⁹⁵ Author’s translation

¹⁹⁶ Author’s translation to *Mapeamento de Saúde das Transmasculinidades Vivendo no Brasil*.

¹⁹⁷ Instituto Brasileiro de Transmasculinidades (IBRAT).

¹⁹⁸ Ibid.p.9 (author’s translation).

¹⁹⁹ The percentage of white responders was 60,6%, while in the general brazilian population it is 43,5%. - Instituto Brasileiro de Geografia e Estatística, *Panorama Censo 2022*, 2022, Available from <https://censo2022.ibge.gov.br/panorama/> (accessed 22 June 2024).

²⁰⁰ The percentage of responders from the Southeast region was 51%, while the region accounts for 41,8% of the brazilian population. Meanwhile, the percentage of responders from the North was 5%, while the region accounts for 8,5% of the population. Instituto Brasileiro de Transmasculinidades (IBRAT), p.48.

²⁰¹ Instituto Brasileiro de Transmasculinidades (IBRAT), p. 48.

mapping was restricted to a more privileged audience.²⁰² Nevertheless, such an initiative was significantly important in understanding the necessities and characteristics of transmasculinities in Brazil.

There are also gaps in academic productions that address transmasculinities beyond population mapping. According to Miranda, there is a lack of studies on transmasculinities, which tend to be overlooked in Brazil if compared to other topics researched within transness.²⁰³ Currently, there is a development of efforts from the transmasculine community in academia. *Revista Estudos Transviades*, created in 2020,²⁰⁴ represents an advancement in that sense. In the journal, there is an emphasis on the agency of transmasculinities since the productions come from that standpoint and seek to create a transmasculine discourse. Pfeil and Pfeil state that it is impactful to integrate academia as transmasculine individuals and to develop knowledge from that position.²⁰⁵ From that locus, they also report experiencing having their identities invalidated and face resistance from certain scholars within gender studies: Bearing in mind this history of erasure and recent efforts to overcome it, engaging with transmasculinities from their stances is essential. Not considering their discourses as central would entail deliberating on this subject from an external perspective, posing a higher risk of reproduction of normativity. It may restrict transmasculinities to a place of being oppressed and being objects of research.

Work towards the promotion of transmasculine visibility, rights claiming and research has been led by IBRAT, founded in 2013.²⁰⁶ Historically, cyberspaces have been an important location of political mobilisation and exchange of experiences between transmasculinities in Brazil.²⁰⁷ At a global level, cyberspaces have been used to share knowledge within the

²⁰² Ibid.

²⁰³ D. Miranda, 'Eu Quero Ser um Cara no Mundo da Vida: luta de um homem trans por reconhecimento', *Revista Científica Gênero na Amazônia*, no. 2, 2022, p.96, Available from <https://periodicos.ufpa.br/index.php/generoamazonia/article/view/13485> (accessed 21 June 2024).

²⁰⁴ *Revista Estudos Transviades, Edições*, (website), <https://revistaestudostransviades.wordpress.com/edicoes/> (accessed 21 June 2024).

²⁰⁵ Pfeil and Pfeil, 2023(a), p.18.

²⁰⁶ Instituto Brasileiro de Transmasculinidades (IBRAT), (website) <https://ibratnacional.com/> (accessed 22 June 2024); Nery and Maranhão, 2017, p.281.

²⁰⁷ J. W. Nery and E. M. A. F. Maranhão, 'Transhomens no ciberespaço: micropolíticas das resistências', *História Agora*, vol. 2, 2013, p.154, Available from https://d1wqtxts1xzle7.cloudfront.net/46768534/NERY_Joao_MARANHAO_Fo_Eduardo_Meinberg_d-libre.pdf?1466808088=&response-content-disposition=inline%3B+filename%3DNERY_Joao_MARANHAO_Fo_Eduardo_Meinberg_d.pdf&Expires=1722456407&Signature=hJAYRWL9UfOWxMopmBmsAy9sMbJlZ2RutejtLCkmJHxFxVOjdcGSqiOyuFb1LNAI NvYYtjgq6A85axoPteGontlnpxx1Ti9yC~ZNCOWrW~9mJ1UXtCf6gCSnqWX4vriE6Pat9Ijv6YUuHre7aAW6O-0cVdMdXopMhPQSxN~3N4wPrO-3aP0TpU3fjI02v1DyTl8ATpaK9VfhIT1Ego3cr6ffUuunVeRh0~Ub0zy0394bgDIWDro-0o-VHNRCisaAzVQyuW0LSPR2W7h-

community on aspects such as body modifications, according to Raun.²⁰⁸ The author explores how vlogging²⁰⁹ on personal experiences of transmasculinities can have an educational character since it provides information that often is not found elsewhere. Additionally, Raun reiterates that it is an archive of practices, contributing to the creation of aesthetics and standards around transmasculinity that come from the community itself. Although the work of Raun does not address the Brazilian context, connection and communication via social media play an important role for transmasculinities in the country. Several content creators have been long-term communicating to the transmasculine community, registering their processes and sharing thoughts on transness, frequently also engaging in trans* activism.

Following the relevance of transmasculine self-determination, it is necessary to understand how transmasculinities define themselves in Brazil. When asked about their gender identity in the mapping performed by IBRAT, 54% of the respondents identified as trans men; '*Transmasculino*' was chosen as an identity by 29% of the participants, followed by '*transmasculine*' by 11,8%.²¹⁰ The two identities differ regarding the gender assigned to the word, *transmasculino* possesses masculine pronouns while '*transmasculine*' implies neutral pronouns.²¹¹ Whereas it is not a deterministic relation, '*Transmasculine*' can draw a stronger connection to non-binary identities. When analysing those categories, the authors recall that often transmasculinities separate themselves from (cis) manhood, mentioning that they might not feel represented or identify with it.²¹² Finally, it is important to note that identities can shift over time, are not necessarily mutually exclusive and are subject to variations depending on social settings.²¹³ *Boyceta*²¹⁴ is another identity term, not encompassed in the mapping by IBRAT, that has been growing in Brazil.²¹⁵ It merges the words 'boy' with *buceta*, which is a slang for vagina, possibly comparable to 'pussy' in English. It proposes countering

7pu0XG5OdosfhPbK253YAfnrRW0VHPMggymEHVZQXYFL~c7sZ~gfbvT36yFlzsnFCZotoQ__&Key-Pair-Id=APKAJLOHF5GGSLRBV4ZA (accessed 24 June 2024).

²⁰⁸ T. Raun, 'Archiving the wonders of testosterone via YouTube', *Transgender Studies Quarterly*, vol. 2, no. 4, 2015, pp. 701-709, Available from <https://read.dukeupress.edu/tsq/article-abstract/2/4/701/24790/Archiving-the-Wonders-of-Testosterone-Via-YouTube?redirectedFrom=fulltext> (accessed 25 June 2024).

²⁰⁹ Vlogging is the practice of creating and sharing video content online, usually in a diary or documentary format. In this case, it refers to videos that transmasculinities create about themselves.

²¹⁰ Instituto Brasileiro de Transmasculinidades (IBRAT), p.22.

²¹¹ Ibid.

²¹² Ibid., p.23.

²¹³ Nery and Maranhão, 2013, p.145.

²¹⁴ This term of identification and its implications will be delve into more in depth when addressing non-hegemonic masculinity alternatives.

²¹⁵ G. Vicente, *Direitos sexuais e reprodutivos de homens trans, boycetas e não-binárias: uma luta por reconhecimento e redistribuição de saúde pública no Brasil*, Bachelor Thesis, Fundação Getúlio Vargas, 2020, p.20, Available from <https://afrodite.paginas.ufsc.br/files/2020/08/2020-Direitos-sexuais-e-reprodutivos-de-homens-trans-boycetas>

phallogocentric manhood, marking a divergence from normative masculinities.²¹⁶ It also reinforces the visibility of the embodied materiality of transmasculinities.

Other than being diverse in identification terms the transmasculine community can also carry some inner tensions and struggles. Nery and Maranhão indicate that often there is an overlook of non-binary experiences in transmasculinities, although social movements generally include those identities.²¹⁷ The authors state that this internal invalidation can also affect individuals who, for different reasons, do not undergo body modifications. When observing different identification terms and their prevalence, it is important to notice how language hints at the dynamics between certain movements of self-definition and normativity. Furthermore, it enables visualisation of the nuances of Brazilian transmasculinities and the discourses built around different identities within the community.

A further aspect of transmasculinities in Brazil is their engagement with healthcare, especially considering the national public health system. Also, the pathologisation of trans* can be significantly present in this medical context. Thus, it is relevant to address difficulties with medical and psychological services to explore later how those intertwine with cisheteronormativity. Pfeil and Pfeil reiterate that it is important to understand how the cisheteronorm operates in healthcare to enable a rupture with it and then advance in rights guaranteeing for transmasculinities.²¹⁸ The mapping developed by IBRAT indicates significant challenges in health access to transmasculinities.²¹⁹ The Brazilian universal health care system, named *Sistema Único de Saúde* (SUS), provides free of-cost services destined to the trans* population both at a clinical level, with specialised attention in different areas²²⁰, and surgical level.²²¹ Although this is a possibility, transmasculine individuals report facing challenges in reaching the locations that offer this specific healthcare, since they are restricted to certain states and municipalities.²²² Additionally, there are significant issues in how transmasculinities are treated in the services. In the mapping, it was found that they experience discomfort, medical negligence and lack of knowledge on transmasculinities, misgendering and usage of the name given at birth. Furthermore, frequently there is a long waiting time and bureaucratic process to access surgeries and hormonal treatment, for instance.²²³ These challenges lead a

²¹⁶ Vicente, p.20.

²¹⁷ Nery and Maranhão, 2017, p.281.

²¹⁸ Pfeil and Pfeil, 2023(a), p.19.

²¹⁹ Instituto Brasileiro de Transmasculinidades (IBRAT), p.49.

²²⁰ The areas are: gynecology, psychology, psychiatry, endocrinology and proctology.

²²¹ Instituto Brasileiro de Transmasculinidades (IBRAT), p.49; Ministério da Saúde, 2017, Anexo 1 do Anexo XXI.

²²² Instituto Brasileiro de Transmasculinidades (IBRAT), p.49, 34.

²²³ Ibid.p.33, 34.

significant number of transmasculine people to seek health care privately, according to the study.

Inequalities in class and race play a role in accessing medical attention.²²⁴ For instance, of the respondents who receive more than three average salaries a month 78,6% were using testosterone, while of those who earn less than one average salary 61% use the hormone.²²⁵ Currently, there is also a shortage in the supply of testosterone and an acute increase in its price.²²⁶ Not only the realm of body modifications is relevant, transmasculine people also face difficulties when accessing services such as gynaecologists.²²⁷ Due to fear, discomfort, embarrassment, and violence concerning their identity, more than half of the respondents (53,5%) does not see a gynaecologist at all.²²⁸ Nery and Maranhão reinforce that experiencing obstacles in health care is part of the formation of transmasculine subjectivities in Brazil.²²⁹ Concomitantly, suicide, suicidal ideation²³⁰ and attempts are prevalent in this population, as evidenced by Tenório.²³¹ The author compiled data from five different researches on the topic between the years of 2014 to 2023 and concluded that approximately 80,4% of the transmasculine population in Brazil has or had suicidal ideations. Moreover, the suicide rates in the transmasculine community are considerably higher than in the general population.²³² It is important to not that data regarding this phenomenon is scarce, and mostly compiled by research done by members of the community or transmasculine associations. Thus, the understanding of the diversity of needs and characteristics of transmasculinities is crucial for promoting rights that contemplate the embodiments of this community.

The demands about transmasculine health that are intersected by factors such as class, sexuality and race. The combination of structures of oppression provides significantly different experiences of what it means to be transmasculine and how to address body modifications, for instance. When delving into the intersectionality between race and transmasculinities in Brazil

²²⁴ Instituto Brasileiro de Transmasculinidades (IBRAT), p.44.

²²⁵ Ibid.p.39.

²²⁶ Ibid.p.33.

²²⁷ Ibid.p.49.

²²⁸ Ibid.p.49.

²²⁹ Nery and Maranhão, 2017, p. 292.

²³⁰ Suicidal ideation refers to 'thinking about, considering, or planning suicide'. E. D. Klonsky, A. M. May, B. Y. Saffer, 'Suicide, suicide attempts, and suicidal ideation', *Annual review of clinical psychology*, vol. 12, no. 1, 2016, p.309, Available from <https://www.annualreviews.org/docserver/fulltext/clinpsy/12/1/annurev-clinpsy-021815-093204.pdf?expires=1722353594&id=id&accname=guest&checksum=FBAEDB1892085078AA64F9646C72AA20> (accessed 27 June 2024).

²³¹ L. F. P. Tenório, 'A relação gritante de homens trans e transmasculinos com o suicídio, tentativas de suicídio e ideação suicida', in B. L. Pfeil, C. L Pfeil, D. Brito et al (eds.), *Masculinidades Outras*, Uberlândia, Sexo da Palavra, 2023, p.129.

²³² Instituto Brasileiro de Transmasculinidades (IBRAT), p.8

some authors and social media creators report on the experience of blackness and transmasculinity. They mention going from being hypersexualised to being seen as threats, as socially they would be seen as potential danger.²³³ When read socially as men, black transmasculinities are subjected to increased police brutality.²³⁴ One of the respondents of a study mentions that he chooses not to change the gender in his documents because if he undergoes violence he is still protected by *Lei Maria da Penha*²³⁵.²³⁶ Peçanha, in an interview granted to Nery, comments that when being read as a man he started being sexualised differently, being expected the virility expected from black manhood.

Invisibility is a core term that can be used to describe the experience of transmasculinities in Brazil, applying to a broader Latin American setting as well. It is present in different contexts, including in the lack of studies regarding this population. Concerning that, efforts to better comprehend transmasculine characteristics and needs in Brazil mostly arise from the community, who also tends to self-organize to establish connection and support between its members. Developing language and terms that approach transmasculinities is part of this. These created discourses signal claims and positionalities within the community, and occur for instance when different identification terms employed. Another relevant aspect when approaching transmasculinities in Brazil is to highlight their precarious engagement with healthcare, especially due to discrimination derived from cisheteronormative understandings of gender. Discrimination also impacts the mental health of transmasculinities in the country, the high suicide rates can be considered strongly related to experiences of social marginalization, as reiterated by members and associations of the community. In this context, transmasculine experiences differ significantly depending on markers such as race, class and geographical location, which are important to be considered when analysing these dissidences.

3.3 The pathologisation of transgender and its relation to cisheteronormativity

Transmasculine gender non-conformation is named, constructed, and experienced in relation to institutions and social practices shaped by cisheteronormativity, which sustains and is sustained by the pathologisation of trans*. The emergence of ‘transexual’²³⁷, through

²³³ B. Santana, ‘Pensando as Transmasculinidades Negras’, in H. Restier and R. M. Souza (eds.), *Diálogos Contemporâneos sobre Homens Negros e Masculinidades*, São Paulo, Ciclo Contínuo Editorial, 2018, p.99.

²³⁴ Pfeil and Pfeil, 2021(a), p.167.

²³⁵ Lei Maria da Penha verses on the protection of women against gender based violence.

²³⁶ Nery and Maranhão, 2017, p.289.

²³⁷ Transexual was the first term coined to define trans*, created in the medical sphere. Transgender started being used and it is often implemented by the trans* community to counter the pathologisation carried in ‘transexual. Stryker and Currah, p.5.

medicine, was based on the differences between biological sexes.²³⁸ Thus, it is important to understand how, historically, the approach of the sexed body enables its emergence. Based on that, categories that framed trans* as an object of medical intervention were created.²³⁹ Concepts such as ‘true transexual’ and gender dysphoria still affect how trans* individuals are addressed. This pathologisation is not restricted to medicine, it has an impact on the creation and maintenance of discrimination and juridical practices that hinder the access of transgender people to certain human rights.²⁴⁰ Such an approach shaped the development of medical manuals which are used to diagnose trans* individuals.²⁴¹ Although it is an international human rights recommendation to depathologise transgender, in the majority of the countries, including Brazil, diagnosis can be determinant in the access to body modifications.²⁴² Cisheteronormativity plays a role when shaping the view of health professionals of what a trans* person should comply with to meet the criteria of being transgender. Thus, to analyse how hegemonic masculinity prevails over transmasculinities in Brazil, it is essential to observe how it is present in the medical requirements posed to this population, coming from a pathologisation optic.

To commence this analysis, it is necessary to draw back to the development of the comprehension of the human sexual anatomy, and how notions of gender became associated with it. At the beginning of the 18th century, sexual anatomies started to be read from a dysmorphia perspective.²⁴³ This means that aspects of female and male bodies were understood through their differences - in this logic not only sexual anatomies differed but several aspects of the body.²⁴⁴ Body types were not only interpreted as different but as opposite, there was a sense that completion of one another could occur solely in the sexual act.²⁴⁵ Thus, a heterosexual regime was needed and reinforced.²⁴⁶ This was created at a period when it became relevant to develop a political hierarchy of sexes based on a differential regime between men

²³⁸ Bento, 2008, p.32.

²³⁹ B. Bento and L. Pelúcio, ‘Despatologização do gênero: a politização das identidades abjetas’, *Revista Estudos Feministas*, vol. 20, no. 2, 2012, p.571, Available from <http://educa.fcc.org.br/pdf/ref/v20n02/v20n02a17.pdf> (accessed 29 June 2024); S. R. Favero and F. H Souza, ‘(Des) patologizar é (des) diagnosticar? Inquietações sobre as disputas por autonomia no campo político’, *Revista Periódicus*, vol. 1, no. 11, 2019, p.305, Available from <https://periodicos.ufba.br/index.php/revistaperiodicus/article/view/26914/19971> (accessed 25 June 2024).

²⁴⁰ Favero and Souza, p.315.

²⁴¹ *Ibid.*, p.306

²⁴² UN General Assembly, *Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity*, Victor Madrigal-Borloz, 12 July 2018. A/73/152, para. 48, 49; Ministério da Saúde, 2017, Anexo 1 do Anexo XXI.

²⁴³ Bento, 2008, p.25.

²⁴⁴ Preciado, 2008, p.76; Bento, 2008, p.29.

²⁴⁵ Bento, 2008, p.24, 29.

²⁴⁶ Bento and Pelúcio, p.571; Preciado, 2008, p.70.

and women.²⁴⁷ According to Bento, such a logic was constructed and sustained through scientific discourses.²⁴⁸ Hence, it was in modernity that sex became an information that would determine a series of predicted behaviours.²⁴⁹ From the notion of the dysmorphic sexed body, what is understood as a female body is inherently feminine, and femininity can only exist there, the same applies to male bodies - behaviours and characteristics were then attributed to nature.²⁵⁰ For instance, the idea that individuals born with a penis, who were then classified as men, are physically and naturally serve as protectors of the family.

Nevertheless, dysmorphism was not always the ruling comprehension about bodies. Before dysmorphism, sexes were understood through isomorphism, according to Bento.²⁵¹ The scholar argues that in isomorphism similarities were the basis of comprehending bodies. Regarding that, Preciado explains that the female sex was considered to be an inversion of the masculine, it was comprehended as the masculine anatomy but inwards.²⁵² The body components were read as equivalent and resemblant, for instance, the vagina was an internal penis and the uterus was a scrotum.²⁵³ Bento describes that 'genitalia in isomorphism was an insecure concept for positioning individuals in the social order'- at that period individuals 'changing sex' did not draw as much attention as after dysmorphism started to be put into practice.²⁵⁴ Comprehending isomorphism and dysmorphism leads to the acknowledgement that something as transgender could only exist from the point in history where differences between sexes started being employed, more prominently from the 19th century.²⁵⁵ Before that, a mismatch between one's experience of gender and biological sex would not represent this significant rupture with a sociopolitical hierarchy, also because gender and sex were not understood as such.

The basis of dysmorphism for the comprehension of bodies allowed trans* to be seen as a disturbance of this arrangement. Following the development of dysmorphism as a reading of the body, in the second half of the 20th century²⁵⁶, transgender received increased attention

²⁴⁷ Bento, 2008, p.25; Preciado, 2008, p.70.

²⁴⁸ Bento, 2008, p.25.

²⁴⁹ Ibid., p.23.

²⁵⁰ Ibid., p.31.

²⁵¹ Ibid., p.24.

²⁵² Ibid., p.69.

²⁵³ Ibid., p.26.

²⁵⁴ Ibid., p.28 (author's translation).

²⁵⁵ Ibid., p.26, 32.

²⁵⁶ Here, the reader can acknowledge a gap in the periods between the comprehension of the dysmorphic body and the larger ruling of transness by medicine. This is due to the fact that, according to Preciado, in the second half of the 20th century a post-industrial regime materialized its mechanisms in different fields related to health. Preciado, 2008, p.31.

from medicine, being coined as a phenomena.²⁵⁷ At that period there was an intensification of a political governing of gender, sexuality and sex, characterised by high investments in science on sex and sexuality and resulting in the creation of industries of control of sexual subjectivities.²⁵⁸ Gender dissidences did not escape that regulation, they were apprehended by modern science. Two concepts were bound to the definition of ‘transsexuality’ in the medical realm: ‘true transexual’ and gender dysphoria. They were developed by Harry Benjamin and John Money²⁵⁹, respectively, who were central to the pathologisation of trans*. It is important to observe that the arrival at this stage, where trans* was treated as a disorder, was leveraged by political needs in terms of the regulation of bodies.

Gender was also not a concept that always existed. The term was coined by Money in 1957, marking a difference from sex; it started to be used to describe two poles of behaviour and body expression that individuals could fit in: masculine or feminine.²⁶⁰ In 1973, Money conceived gender dysphoria to describe significant suffering related to the incongruency between one’s experienced gender and the one assigned to them.²⁶¹ Contemporary to that Benjamin first employed the term ‘transsexualism’ in 1954, as a pathology that could be cured - the employment of the suffix ‘ism’ in transsexualism marks its pathological character.²⁶² Benjamin defined what would be a ‘true transexual’, delimiting that only those could be subjected to medical intervention.²⁶³ A ‘true transexual’ would necessarily wish to remove their genitals and other bodily characteristics related to sex; an intense and prolonged suffering concerning one’s body was required.²⁶⁴ Genital surgery and hormonal treatment would be the only means to adequate the individual.²⁶⁵ Through this conception, trans* entered the realm of a disorder. In this context, trans* started being institutionalised and controlled by a specific knowledge. This meant locating dissidences under a rule that would classify them according to

²⁵⁷ Preciado, 2008, p. 25, 30.

²⁵⁸ Ibid., p. 23.

²⁵⁹ Harry Benjamin was a German endocrinologist and John Money was a U.S. American psychologist and sexologist. Favero and Souza, p.305.

²⁶⁰ Preciado, 2008, p. 25.

²⁶¹ Instituto Brasileiro de Transmasculinidades (IBRAT), p.13.; Bento and Pelúcio, p.571.

²⁶² Preciado, 2008, p. 25.

²⁶³ Favero and Souza, p.305.

²⁶⁴ Favero and Souza, p.305; A. Oliveira, "*Somos quem podemos ser*": os homens (trans) brasileiros e o discurso pela (des)patologização da transexualidade, Master Thesis, Universidade Federal do Rio Grande do Norte, 2015, p.35, Available from https://repositorio.ufrn.br/bitstream/123456789/20034/1/SomosQuemPodemosSer_Oliveira_2015.pdf (Accessed 30 June 2024).

²⁶⁵ L. F. P. Tenório and M. A. M. Prado, ‘As contradições da patologização das identidades trans e argumentos para a mudança de paradigma’, *Revista Periódicus*, vol. 1, no. 5, 2016, p.47, Available from <https://repositorio.ufmg.br/bitstream/1843/68603/2/As%20contradi%20%a7%20%b5es%20da%20patologiza%20%a7%20%a3o%20das%20identidades%20trans%20e%20argumentos%20para%20a%20mudan%20%a7a%20de%20paradigma.pdf> (accessed 2 July 2024); Bento and Pelúcio, p.571; Preciado, 2008, p. 25.

gender standards present at the moment. Following this rule, legitimacy would be granted to some dissidences, who could then undergo medical interventions as an attempt to be adequated to a norm.

Addressing the development of the concepts of gender dysphoria and ‘true transsexual’ is important because they persist until the present in the manner transgender is pathologised. According to the current Diagnostic and Statistical Manual of Mental Disorders (DSM-5-TR)²⁶⁶, gender dysphoria involves the desire to express and be recognized as one’s self-identified gender, possibly including a rejection of one’s primary or secondary sexual characteristics.²⁶⁷ Dysphoria and the idea of a ‘true transsexual’ go hand-in-hand, as dysphoria is part of the determination if someone is ‘really’ trans*. However, if you consider it from a *transviado* standpoint, the means to arrive at this conclusion do not exist with clinical objectivity.²⁶⁸ Bento and Pelúcio explain that

The only reliable map that guides the gaze of the doctor (...) are the socially established truths for the genders (...). There is not a single atom of neutrality in these codes. We are facing a powerful discourse that aims to keep genders and erotic practices imprisoned by sexual difference.²⁶⁹

This signifies that pathologisation comes from the sexed body which is tied to socially established concepts of what manhood and womanhood should be. The rigid idea of a ‘true transsexual’ does not match the diversity of transgender experiences. Oliveira points out that these factors can push individuals to a dynamic of performing certain aspects that would be recognised as trans* towards health professionals to secure access to body modifications or document rectifications.²⁷⁰ According to the author, in this fine line, trans* individuals risk revealing an information or behaving in a certain way that breaks with the expected and being denied those procedures. Although the term ‘true transsexual’ is outdated and new names and categories were created in a movement of moving trans* out of the pathology realm, the verification process of a diagnosis carries on.

Both the history of transgender and how it persists throughout time indicate that pathologisation is entangled with cisheteronormativity. Pathologisation offers instruments for the uniformity expected by cisheteronormativity between sexed body, gender, and sexual

²⁶⁶ The DSM is published by the American Psychiatric Association (APA) and outlines standardized criteria for diagnosing mental health disorders.

²⁶⁷ American Psychiatric Association (APA), *Diagnostic and statistical manual of mental disorders-5-TR*, Washington, American Psychiatric Association Publishing, 2022, p.513-514.

²⁶⁸ Bento, 2008, p.19.

²⁶⁹ Bento and Pelúcio, p.579 (author’s translation).

²⁷⁰ Oliveira, p.158.

orientation to be implemented.²⁷¹ If individuals manage to fit the requirements to be considered trans* there can be an attempt to their normalisation. This would enable a trans* existence that would not bother cisheteronormativity excessively. Addressing trans* as pathological requires a normal, there is a need for a reference of comparison.²⁷² It is a dichotomy where the congruency between the sexed body and assigned gender is perceived as healthy.²⁷³ Pathologisation presses, those who have the potential to adjust, for an alignment which will always be partial to the cisheteronorm. Partial because as much as a trans* person can appear to be cisgender, their physical reality will never be cis. And those lacking potential to conform are faded to experience other types of effects of marginalization.

Although certain discussions on pathologisation might stay in the medical context, it is a broad-ranging phenomenon. Favero and Souza argue that it can be comprehended in three spheres: social, biomedical and juridical.²⁷⁴ Socially, pathologisation contributes to the stigma, rejection and aversion towards trans* individuals. Biomedically, it leads to the subservience of trans* people to a medical realm that holds the power to decide on the paths of their bodies, removing autonomy regarding their choices. And juridically, changes of name and gender marker in documents are affected by one's appearance or are possible only upon the presentation of medical reports. Adding to this perspective, Bento and Pelúcio reflect that:

Common sense and hegemonic scientific thought feed off each other (...). Currently, common sense (...) affirms the dimorphism between men and women, basing this argument on observation and referencing it in the biological sciences, as those that have already offered unquestionable proof of the radical sexual difference that separates sexed bodies. Hegemonic scientific thinking appropriates observable recurrences in gender relations to confer scientificity to its findings (...) incorporating into these 'truths' the cultural and symbolic aspects that make up our perceptions of bodies, genders, organs and fluids.²⁷⁵

It is possible to affirm that common sense concerns this social scope illustrated by Favero and Souza²⁷⁶, not only the stigma deriving from pathologisation but also as fuel to the development of the stigma itself, as part of gender norms. Therefore, the circular motion, in which pathologisation and cisheteronormativity both create and sustain each other is visible. This reinforces the idea that it is essential to address pathologisation outside the psychiatric sphere.

²⁷¹ Bento, 2017, p.325; Tenório and Prado, p.49.

²⁷² Favero and Souza, p.314.

²⁷³ Bento and Pelúcio, p.570.

²⁷⁴ Favero and Souza, p.315.

²⁷⁵ Bento and Pelúcio, p.575 (author's translation).

²⁷⁶ Favero and Souza, p.315.

Human rights frameworks related to gender identity significantly address pathologisation of trans* identities. The three spheres proposed by Favero and Souza are contemplated in the field of human rights. Regarding the social realm, the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health explicitly related pathologisation to stigma.²⁷⁷ Furthermore, the IACHR stated that pathologisation promotes stereotypes that hinder the guarantee of human rights of trans* people.²⁷⁸ In the biomedical sphere, considering its relation to autonomy, the Yogyakarta Principles plus 10 establish that the right to the highest attainable standard of health should be guaranteed, including its ‘gender affirming care’ dimension, based on the persons’ consent.²⁷⁹ And in relation to the juridical domain, the Yogyakarta Principles plus 10 addresses the right to legal recognition - it intitates that States must ‘ensure that no eligibility criteria, such as medical or psychological interventions, a psycho-medical diagnosis (...) shall be a prerequisite to change one’s name, legal sex or gender.’²⁸⁰ These approaches can indicate how pathologisation has been handled in international human rights: there is a support of the deetachment of medical guardianship of trans* people to gurantee the access to human rights in different spheres.

Pathologisation is translated into different diagnostic manuals, which frame the medical parameters for the diagnose of transgender. Those documents have changed over time, tending to moving towards placing trans* less as a disorder. However, they have roots in pathologisation and they carry the idea of a diagnosis. The two important manuals are the International Classification of Diseases (ICD), by the World Health Organization (WHO), and the Diagnostic and Statistical Manual of Mental Disorders (DSM), by the American Psychiatric Association (APA). In 1980 ‘transsexualism’ was first included in the DSM-III as a disorder.²⁸¹ With the DSM’s fifth edition²⁸², from 2022, trans* started being addressed as Gender Dysphoria instead of Gender Identity Disorder.²⁸³ Compared to the 2013 version, the TR makes

²⁷⁷ UN Human Rights Council, *Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health*, 28 March 2017. A/HRC/35/21, para. 48.

²⁷⁸ Inter-American Commission on Human Rights, *Press Release 64/16: Pathologization: Being Lesbian, Gay, Bisexual and/or Trans is Not an Illness International Day Against Homophobia, Transphobia and Biphobia*, (website), 2016 https://www.oas.org/en/iachr/media_center/PReleases/2016/064.asp (accessed 5 July 2024).

²⁷⁹ The Yogyakarta Principles +10, p.20.

²⁸⁰ *Ibid.*, p.9.

²⁸¹ B. Bento and L. Pelúcio, p.517.

²⁸² Currently, the DSM is in its fifth revision, which was released in 2013. The most recent version however is the DSM-5-TR, a revised text edition published in 2022, being its latest update.

²⁸³ Z. Davy, ‘The DSM-5 and the politics of diagnosing trans people’, *Archives of sexual behavior*, vol. 44, 2015, p.1165, Available from, <https://link.springer.com/article/10.1007/s10508-015-0573-6> (accessed 5 July 2024).

a distinction between dysphoria and suffering related to social stigma.²⁸⁴ Although these are important changes, dysphoria is historically undifferentiated from other distresses that trans* people might experience which arise from discrimination. Since this can be considered a recent change it possibly has effects on how health professionals understand transgender. In a *transviado* perspective it is necessary to reframe the visualisation of gender dysphoria. It entails observing how the suffering of trans* people can derive from social expectations towards gender and their scientific framing. Similar to the *transviado* concept of trans*, it is a movement of ‘socialising’ dysphoria. Tenório states that

The suffering of so-called ‘gender dysphoria’ comes from discrimination resulting from the effects of gender normativity and its coercive mechanisms, preventing trans people from perceiving their gender identities as legitimate and real from the standpoint of their bodies.²⁸⁵

This explores how normativity impacts the subjectivities of trans* people without denying that such suffering can exist. Another issue with the concept of dysphoria is that often during a diagnosis process, which is frequently needed to access different rights, health professionals would seek signs of that suffering. That type of anguish is used to determine if the person is ‘really’ trans.

It is relevant to further examine some current characteristics of the ICD and the DSM. In the ICD-11, the last version adopted by WHO in 2019,²⁸⁶ distress is optional for diagnosis.²⁸⁷ Another significant change is that ‘transsexuality’ was moved from the category Mental and Behavioral Disorders to Conditions Related to Sexual Health.²⁸⁸ The ICD-11 classifies trans* under Gender Incongruence, different from its past edition which used the category Gender Identity Disorder.²⁸⁹ It is relevant to note that the ICD-11 does not use Gender Dysphoria as a diagnostic classification, different from the DSM-5-TR. From acknowledging how these two

²⁸⁴ American Psychiatric Association (APA), p.511.

²⁸⁵ Tenório and Prado, p.45 (author’s translation).

²⁸⁶ Organização Pan-Americana da Saúde (OPAS), *Versão final da nova Classificação Internacional de Doenças da OMS (CID-11) é publicada* (website) 2022 <https://www.paho.org/pt/noticias/11-2-2022-versao-final-da-nova-classificacao-internacional-doencas-da-oms-cid-11-e#:~:text=A%20CID%2D11%20foi%20adotada,mortalidade%20e%20morbidade%20em%202022> (accessed 9 July 2024).

²⁸⁷ R. Robles, J.W. Keeley, H. Vega-Ramírez et al, ‘Validity of categories related to gender identity in ICD-11 and DSM-5 among transgender individuals who seek gender-affirming medical procedures’, *International Journal of Clinical and Health Psychology*, vol. 22, no. 1, 2022, p.2, Available from <https://pdf.sciencedirectassets.com/287549/1-s2.0-S1697260021X0004X/1-s2.0-S1697260021000624/m> (accessed 5 July 2024).

²⁸⁸ Conselho Federal de Psicologia (CFP), *Transexualidade não é transtorno mental, oficializa OMS* (website) <https://despatologizacao.cfp.org.br/transexualidade-nao-e-transtorno-mental-oficializa-oms/#:~:text=Pela%20nova%20edi%C3%A7%C3%A3o%20da%20CID> (accessed 11 July 2024); Lobato, Soll, Costa et al, p. 311; Robles, Keeley, Vega-Ramírez et al, p.2.

²⁸⁹ Lobato, Soll, Costa et al, p. 311; Robles, Keeley, Vega-Ramírez et al, p.2.

manuals work in terms of the diagnosis of trans* it is possible to question their benefits to this population and how they translate to the imposition, or not, of norms in order to secure rights. Favero argues that although there were changes in nomenclature and an increase in the visibility of the plurality of trans* there is a persistency in the notion of a diagnosis.²⁹⁰ This implies still applying an evaluation process that can be a gatekeeper for trans* people to access certain rights. A further point is that the DSM is based on the notion of sexed body and socialized genders based on that; it used ‘markers of femininity and masculinity to compose and validate the picture of transgender.’²⁹¹ This can translate the basis of diagnoses being on normative behaviours or desires associated with femininity or masculinity.²⁹²

To address the implications of those manuals to the Brazilian trans* population it is necessary to observe how they are applied, connected with healthcare. Regarding Brazilian public health, the ICD-11 is applied in SUS to define the access of trans* individuals to body modifications within what is officially named ‘Transsexualising Process’^{293, 294} Although the DSM is not used to formally give access to procedures in public health,²⁹⁵ it carries importance since it still frames the conduct of professionals in a range of other settings. The National Policy of Integral Health of Lesbians, Gays, Bisexuals, Transvestites and Transsexuals²⁹⁶, in force since 2013, has as part of its functions to develop clinical protocols on different body modifications possibly desired by trans* people.²⁹⁷ The ‘Transsexualising Process’, set in 2008, defines an approach to the health²⁹⁸ of transgender individuals in SUS.²⁹⁹

For transgender individuals to undergo surgeries within the ‘Transsexualising Process’³⁰⁰ they need to be accompanied and evaluated for a minimum of two years by a health

²⁹⁰ Favero and Souza, p.306.

²⁹¹ Ibid., p.309 (author’s translation).

²⁹² Ibid., p.309.

²⁹³ Author’s translation. In portuguese the name used is *Processo Transsexualizador*.

²⁹⁴ Lobato, Soll, Costa et al, p. 311; Ministério da Saúde, 2017, Anexo 1 do Anexo XXI.

²⁹⁵ Lobato, Soll, Costa et al, p. 311.

²⁹⁶ Author’s translation to *Política Nacional de Saúde Integral de Lésbicas, Gays, Bissexuais, Travestis e Transexuais*.

²⁹⁷ Ministério da Saúde, Política Nacional de Saúde Integral de Lésbicas, Gays, Bissexuais, Travestis e Transexuais, Brasília, 2013, p.24, Available from https://bvsmms.saude.gov.br/bvs/publicacoes/politica_nacional_saude_lesbicas_gays.pdf (accessed 13 July 2024).

²⁹⁸ It establishes a series of medical procedures that vary from clinical healthcare unrelated to any type of body modification, to surgeries or hormonal treatments, and a diversity of interventions and medical care required before, during and after these processes. Ministério da Saúde, 2017, Anexo 1 do Anexo XXI.

²⁹⁹ Associação Nacional de Travestis e Transexuais (ANTRA), *Como Acessar o SUS para Questões de Transição?* (website) 2020 <https://antrabrazil.org/2020/07/27/como-acessar-o-sus-para-questoes-de-transicao/> (accessed 16 July 2024).

³⁰⁰ Other than SUS, individuals can access body modifications procedures and treatments through private doctors or health insurances, which commonly request reports, especially in the case of health insurances. In the scope of this thesis, a larger focus will be placed in SUS than in private healthcare.

team, which may or may not grant access to the procedure.³⁰¹ Furthermore, to access to hormonal therapy there is a need for a diagnosis.³⁰² Interestingly, when defined in the National Policy of Integral Health of Lesbians, Gays, Bisexuals, Transvestites and Transsexuals, the ‘Transsexualising Process’ is described as regulating ‘procedures for genital reassignment surgery’.³⁰³ This might reveal a genitalising perspective on trans* health care, as other forms of healthcare covered by SUS are not mentioned in the definition. Corroborating, Lobato et al found that trans* individuals who do not wish for surgeries find the medical attention received not meeting their necessities.³⁰⁴ This focus allocated on the genital aspect still derives from a historical view of trans* as a rejection towards one’s sexual characteristics; a perspective rooted in pathologisation. This places other aspects of transgender possible experiences in health and desires in terms of body modifications as secondary.

Within and outside SUS, medical and psychological practices are regulated by the Federal Psychology Council (CFP) and the Federal Medicine Council (CFM). Currently they understand that transness it is not longer a pathology.³⁰⁵ CFP has been regulating psychology practices so they are not stigmatizing or attempt to ‘cure’ trans* people, for instance.³⁰⁶ However, according to Favero, this depathologisation movement of the council does not translate to practice - the author claims that although depatologisation is aimed, the need for a diagnosis remains unquestioned.³⁰⁷ This means that there might be an attempted to not classify trans* as a disorder, but the psychological and medical realm still see no way around evaluating and defining if someone is ‘really’ transgender to then grant them access to certain procedures. Countries such as Argentina do not require a process of medical diagnosis in order to enable access to surgeries, hormonal therapy or other forms of healthcare.³⁰⁸

In the realm of name changes in Brazil, until 2018 a judicial process was required to enable gender and name modificaitons in official registries.³⁰⁹ For this, there was a need to prove the individual’s gender identity and one of the key elements analyzed by judges were

³⁰¹ Ministério da Saúde, 2017, Anexo 1 do Anexo XXI; Associação Nacional de Travestis e Transsexuais (ANTRA), 2020.

³⁰² Ministério da Saúde, 2017, Anexo 1 do Anexo XXI; Associação Nacional de Travestis e Transsexuais (ANTRA), 2020.

³⁰³ Ministério da Saúde, 2013(b), p.15 (author’s translation).

³⁰⁴ Lobato, Soll, Costa et al, p. 311.

³⁰⁵ Favero and Souza, p.311.

³⁰⁶ Conselho Federal de Psicologia (CFP), Resolução nº 1, de 29 de Janeiro de 2018, *Estabelece normas de atuação para as psicólogas e os psicólogos em relação às pessoas transexuais e travestis*, 29 January 2018.

³⁰⁷ Favero and Souza, p.312.

³⁰⁸ A. Suess, K. Espineira and P. C. Walters, ‘Depathologization’, *Transgender Studies Quarterly*, vol. 1, no. 1-2, 2014, p.75, Available from <https://read.dukeupress.edu/tsq/article/1/1-2/73/92032/Depathologization?searchresult=1> (accessed 16 July 2024).

³⁰⁹ Instituto Brasileiro de Transmasculinidades (IBRAT), p.16.

medical reports.³¹⁰ Favero states that from 2018 onwards, when the Provision n. 73 of 28th of July of 2018 by the Nacional Council of Justice³¹¹ was established:

A disease code is no longer an indispensable requirement in the field of law, although it remains, within biomedical disputes, a premise without which certain surgeries cannot be authorised.³¹²

This illustrates the possibilities of shifts in different areas that address the lives of the transgender community. Although there is a close relation between the medical and the juridical realm, a detachment as such is feasible, increasing the autonomy and self-determination of trans* people.

After an overview of how transgender is approached by the medical field in the Brazilian context it is possible to enter the specificities of transmasculinities. Transmasculinities were included in the ‘Transsexualising Process’ only in 2013, which before only encompassed trans women and travestives.³¹³ The terms used in the ‘Transsexualising Process’ legislation are problematic, as the feminine form of the word user³¹⁴ (*‘usuária’*)³¹⁵ is occasionally applied to transmasculine individuals. While there has been progress in not pathologizing trans identities, these issues highlight the need for further change. These weaknesses in policies reflect the reality of the challenged transmasculine people experience in practice when acceding public health care. Moreover, when they succeed in entering the ‘Transsexualising Process’ through SUS, which is a path full of obstacles, there is a need to rigorously follow medical procedures. It possibly involves a need to demonstrate a masculinity that is significantly tied to gender norms. This masculinity carries certain expected behaviours, desires and (hetero)sexuality, leaving no room for expressions within transmasculinity that do not conform.

Beyond delving into the matters regarding the pathologisation of trans* people and how that intertwines with transmasculinities in Brazil, it is necessary to address depathologisation. Depathologisation has been significantly propelled by international human rights standards and recommendations.³¹⁶ They have historically exerted pressure for the removal of transgender from an illness position, and currently there was a recommendation that countries adopt models

³¹⁰ Instituto Brasileiro de Transmasculinidades (IBRAT), p.16.

³¹¹ Conselho Nacional de Justiça (CNJ), *Provimento n.º 73*, 28 July 2018.

³¹² Favero and Souza, p.307 (author’s translation).

³¹³ Ministério da Saúde, *Portaria n.º 2.803*, 2013(a); Associação Nacional de Travestis e Transsexuais (ANTRA), 2020.

³¹⁴ refer to users of the health system.

³¹⁵ Ministério da Saúde, 2017, Anexo 1 do Anexo XXI.

³¹⁶ See chapter 4.

of comprehensive healthcare based on free and informed consent, not on diagnosis.³¹⁷ However, questions could arise in the sense of how to guarantee healthcare to transgender individuals safely without diagnosing or pathologising them.³¹⁸ Oliveira argues:

Depathologising does not mean neglect. No serious person who takes forward the discussion and struggles for the depathologisation of trans identities denies the need of (some) trans people for psycho/medical care. What cannot be thought is that the only way to guarantee medical care (...) is to pathologise human subjectivity. There are a number of other non-pathologised conditions that are recognised and treated in the private and public sphere, such as pregnancy, where pre- and post-natal care is guaranteed by SUS and no pregnant woman has ever had to be considered ill.³¹⁹

In line with this perspective, Favero and Souza question:

Even if there is suffering and it comes from a social context that is predominantly discriminatory, should the professional pathologise - something that would imply more stigma - those who are the target of this context or produce strategies to combat this discrimination?³²⁰

From those statements, and considering the current international human rights stance, it is possible to envision paths for addressing transness outside of pathological thinking. In this context, it is possible to ask what could be strategies to promote non-discrimination towards transmasculinities, and how could a *transviado* approach contribute to them? Additionally, it would be possible to inquire how human rights standards can set the ground for those anti-discrimination interventions. Still, before answering those it is important to enhance the comprehension regarding repercussions of cisheteronormativity on transmasculinities and which non-hegemonic alternatives can be tailored - to then, also include those in the discussion on non-discrimination.

3.4 The implications of cisheteronormativity for transmasculinities

In the course of this thesis, a theoretical framework on *transviado* studies enabled the elaboration of a *transviado* perspective on trans* and transmasculinities, also permeating Brazilian specificities regarding this community. In that sense, pathologisation was explored as part of the foundation of cisheteronormativity, offering tools for it to prevail, also being supported by this logic. This sets the ground to characterise the functioning of hegemonic masculinity over transmasculinities in Brazil, especially looking at transmasculine authors who

³¹⁷ UN General Assembly, 12 July 2018. A/73/152, para. 48, 49.

³¹⁸ This matter will continue to be explored at later stages of this thesis.

³¹⁹ Oliveira, p.131 (author's translation).

³²⁰ Favero and Souza, p.311 (author's translation).

are currently producing knowledge in the country. For that, there is a need to establish a definition of masculinity and its hegemonic form through a *transviado* approach, aiming to avoid a lack of systematisation of the concepts employed to understand the phenomena. Subsequently, it is possible to examine matters pertinent to transmasculinity such as invisibility, cis passability³²¹, expectations on transmasculine people and issues inflicted upon them. The focus is not a meticulous description of violations that occur in this community, also because the data available for it is scarce, but an analysis of how some of the most prominent issues relate to hegemonic masculinity and cisheteronormativity.

To understand how the interaction of hegemonic masculinity and the cisheteronorm acts on transmasculinities it is necessary first to define hegemonic masculinity. According to Connell masculinity was a notion created at a specific time,³²² as the concepts of gender, trans* and others. The author claims that it is also bound to geographical locations and cultures; and that masculinity and femininity are not synonyms for man and woman. As stated by Connell:

Masculinity (...) is simultaneously a place in gender relations, the practices through which men and women engage in that place in gender, and the effects of these practices in bodily experience, personality and culture.³²³

Although Connell is not a queer theorist it is important to engage with the author's concepts of masculinity since she coined the term 'hegemonic masculinity' and is one of the main scholars in the field of masculinity studies. Additionally, *transviado*, authors such as Bento also utilise the concepts formulated by Connell to propose understandings of masculinity. Therefore, a bridge can be built between Connell's hegemonic masculinity and a *transviado* approach to it.

Returning to the work of Connell, she states that masculinities are also various, being important to comprehend the relation amongst them.³²⁴ Bento notes that class, race and age play an important role in differentiating masculinities.³²⁵ From a *transviado* perspective, masculinity can be analysed in light of the critique of the continuum of the sexed body and gender. Masculinity then is detached from what is considered a 'male body', being also a different category than man.³²⁶ Masculinity relates to the understanding of gender as a

³²¹ The concept will be introduced below.

³²² R. Connell, 'The social organization of masculinity', in *Feminist Theory Reader*, Berkeley, University of California Press, 1995, p.68, 69.

³²³ Connell, 1995, p.71.

³²⁴ Connell, 1995, p.83; Bento, 2015(a), p.83.

³²⁵ Bento, 2015(a), p.86.

³²⁶ T. W. Reeser, 'Concepts of masculinity and masculinity studies' in *Configuring masculinity in theory and literary practice*, 2015, p.31.

performance created through the repetition of discourses.³²⁷ Considering this, it is important not to lose sight of a *transviado* understanding of masculinities, situating them in the context of cisheteronormativity.

Following a general overview of masculinity, it is possible to approach hegemonic masculinity, which can be considered one form of masculinity that subordinates other variations.³²⁸ Connell reiterates that the hegemony in masculinity is a position that depends on the relations established, thus, it is mutable³²⁹.³³⁰ Hegemonic masculinity is a standard from which other masculinities are compared, according to Bento.³³¹ The author claims that there is an ideology that upholds it, meaning that there are ideas and discourses which aim to justify behaviours that structure asymmetric gender relations. Nevertheless, hegemonic masculinity, in this hyperbolic form, is not attained by the vast majority of men. This points towards a process in which individuals need to prove their masculinity to others.³³² From the perspectives of Bento and Connell, it is possible to comprehend the functioning of hegemonic masculinity, especially concerning other masculinities which are then subordinate.

After setting the basis of how hegemonic masculinity is constructed and operates, it is possible to define some of its characteristics and to understand what is expected from man. Bento, based on the work of Kimmel, describes five pillars of hegemonic masculinity as: a rejection of everything that is considered femininity/feminine; high power, social prestige and wealth; withholding emotional expression; aggressiveness and risk-taking.³³³ Additionally, heterosexuality is implied, and a sexual code is enforced where there is a check for any signs of behaviours considered feminine.³³⁴ Those expressions are publicly manifested so they have the chance to be approved by other men. And in the context of Brazil, one of the main characteristics of hegemonic masculinity is physical violence, according to Bento.³³⁵ In this setting, women and other forms of masculinity are subordinated. The author explores the relation of hegemonic masculinity with what is considered feminine: ‘anti-femininity lies at

³²⁷ L. T. Brito, ‘Da masculinidade hegemônica à masculinidade queer/cuir/kuir: disputas no esporte’, *Revista Estudos Feministas*, vol. 29, no. 2, 2021, pp. 1-14, p.8, Available from <https://www.scielo.br/j/ref/a/cNwyVKFqHbkqkrb3kcbvQc/?format=pdf&lang=pt> (accessed 21 July 2024).

³²⁸ Bento, 2015(a), p.86; R. W. Connell and J. W. Messerschmidt, ‘Hegemonic masculinity: Rethinking the concept’, *Gender & society*, vol. 19, no. 6, 2005, p. 846, Available from <https://journals.sagepub.com/doi/epdf/10.1177/0891243205278639> (access 21 July 2024).

³²⁹ Its definition can change over history, geographical location, population and what shapes dominance adopts in these contexts.

³³⁰ Connell, 1995, p.76.

³³¹ Bento, 2015(a), p.89-90.

³³² *Ibid.* p.98.

³³³ *Ibid.* p.94.

³³⁴ *Ibid.* p.10,100.

³³⁵ *Ibid.* p.100.

the centre of conceptions of masculinities (...): to be a man is not to be a woman'.³³⁶ In a colonial rationale, whiteness is present in the norms regarding masculinity, in a logic of interiorization of masculinities that are not white.³³⁷ When contextualising these standards of masculine behaviour it is important to consider the notion that what hegemony entails shifts according to different factors, thus, more 'subtle' forms of domination, not so noticeable expressions of hegemonic masculinity, also have to be observed.

Once a comprehension of hegemonic masculinity is mapped, it becomes possible to *transviadecer*³³⁸, it. This conveys comprehending the relationship between the cisheteronorm and hegemonic masculinity. They can be studied as different categories of analysis, however, it seems fruitful to examine them rather than as separate entities but as structures that overlap. A *transviado* approach proposes to question the processes that develop hegemony.³³⁹ In that sense, it is necessary to acknowledge that heterosexuality and cisgenderism are secured by institutions and behaviours. Hegemonic masculinity, being as well a monitoring practice, is responsible for enforcing the 'normalities' expected in terms of gender identity and sexuality. This need for constant reiteration of the norm,³⁴⁰ is central to hegemonic masculinity. From a *transviado* perspective the stability of what is considered the characteristics of hegemonic masculinity is constructed by the high frequency of recurring behaviour.³⁴¹

Within the studies of masculinities, scholars such as Bento and Connell fail to include transmasculinities in the discussion³⁴². When addressing subordinate subjects of hegemonic masculinity, those scholars mostly elaborate on the oppressions of (cis) women and (cis) gay men. This illustrates the importance of using the concept of cisheteronorm, it sheds light that in those works, for instance, authors are talking about a cisgender reality. In the realm of human rights, Madrigal-Borloz recognizes that gender equality for instance, is often globally thought of an equilavence between (cis) men and (cis) women.³⁴³ Still, the former expert reiterates that

³³⁶ Bento, 2015(a), p.95 (author's translation).

³³⁷ Pfeil and Pfeil, 2021(a), p.161.

³³⁸ *Transviader*, a verb derived from *transviado*, can be an equivalent of the verb queering, referring to a process of challenging normative perspectives on gender and sexuality.

³³⁹ P. M. S. Junior, M. Caetano and T. E. S. Goulart, "'Ele queria ser a Cinderela": Construções queer à leitura das masculinidades no Ensino Fundamental', *Revista Periódicus*, vol. 1, no. 9, 2018, p.91, Available from <https://periodicos.ufba.br/index.php/revistaperiodicus/article/view/25783> (accessed 22 July 2024).

³⁴⁰ Junior, Caetano and Goulart, p.94.

³⁴¹ Reeser, p.31.

³⁴² Bento, in her book on masculinities entitled 'Men do not weave pain: male complaints and perplexities' (author's translation), mentions 'trans man' once, stating that they are not included in public policies in Brazil. Bento, 2015(a), p.9.

³⁴³ UN General Assembly, *Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity*, Victor Madrigal-Borloz: *Practices of Exclusion*, 15 July 2021(a). A/76/152, para. 14 (emphasis added).

gender in international human rights frameworks do not only encompass (cis) women.³⁴⁴ Pfeil and Pfeil³⁴⁵, state that often, there is a restriction to the understanding of gender violence to the one implemented on cis women by cis men.³⁴⁶ This supports the state of invisibility of transmasculinities. At the same time, in works regarding transmasculinities, it is possible to observe a lack of systematisation of concepts regarding hegemonic masculinity. For instance, among others, in one article Pfeil and Pfeil use six different terminologies³⁴⁷ to refer to the same or similar phenomenons.³⁴⁸ Although they verse on the impact of the cisheteronorm and certain forms of masculinity on transmasculinities, there is a lack of a structured definition regarding hegemonic masculinity. Thus, when addressing hegemonic masculinities transmasculinities are left out at the same time that when approaching transmasculinities a precise definition of the oppressive structures operating could be more systematically implemented.

While scholars verse about other forms of masculinity different from the hegemonic,³⁴⁹ it is questionable where transmasculinities fall. The answer to that might be what Pfeil and Pfeil emphasise: transmasculinities are simply not understood as masculinities, they are left out of that spectrum.³⁵⁰ Here, the term invisibility also finds significance. The authors point out that it is impossible for transmasculinities to fit into a social structure that does not have an imaginary to understand them. The matter of invisibility can be considered a pillar of an effect that hegemonic masculinity promotes to transmasculinities.

Although erasure permeates the experience of transmasculinities within the cisheteronorm it is not always that they are not placed in the realm of masculinities. Pfeil and Pfeil argue that the engagement of transmasculinities with cisheteronormativity is inconstant, as they suffer from violences but can also be placed in a position of aggressors.³⁵¹ According to Pfeil and Pfeil, there is a hierarchy within the transmasculine community, translated into an aesthetic where the ideal transmasculine person is: ‘white, muscular, heterosexual,

³⁴⁴ UN Human Rights Council, *Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Victor Madrigal-Borloz: The Law of Inclusion*, 3 June 2021. A/HRC/47/27, para. 13, 14.

³⁴⁵ They are transmasculine scholars who write on transmasculinities.

³⁴⁶ Pfeil and Pfeil, 2021(a), p.159.

³⁴⁷ The terminologies are: toxic masculinity, patriarchal masculinity, cismasculinities, normative cismasculinities, dominant masculinity and hegemonic masculinity.

³⁴⁸ Pfeil and Pfeil, 2021(a), p.167.

³⁴⁹ Bento, 2015(a), p.91; Connell, 1995, p.80.

³⁵⁰ Pfeil and Pfeil, 2021(a), p.158.

³⁵¹ B. L. Pfeil and C. L. Pfeil, ‘Reflexões Sobre Transmasculinidades e Preservação da Vida: os Impactos da Deslocalização’, *Revista Estudos Transviades*, vol. 2, no. 3, 2021(b), p.56, Available from <https://revistaestudostransviades.wordpress.com/wp-content/uploads/2023/01/revista-estudos-transviades-v.2-n.3-jun-2021-51-60.pdf> (accessed 10 July 2024).

mastectomised, hormonised, non-disabled, fitting almost entirely into the ideals of cisheterosexual masculinity'.³⁵² On the other side of the spectrum, they describe 'non-heterosexual affective-sexual expressions, black, Indigenous, disabled, fat, not hormonised, who have not had and/or do not intend to have any surgical intervention on their breasts and/or genitals.'³⁵³ It is possible to observe how layers of subordination, deriving from hegemonic masculinity, also permeate the transmasculine community.

Despite possible efforts that could be made by transmasculinities to accede to what is fixed by hegemonic masculinity, Pfeil and Pfeil state that

The attempts to prove their masculinity are in vain. The only way they can be recognised as belonging to the field of masculinity is through a 'passable' reading, with no signs of inadequacy to the cisheteronorm and heteronorm.³⁵⁴

The ongoing examination process that the ideology of hegemonic masculinity proposes also affects transmasculinities, with the difference that it can be claimed that it would never be possible to reach that standard. The authors also introduce the concept of cis passability, defined as a transgender person who is not read as trans* in social settings, who is not recognised as trans.³⁵⁵ Additionally, Pfeil and Pfeil elaborate on how masculinity is shaped:

It is in childhood that we recover various narratives about how one learns to 'be a man'. From this, we understand that: 1) we are inferior to our peers who 'are men' and 2) in order to 'be men' we must inferiorise other bodies, especially peers within the scope of femininity.³⁵⁶

This illustrates two core aspects of the dynamics of how hegemonic masculinity functions in relation to transmasculinities: the need to subordinate what is considered feminine and the inferiority granted to transmasculinities. Considering the aspects above, it is possible to develop four categories of analysis to understand the interaction of hegemonic masculinity with transmasculinities, consisting of: invisibility, passability, violences exerted upon transmasculinites and hegemonic behaviour expected from transmasculinities.

As invisibility is reiteratively used to describe struggles regarding transmasculinities in Brazil, it is relevant to comprehend how it is supported by the ideology of hegemonic masculinity. Within this context, it is important to question what hinders transmasculinities from being legitimised, from being validated in occupying a masculinity space. Nery and

³⁵² Pfeil and Pfeil, 2021(a), p.170 (author's translation).

³⁵³ Ibid.p.170 (author's translation).

³⁵⁴ Ibid.p.172 (author's translation).

³⁵⁵ C. L. Pfeil, 2020, p.135.

³⁵⁶ Pfeil and Pfeil, 2021(a), p.172 (author's translation).

Maranhão recall that masculinity amounts to a privileged social position.³⁵⁷ From that statement, it is necessary to discern which masculinities share these advantages. Those are not subordinate masculinities, but the hegemonical one. After marking that difference, it is possible to return to the authors, who claim that there is a lack of social interest in transmasculinities because they are attempting to enter a locus of masculinities, which is protected by (cis)³⁵⁸ man, and in this process, they remain unnoticed.³⁵⁹ The entry sieve in the realm of masculinity and the chance of approval is in the power of cis manhood. This form of oppression is also engrained in institutions and can also be performed by other individuals who are not cis men. Still, when Bento states ‘to be a man is not to be a woman’³⁶⁰; then it is possible to question, how transmasculinities will be socially inserted as masculinities if the dominating form of this practice entails the repudiation of their starting location in socialisation?

This lack of social space is apparent in not recognising transmasculinities in history. There is a difficulty in acknowledging that some lived experiences were transmasculine, as they were understood as cis women disguising themselves as man.³⁶¹ Pfeil and Pfeil denounce that ‘there is no place transmasculinities can turn to historically’.³⁶² The historical erasure of transmasculinities contributes to a gap in the transmission and continuity of knowledge and practices, which need to then be intensely created in the present. It also shapes a lack of recognition of transmasculine historical contributions to society. Additionally, it increases the difficulty of using archives of this community as elements in human rights claiming processes. And finally, it creates a need to develop transmasculine references in the present.

Transmasculinities are also rendered invisible in the discourses that address them from outside of the community. As IBRAT recognised, 54% of the respondents of the mapping would identify with the term ‘trans men’.³⁶³ The other 46% use different names to identify themselves, including ‘*transmasculino*’. However, often in public policy³⁶⁴ they are referred to as trans men. In that sense, the majoritarian usage of ‘trans man’ in those contexts can be considered to reinforce the idea that transmasculinities, by definition, would wish to transform

³⁵⁷ Nery and Maranhão, 2013, p.151.

³⁵⁸ The authors do not mark/clarify that it is cis man, but it can be understood that they are addressing cis man.

³⁵⁹ Nery and Maranhão, 2013, p.151.

³⁶⁰ Bento, 2015(a), p.95 (author’s translation).

³⁶¹ Romero and Mendieta, p.525

³⁶² B. L. Pfeil and C. L. Pfeil, ‘Sobre o aniquilamento de corpos invisíveis: reflexões sobre transmasculinidades e suicídio’, *Revista Estudos Transviades*, vol. 2, no. 4, 2021(c), p.121, Available from <https://revistaestudostransviades.wordpress.com/wp-content/uploads/2023/01/revista-estudos-transviades-v.-2-n.-4-nov-2021-117-126.pdf> (accessed 18 JULY 2024) (author’s translation).

³⁶³ Instituto Brasileiro de Transmasculinidades (IBRAT), p.22.

³⁶⁴ Such as The National Policy of Integral Health of Lesbians, Gays, Bisexuals, Transvestites and Transsexuals.

into cismasculinities, and often attain hegemonic masculinity standards. Although a significant number of transmasculinities identify as ‘trans man’, in the context of public policy the exclusive use of the term comes from an outsider determination. Additionally, wording considered more ‘informal’ or vulgar such as ‘*boyceeta*’ is even less included in ‘official’ discourses. A comparison can be made with the terminology *travesti* (transvestite), which is used as a form of identification and is currently acknowledged inside and outside the trans* community and used in different levels of official communication.

When discussing what is expected from transmasculinities, in terms of aspiring to normative standards, it is important to address passability and how it relates to invisibility. C.L. Pfeil describes cis passability as

When we say that a trans person has ‘cis passability’, we are saying that they (...) are socially read as a cis person because they do not present - or are able to hide - aesthetic, bodily and behavioural signs that refer to stereotypes of transsexuality, in other words, a notion of incongruity.³⁶⁵

From that understanding of passability, Pfeil and Pfeil claim that passing as cis grants a trans* person invisibility as well.³⁶⁶ When passing, transmasculinities are validated from a hegemonical perspective only if their transness remains unknown for the cisgender gaze. Therefore, lack of visibility is present both when transmasculine individuals pass and when they do not, since then they are not acknowledged in the realm of masculinity and are read as cis women.

Passability is a somehow unattainable benchmark proposed by cisgenderism. It is essential to address it because its standards, from a normative perspective, are the characteristics of a hegemonic masculinity. In that sense, Pfeil and Pfeil propose using ‘cis passability’ as an instrument to comprehend the position of transmasculinities in relation to cisheteronormativity.³⁶⁷ And as Nery and Maranhão describe, it is a gatekeeper for (a partial) entry into legitimisation.³⁶⁸ From that, the question arises as to why transmasculinities would sometimes seek passability, especially in the sense of not exposing their trans* identity. Pfeil and Pfeil describe that one of the answers is that being passable prevents one from experiencing certain violences.³⁶⁹ The protection of the privacy of trans* people is present in human rights frameworks, the Yogyakarta Principles, for instance, establish that the right to privacy

³⁶⁵ C. L. Pfeil, 2020, p.135 (author’s translation).

³⁶⁶ Pfeil and Pfeil, 2021(a), p.170.

³⁶⁷ Ibid., p.163.

³⁶⁸ Nery and Maranhão, 2017, p.295.

³⁶⁹ Pfeil and Pfeil, 2021(a), p.170.

encompasses the individual's choice in revealing their gender identity.³⁷⁰ As revealing one's transmasculine identity could pose a risk of suffering aggressions it is important to observe the relevance of passability in supporting the privacy of one's identity. Other than possibly preventing violences, passability relates to the fact that hegemonic masculinity operates in a way that transmasculine people are not exempt from internalising it. The aim is not to exhaust answers but to understand what they produce, when they are present, and with which institutional mechanisms they relate. It is also important to mark a difference, as C.L. Pfeil explains, passability involves this ruler of hegemonic masculinity, however, this sense of domination is not necessarily present in the intention of all transmasculinities who pass or are in the path of passing.³⁷¹

Passability is expected, for instance, in healthcare as a wish of transmasculine individuals, as the obvious goal of a process of 'transition'. Adding to that, individuals who experience further layers of discrimination and inequality face challenges concerning passability, being important to ask: passability is possible for whom? This is exemplified in the usage of testosterone, which increases as the average salary increases, meaning that transmasculines who have lower incomes have fewer possibilities of accessing this form of healthcare.³⁷² Thus, it is also a class matter that regulates the access to not being socially perceived as trans*. Concomitantly, race is intertwined with class, as in Brazil lower income is more prevalent in non-white populations.³⁷³ Also, as normative gender expectations are interwoven with whiteness³⁷⁴, the ideal of hegemonic masculinity is white. When black transmasculinities pass in Brazil they do not occupy the same position as white transmasculinities.

Different violations occur depending on how the cisgender gaze classifies a transmasculine person. Pfeil and Pfeil suggest that passability can also be understood as a movement of transition of violences, as trans* bodies cannot avoid being discriminated against.³⁷⁵ Although by passing there might be the possibility of avoiding violences and occupying spaces, Pfeil and Pfeil argue that there is an inherent violence in the need for passing, which is not possible to avoid. They state that 'the invisibility of our identity becomes a

³⁷⁰ The Yogyakarta Principles, p.14.

³⁷¹ C. L. Pfeil, 2020, p.131.

³⁷² Instituto Brasileiro de Transmasculinidades (IBRAT), p.39.

³⁷³ Instituto Brasileiro de Geografia e Estatística, *Panorama Censo 2022*, 2022, <https://censo2022.ibge.gov.br/panorama/> (accessed 22 June 2024).

³⁷⁴ See p. 32, 33.

³⁷⁵ Pfeil and Pfeil, 2021(a), p. 164, 170.

condition of our humanisation'.³⁷⁶ It is important here not to frame those who pass as conformative, as structuring or contributing to the norm. There is a discourse that claims that trans* people are reinforcing gender norms by 'transitioning' and having expressions close to hegemonic masculinity, for instance. This thought supports the increase of discrimination since it places transmasculinities in the place of perpetrators of domination. Indeed there is a phenomenon which is the reproduction of violence by transmasculinities due to the cisheteronormative context imposed upon them. This should be considered, however, not be situated as the main focus of analysis or issue. Also, it is important not to frame a dispute between two opposing poles within transmasculinities, those who are non-conforming versus those who conform. To conclude the matter of passability C.L. Pfeil continues

When it comes to trans people, the conflict between what one is and what one appears to be is permanent, because no matter how much cis passability a trans person accumulates, they will never be cisgender, and they will never be able to reiterate gender stereotypes and insert themselves into binary (...) Is a man with a vagina a man? What's the point of looking masculine and not having a penis? 'Be a man', like 'close your legs, sit up straight, don't raise your voice', is nothing more than discursive violence. Despite its symbolic nature, it is through these statements that material violence is justified.³⁷⁷

From C.L. Pfeil's argument, it is possible to extract the linkage between latent forms of subjugation of transmasculinities which lead both to material aggressions towards them and to possible gender domination practices arising from them.

Those actions of possible reproduction of hegemony are not exclusively tied to passability, since it is a category that involves more the aspects of social reading and a cisgender gaze over transmasculinities. But still, in passability, and in the reproduction of violence by transmasculinities behaviours are the core aspects to be considered. And those are the 'classical' hegemonic masculinity practices such as aggressiveness, competition, inferiorisation of the feminine, constant seeking of approval, and heterosexuality. Even before having the possibility to pass as cis, for those who did not yet undergo body modifications but wish to do so, it is hegemonical masculinity behaviour is often expected from the medical realm.³⁷⁸ However, as Pfeil and Pfeil argue 'no matter how much they perform oppression and reproduce behaviours that subordinate other bodies, the oppressed individual will never be the

³⁷⁶ Pfeil and Pfeil, 2021(a), p.170 (author's translation).

³⁷⁷ C. L. Pfeil, 2020, p.136 (author's translation).

³⁷⁸ Pfeil and Pfeil, 2021(a), p.165.

oppressor'.³⁷⁹ It is important to question then, what are possible effects of being inserted in this place of expectation of oppression.

The idea that transmasculinities can fully occupy a place of masculine hegemony comes hand in hand with the repudiation of that oppression in spaces likely occupied by them before possible processes of body modification. What often happens is that transmasculinities are then excluded from spaces where they once belonged and helped build, such as feminist movements and lesbian communities. In certain contexts, masculinity and manhood are received with rejection. The poem 'Sorry for Being a Man'³⁸⁰ by Okano and Brandão addresses the experience of being discriminated against in those dynamics:

*Eu vou hesitar 10mil vezes
Antes de me dizer homem
(...) Mas "homem é privilégio"
"Com homem nunca dá certo"
"Homem tem que ser extinto"
Só salva porque tem pinto"*

I'll hesitate 10 thousand times
Before I call myself a man
(...) But 'man is privilege'
'It never works out with man'
'Men must be extinct'
'Only saves because he has a dick'³⁸¹

In that sense, they are situated in this place of exclusion for now identifying with masculinity, which ignores their history of socialisation, and the fact that they will never actually attain this hegemonical position.

When mapping other violences that affect transmasculine individuals there is another encounter with the barrier of invisibility. This translates into the fact that for instance, deaths of transmasculine individuals are registered as deaths of lesbian cis woman, especially if the person did not have their gender and/or name changed in their documents.³⁸² It is still difficult for associations such as ANTRA to comprehend physical violences towards transmasculinities, according to Pfeil and Pfeil this is because transmasculinities are rendered invisible in a cisheteronormative context.³⁸³ However, it is essential to think about how this violence impacts

³⁷⁹ Pfeil and Pfeil, 2021(a), p.172 (author's translation).

³⁸⁰ Author's translation to 'Desculpa por ser Homem'.

³⁸¹ K. Okano and D. Brandão, 'Desculpa Por Ser Homem – Disforia Queercore', *Revista Estudos Transviades*, vol. 2, no. 4, 2021, pp. 56-58, Available from <https://revistaestudostransviades.wordpress.com/wp-content/uploads/2023/01/revista-estudos-transviades-v.-2-n.-4-nov-2021-56-58.pdf> (accessed 19 July 2024) (author's translation).

³⁸² C. L. Pfeil, 2020, p.149.

³⁸³ Pfeil and Pfeil, 2021(c), p.119.

transmasculinities and how it relates to hegemonic masculinity. Pfeil and Pfeil reiterate that ‘unrecognisable bodies are no less annihilable’.³⁸⁴

Other than the physical violence itself, existing in a cisheteronormative setting creates a fear of aggressions and discrimination for transmasculinities, according to Pfeil and Pfeil.³⁸⁵ The authors report apprehension in using man's bathrooms, as those are often not designed for people without penises. They mention, generally, a fear of being uncovered and recognised as trans* by cismasculinities in those spaces. In that sense, showing one's body can be dangerous, as demonstrating certain behaviours. So there is an attempt to mimic socially considered masculine expressions, not displaying anything considered feminine. Pfeil and Pfeil also describe a fear of sexual violence in those locations. In summary, sharing spaces with cismasculinity can represent a risk.

Suicide, as a phenomenon that significantly impacts transmasculinities in Brazil, can also be analyzed in the context of hegemonic masculinity. According to Pfeil and Pfeil, as suicides are registered in the categories ‘man’ and ‘woman’, there is a difficulty in identifying transmasculine occurrences.³⁸⁶ The authors indicate that this amounts to a practice particular to cisgenderism, of considering ‘man’ and ‘woman’ as universal categories. They follow by denouncing that in masculinity studies suicides amongst cis men are prominent while transmasculinities receive less attention. From their thoughts it is possible to observe that this approach ignores the necessity of understanding how suicide can affect trans* individuals differently, especially considering the specific discriminations they undergo. Pfeil and Pfeil propose the term ‘*suicidio*’ to refer to transmasculinities who committed suicide.³⁸⁷ The term is also often used by members of the transmasculine community in social media. Its translation can be ‘was suicided’, as in ‘was killed’, implying that suicide was committed upon them. It places the responsibility on something other than the individual, indicating the role of the cisheteronormative social environment. Expanding on this, Pfeil and Pfeil recall that when living it is often that transmasculinities are disregarded:

To think about the phenomenon of the suicide of transmasculine bodies is also to think about whether, in life, these bodies were really considered alive, existing, epistemic. Suicide perhaps does not only symbolise organic death, but the search for what we try our best to deny: a world that does not recognise us, that erases us at all costs.³⁸⁸

³⁸⁴ Pfeil and Pfeil, 2021(b), p.57 (author's translation).

³⁸⁵ Pfeil and Pfeil, 2021(a), p.164.

³⁸⁶ Pfeil and Pfeil, 2021(b), p.52.

³⁸⁷ Pfeil and Pfeil, 2021(c), p.120.

³⁸⁸ Ibid., p.119 (author's translation).

From this statement, it is possible to see the connection between high suicide rates and the invisibility particular to the cisheteronorm and the engagement with hegemonic masculinity. Still, as Cárdenas warns, the pathologising notion also associates transness with mental illness, with the potential for suicide.³⁸⁹ In that sense, it is important to acknowledge the social factors that lead to this suffering and not resume the struggles of this community to suicide. Nevertheless, it is important to observe, as transmasculine authors are currently producing knowledge about it and associations such as IBRAT are attempting to map it.

The majority of men hardly attain hegemonic masculinity, still, its ideology has an overarching presence in a cisheteronormative society. It can also consist of different practices according to the historical and social context. Thus, there is no fixed model for a hegemonic form of masculinity, however, it is possible to describe some potential characteristics that also apply to a Brazilian context. In this setting, transmasculinities can be considered one subordinate form of masculinity in a cisheteronormative environment - and since transmasculinities are multiple, other social markers intersect with transness and shape different relationships of transmasculinity with hegemonic masculinity. Transmasculinities can be passable as cis or not in social settings, which certainly can differ depending on the context, person, moment and other factors - meaning that it is not a fixed ruler that can be established upon each individual. Passability is nevertheless an important aspect to observe since independent of it transmasculinities are frequently not included in the realm of masculinities, which leads to different negative effects on them. From that, it is relevant to question how these oppressive systems shape discriminatory practices towards transmasculinities, and if anti-discrimination, as part of human rights, can be fostered by addressing the roots of those structures and how to perform that. To begin answering those enquiries it is important to not see the transmasculinities as essentially subordinate since that is always relational, but also to recognise the possibilities of shaping and imagining practices in masculinity that counter the ideology of hegemonic masculinity.

3.5 Non-hegemonic alternatives within transmasculinities in Brazil

*gender theory is also relevant as a tool to address, analyse and transform systems of violent masculinity.*³⁹⁰

³⁸⁹ M. Cárdenas, 'Sick', *Transgender Studies Quarterly*, vol. 1, no. 1-2, 2014, p. 182, Available from <https://read.dukeupress.edu/tsq/article/1/1-2/181/91756/Sick?searchresult=1> (accessed 18 July 2024).

³⁹⁰ UN Human Rights Council, 3 June 2021. A/HRC/47/27, para 14.

The statement from the former UN Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Madrigal-Borloz, marks the relevance of reflecting on non-hegemonical masculinities as part of constructing transmasculine masculinity from a trans* standpoint. It means marking a difference from hegemonic masculinity and imagining meanings around masculinity that come from bodies that were not assigned male at birth. For this process to occur it is necessary to attempt to characterise these alternatives, differentiating what they are not. It also encompasses observing specific practices, especially the use of language within the community, and how discourses create non-hegemony. In that sense, when avoiding the governing of transmasculinities by a medical realm depathologisation and self-determination are part of the comprehension of alternatives. Moreover, those are not individual endeavours, which would require singular observation of behaviours. Rather, they are composed of collective practices of knowledge sharing, mutual support in undergoing a trans* experience and the elaboration of environments where non-hegemonical practices of masculinity are nurtured. Finally, it is possible to question if non-hegemonical transmasculine alternatives can have an impact on hegemonic masculinity and cisheteronormativity. In this framework, it is relevant to remark that a Brazilian contextualisation is created by referencing Brazilian scholars³⁹¹ in the analysis, which addresses practices that can be particular to the country.

Within the studies of masculinities, certain scholars, such as Halberstam, also verse on masculinities performed by non-men or bodies that are not assigned male at birth.³⁹² This supports the understanding and enhances the visibility of transmasculine experiences of masculinity. Certain transmasculinities can be placed inside the category of man, however, it is relevant to acknowledge those who are not and to recognise their history of socialisation outside the spectrum of manhood. Cavaca-Moreira and Padilha stress that:

masculinities, as patterns of practice, can be performed by individuals with diverse gender and sex identifications or other social mediators of differentiation - disability, ethnicity, age, class, sexuality, migration status, among others.³⁹³

³⁹¹ The article J. A. Caravaca-Moreira and M. I Padilha, 'Masculinidades trans: sobre alegorías, performatividades y subversiones a las cisheteronormas', *Revista Periódicus*, vol. 1, no. 13, 2020, pp. 44-60, Available from <https://periodicos.ufba.br/index.php/revistaperiodicus/article/view/38057> (accessed 10 July 2024) is in Spanish, however, the research was performed with transmasculinities in Brazil and in other countries of Latin America.

³⁹² Caravaca-Moreira and Padilha, p.50.

³⁹³ *Ibid.*, p.51 (author's translation).

This goes hand in hand with the idea proposed by Connell that there are masculinities different from the hegemonic one.³⁹⁴ Nevertheless, it can be fruitful to go beyond analysing those in a place of subordination and examine how they are shaped and if they have the potential to counter hegemony and impact norms.

The invisibility and lack of understanding of transmasculinities given by a cisheteronormative context pose a need to develop other forms of comprehension of those. This is illustrated by Pfeil and Pfeil's statement:

There is no point in fighting for social recognition in a society that does not make us intelligible, whose [cis]norms do not appeal to us, whose self-defence mechanisms render any possibility of self-determination. If we are not recognised by Them, let us be fully recognised by Us, and let this recognition be, for Them, the annihilation that has so far overtaken us.³⁹⁵

Here there is a claim for the necessity of being positioned socially from a reference point, which would be a transmasculine-centered one. This is being shaped from within the community and aims to extend these potential benchmarks to other sectors. The goal is to ensure that these insights reach other social sectors apart from the transmasculine community, aiming to contribute to less discriminatory practices towards transmasculinities. Having perspectives on what non-hegemonic alternatives to transmasculine could be can also be relevant to processes of claiming human rights, as a normative referential of what a 'trans man' is might not be the best starting point to rights acquisition.

When attempting to comprehend what is common to non-hegemonic alternatives, there can be an encounter with the perception that the shared space is precisely opposing the logic of cisgenderism. As Pfeil and Pfeil describe:

Transmasculinities are not variations of cismasculinities, but intersections of non-normative models in the construction of subjects - in other words, the constitution of transmasculinities does not depend on cismasculinities. When we say, for example, that our breasts are men's breasts, that our vaginas are men's vaginas, that our feet are men's feet, that our whole body is a man's body, because we are men and we inhabit our bodies, we are discrediting the pathologising relationship between medicine and identity. This does not mean that, from this re-signification, our possible desires for body modification cease - it means, in fact, that we do not hate our bodies, and we do not want to modify them because we hate them, but because we want to improve them to get closer to a truer image we have of ourselves, or for whatever other reasons we have in mind. By re-signifying the body, we find diverse and free ways of experiencing and performing masculinity, whatever that means.³⁹⁶

³⁹⁴ Connell, 1995, p.80.

³⁹⁵ Pfeil and Pfeil, 2021(c), p.125 (author's translation).

³⁹⁶ Pfeil and Pfeil, 2021(a), p.173-174 (author's translation).

The proposed notion means breaking meanings proposed by normativity, especially the ones tied to the body. Thus, non-hegemonic alternatives also imply an understanding of body modifications different from an adequation to a normative frame on manhood, but as a voluntary and independent practice of ownership of the meanings tied to embodiment. Additionally, proposing a transmasculine reference to masculinities aims to avoid transmasculinities reproducing dominative practices, according to Pfeil and Pfeil.³⁹⁷

A transmasculine proposition to masculinity can entail a process of subjective investigation of one's own masculinity.³⁹⁸ Since masculinity is not socially instituted to this population from birth, this can entail a process of consciousness in reflecting meanings around masculinity. Also, Caravaca-Moreira and Padilha propose that within transmasculinities there can be an acknowledgement of the type of masculinity one wishes to perform and of one's non-hegemonical position.³⁹⁹ From a *transviado* perspective, all masculinities are socially developed, however, the departure points of this construction are different.

Bento proposes the concept of critical masculinity in which man would question hegemonic masculinity, hierarchical gender structures and repudiate peers who perform those.⁴⁰⁰ Coming across this notion might raise the question: would it be possible to describe non-hegemonic alternatives within transmasculinities using Bento's concept of critical masculinity? One path to answering this question is to consider it from a non-individualistic perspective. This means not looking at each transmasculine individual, since that would reinforce separations where some could be considered critical or non-conforming and others not. Differently, when examining the proposition of non-hegemonic alternatives it can be that they fall under a critical approach. However, it is still necessary to acknowledge that Bento was addressing cismasculinities when introducing this concept, and those forms of critical masculinities have to be understood as having different particularities.

Other questions that surround the characterisation of non-hegemonic alternatives are if those are somehow less binary or contain queerness. Returning to the verbal character of queer and the movement present in it, to the unfixed quality of such identities, there can be a highlight of the transgressiveness of transmasculinities. As Pereira states:

It is not, therefore, the security of the operated body, finally conforming to its "gender identity", that queer propagates, but above all the instability of bodies that do not conform. Bodies, surgeries, prosthetics, sexual practices; transsexuals, drags and

³⁹⁷ Pfeil and Pfeil, 2021(a), p.174.

³⁹⁸ Caravaca-Moreira and Padilha, p.57.

³⁹⁹ Ibid.

⁴⁰⁰ Bento, 2015(a), p.86.

transvestites appear in movement, denouncing the precariousness of what is announced as the norm and which is installed as a coherent way of life and a privileged path.⁴⁰¹

When revisiting Pereira's thought on motion and queerness it is possible to create a connection between what queer propagates and the proposition of transmasculine Brazilian scholars to develop transmasculinities from a standpoint different from cismasculinities. Thus, it is possible to affirm that queerness or a *transviado* aspect is part of the elaboration of non-hegemonic masculinity alternatives.

Concomitantly it is relevant to examine what non-hegemonic transmasculine alternatives are not. As Pfeil proposes, they question the cisheteronormative structure but at the same time it is important to avoid imposing a rigid substitute to replace it.⁴⁰² Thus, this movement of characterisation is not one of defining how individuals should perform, implying for instance that this non-hegemony entails non-binary, non-straight identities or androgyny as a gender expression⁴⁰³. It does not mean shaping the image of a type of transmasculine individual who would be non-hegemonical. Instead, it is an approach to comprehending collective practices of versing on masculinities that do not perform the domination demanded by the ideology of hegemonic masculinity, including multiplicities of different social markers within it. Pagnan introduces that the (cis) gay community shaped new forms of masculinity in relation to spaces due to forms of interaction - by reiterating establishing certain behaviours, language and performativities which fomented a new form of masculinity.⁴⁰⁴ This can be observed in correlation to Connel and Bento's work on masculinities, as (cis) gay masculinities are mentioned as a form of subordinated masculinity, as a cohesive category, but still acknowledging its contextual and plural/multiple character. A similar process could currently be observed regarding transmasculinities.

Within those non-hegemonical practices, the usage of language can be observed, both when creating terms of identification or when addressing issues that affect the transmasculine community. According to Pagnan, this type of elaboration of language works to develop meanings to realities beyond cisheteronormativity, constructing new possibilities of being.⁴⁰⁵

⁴⁰¹ Pereira, 2012, p.373 (author's translation).

⁴⁰² C. L. Pfeil, 2020, p.151.

⁴⁰³ The Yogyakarta Principles define gender expression as 'each person's presentation of the person's gender through physical appearance – including dress, hairstyles, accessories, cosmetics – and mannerisms, speech, behavioural patterns, names and personal references, and noting further that gender expression may or may not conform to a person's gender identity.' The Yogyakarta Principles, p.6.

⁴⁰⁴ R. Pagnan, 'Espaço, gênero e identidade: a onipresença da masculinidade e a revolução das bixas transviadas', *Revista Periódicus*, vol. 1, no. 13, p.162, Available from <https://periodicos.ufba.br/index.php/revistaperiodicus/article/view/35209/21730> (accessed 20 July 2024).

⁴⁰⁵ Pagnan, p.173.

Thus, the employment of terms different than ‘man’ is core to the construction of non-hegemonical alternatives, especially when there is a claim from the community that those wordings entail counter normativity. Certain effects of this usage can be seen for instance when the term *boyceta* was widely shared on the internet once a cut of a podcast video by the non-binary transmasculine rapper Juppiter Pimentel claiming that expression was shared and mocked by Nikolas Ferreira, a far-right parliamentarian.⁴⁰⁶ This resulted in attacks to Juppiter on social media and debates inside and outside the trans community, as some transmasculines do not identify with the term, argue that using such wording can bring more discrimination to this population, and that it is bound to a specific social context and geographical location, which is the rap and hip-hop context of the city of São Paulo. So, within this movement, there is a need to comprehend tensions inside the community regarding it.

Naming issues that affect the community is also part of discursive practices of creating non-hegemonic alternatives. To illustrate, when ‘*suicidado*’ is employed to highlight the social character of suicide amongst transmasculinities, not only in academia but in social media, indicating a broader reach of the idea. The matter is appropriated by the community, which also produces research on it, increasing knowledge of the phenomenon. Significantly, this is a transmasculine-centered approach, which is part of not leaving space for a pathologising gaze to dominate discourses around the topic. Bento and Pelúcio alert for the importance of not seeing trans* individuals as inherently suicidal. This contributes to a pathologising view on the phenomenon entailing the removal of autonomy in mental and general health care and employing the management of decisions by the medical realm.⁴⁰⁷ Hence, the usage of ‘*suicidado*’ contributes to dismantling this logic by emphasising the correlation between discrimination, lack of human rights and precarity of mental health, also indicating some of the needs of the community in terms of rights claiming.

When addressing non-hegemonic alternatives within transmasculinities it is necessary to discuss depathologization in relation to self-determination. Transmasculine authors, such as Pfeil and Pfeil, reinforce that depathologisation is crucial to guarantee gender self-determination and autonomy.⁴⁰⁸ C. L Pfeil states: ‘If there is a logic of guardianship and control over trans bodies, it is based on the idea that trans people would never be capable of self-

⁴⁰⁶ Redação Terra, “*Eu sou boyceta, sim*”, declara rapper após ironia do deputado Nikolas Ferreira (website) 2024

https://www.terra.com.br/nos/paradasp/eu-sou-boyceta-sim-declara-rapper-apos-ironia-do-deputado-nikolas-ferreira,de6068a10cb2a21e8ebcdc55f5544fa56syh7zsy.html#google_vignette (accessed 20 July 2024); L. Valle, *O que é boyceta?* (website) 2024 <https://igualize.com/o-que-e-boyceta/> (accessed 20 July 2024).

⁴⁰⁷ Bento and Pelúcio, p.576.

⁴⁰⁸ Pfeil and Pfeil, 2023(a), p.11.

determination'.⁴⁰⁹ Self-determination in relation to gender is not a concept coined only within trans* communities, it is part of human rights frameworks, as Madrigal-Borloz describes:

(...) Self-determined gender is a fundamental part of a person's free and autonomous choice in relation to roles, feelings, forms of expression and behaviours, and a cornerstone of the person's identity.⁴¹⁰

It composes the right to bodily and mental integrity and the right to health.⁴¹¹ In that sense, to promote self-determination as part of depathologisation, Favero and Souza suggest that mental health attention should departure from the particular meanings that the trans* individual attributes to gender and identity, avoiding the reinforcement of a standardised relation to the body and identity and universalised concepts as a base for treatments.⁴¹² This principle of practice can contribute to enabling non-hegemonic alternatives to flourish.

Shaping different forms of masculinity is not an individual practice. C. L. Pfeil states that breaching the cisheteronorm and its mechanisms is a collective effort.⁴¹³ The author claims that this involves creating a network of care that amounts to sharing information on body modification processes, access to hormones, or contacts of trustworthy medical professionals, for instance. The cyberspace is a locus where this is significantly practised⁴¹⁴, being a context where geographical separation can be overcome since physical distances can be a challenge to experience transmasculine community depending on the location where the individual is situated. Additionally, an archive of practices is established, shared and modified through time. There, autonomy is explored and educational initiatives can take place, including also potential tensions and disagreements within the community.

It can be considered that these communal practices contribute to filling a gap, described by Pfeil and Pfeil, of a lack of subjective networks within transmasculinities and a symbolic non-existence.⁴¹⁵ Initiatives such as *Revista Estudos Transviades* and *Brava* are relevant, as they merge academic knowledge, subjective understandings, communal practices and artistic expressions in versing on transmasculinities. *Brava* is an educational platform where courses, workshops and others are developed with the 'aim of promoting the visibility and circulation of knowledge produced by trans people and cis women'⁴¹⁶, often on topics related to transness

⁴⁰⁹ C. L. Pfeil, 2020, p.131 (author's translation).

⁴¹⁰ UN General Assembly, 12 July 2018. A/73/152, para 21.

⁴¹¹ The Yogyakarta Principles +10, p.10; UN General Assembly, 12 July 2018. A/73/152, para 5.

⁴¹² Favero and Souza, p.312.

⁴¹³ C. L. Pfeil, 2020, p.146.

⁴¹⁴ Nery and Maranhão, 2013, p.154.

⁴¹⁵ Pfeil and Pfeil, 2021(c), p.121.

⁴¹⁶ *Brava, Um espaço de troca e conexão a partir do compartilhamento de conhecimento dissidente* (website) <https://www.bravasp.com.br/> (accessed 22 July 2024) (author's translation).

and transmasculinities. There, knowledge is developed in a decolonial approach, for instance by centralizing decolonial and non-white contents and questioning colonial knowledge sharing practices. This can be considered part of the construction of non-hegemonic alternatives in transmasculinities, as in those spaces comprehensions are circulated and communication on meanings around masculinity is shared.

Hegemonic masculinity requires peer reinforcement, a repetition and a search for validation. Differently, non-hegemony within transmasculinities can be thought of as not entailing peer validation processes but creating other collective practices that design an environment where non-hegemony can thrive, overcoming an individual level of it. As Pagnan argues ‘it is only and exclusively by being in a community and being part of a community that an individual can acquire the identity which they are searching’⁴¹⁷. In this case, there can be mutual recognition in a location of masculinity, rejecting the constant and impossible validation proposed by the ideology of hegemonic masculinity. Within this thought it is important to acknowledge that it is still relevant that transmasculinities, as forms of non-hegemonical masculinity, are considered as such by broader society. Existing and being visible in a physical space can be part of that process. According to Pagnan,

In this process of exposing themselves in public, established cultural values and existing spatial and bodily forms are transformed. In other words, with this community putting itself on display more and more, we come to recognise the different ways of being in the world, of saying things, of different identities, sociabilities, relationships, etc.⁴¹⁸

The author refers to cis gay man communities, however, the idea can be transposed to transmasculinities. It reinforces the notion that collective occupying the streets as it occurred in the first transmasculine walk of Brazil on the 3rd of March of 2024, in São Paulo, organised by IBRAT,⁴¹⁹ can increase the broader social establishment and visibility of masculinities that are not hegemonical.

Although hegemonic masculinity has a significant presence in a cisheteronormative context it has also been questioned. Cavaca-Moreira and Padilha remark that naturalised and rigid positions within masculinities have been challenged by the changes proposed by other

⁴¹⁷ Pagnan, p.162 (author’s translation).

⁴¹⁸ Ibid., p.164 (author’s translation).

⁴¹⁹ About 10 thousand people were present in the walk. A. R. Santos, ‘1ª Marcha Transmasculina do Brasil traz visibilidade a homens trans e não binários’, *Jornal da USP*, 11 March 2024, Available from <https://jornal.usp.br/diversidade/1a-marcha-transmasculina-do-brasil-traz-visibilidade-a-homens-trans-e-nao-binarios/#:~:text=A%201%C2%AA%20Marcha%20Transmasculina%20do,e%20pontuar%20que%20temos%20mem%C3%B3ria> (accessed 16 July 2024).

forms of masculinities such as transmasculinities.⁴²⁰ Thürler and Medrado reinforce this notion when stating

the powerful difference between specific versions of masculinities serve to think about how men and masculinities can be linked to the ‘politics of unlearning’. These are politics that desacralise social values and norms that regulate daily life and individual practices, destabilising social, cultural and institutional norms that perpetuate inequalities and violence.⁴²¹

In that sense, transmasculinities can be starting points to questioning perceptions of gender and masculinity as their existence poses a challenge to the sexed body and gender continuum. However, it is important to analyse this potential impact critically, as these enquiries remain theoretical, making it difficult to measure the effects of this type of non-hegemonic masculinity in different Brazilian social contexts. Contemplating those effects can also be productive when associating them with broader trans* impacts on normativity. Thus, still considering the specific association of transmasculinities with masculinity but dialoguing with how other gender and sexual dissidences and experiences of abjection also can affect cisheteronotmativity. Adding to that Pfeil argues ‘the struggle of the trans movements extends to all people who also find themselves trapped in limiting patterns of behaviour and the [re]production of cisheterocentric desires’.⁴²² In that sense, it is constructive to return to a *transviado* possible concept of trans*, where transgender is about the experience of a conflict with gender norms. There, transgender itself questions the fixed concept of sex, stressing its sociohistorical character and thus provoking the same with gendered practices attached to it, such as hegemonical masculinity. In this case, transmasculinities and trans* relativise the position of norms, having the potential of denaturalizing them and raising the question of where and why those exist in the first place.

4 A *Transviado* Approach to Human Rights Concerning Transmasculinities

The notion that there is a gender norm, from which identities and expressions vary or depart, is based on a series of preconceptions that must be

⁴²⁰ Caravaca-Moreira and Padilha, p.46.

⁴²¹ D. Thürler and B. Medrado, ‘Masculinidades contemporâneas em disputa’, *Revista Periódicus*, vol. 1, no. 13, 2020, p. 4, Available from <https://periodicos.ufba.br/index.php/revistaperiodicus/article/view/38036/21736> (accessed 20 July 2024).

⁴²² C. L. Pfeil, 2020, p.150 (author’s translation).

*challenged if all humankind is to enjoy human rights.*⁴²³

The statement from Victor Madrigal-Borloz, the former United Nations (UN) Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, draws a connection between the importance of confronting the cisheteronorm to advance human rights, not only of trans* people but of all individuals. To analyse gender norms, especially concerning transmasculinities, a *transviado* perspective was demonstrated to be relevant. Thus, it can also contribute to, question and complement human rights frameworks, which have been adopting theories regarding gender to substantiate findings, analysis, recommendations, and paths to safeguarding the rights of transgender individuals. To explore these issues further, two key questions will be asked: how do current international human rights frameworks align with a *transviado* perspective on transmasculinities in Brazil? And how can a *transviado* perspective enhance the principle of non-discrimination as it applies to transmasculinities?

4.1 How do current international human rights frameworks relate to a *transviado* perspective on transmasculinities in Brazil?

Human rights concerning trans* people are a vast field. Internationally, the UN has developed various standards, recommendations, analyses and more on gender identity and expression. These approaches have changed over time, being more refined and tuned with the most pressing issues around the rights guarantee of gender-diverse people. The core documents that affirm binding international legal standards on gender identity and sexual orientation are the Yogyakarta Principles, from 2007 and the Yogyakarta Principles Plus 10, from 2017.⁴²⁴ Additionally, the UN implemented the mandate of an Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity in 2016, through the resolution 32/2.⁴²⁵ As part of the mandate, annual reports are issued to the United Nations General Assembly and the United Nations Human Rights Council (UNHRC).⁴²⁶ Since the adoption of the resolution eight reports have been published to the UNHRC and seven to the General Assembly. Two experts concluded their mandates since 2017: Vitit Muntarbhorn and

⁴²³ UN Human Rights Council, 3 June 2021. A/HRC/47/27.

⁴²⁴ The Yogyakarta Principles; The Yogyakarta Principles +10.

⁴²⁵ UN Human Rights Council Res 32/2, 15 July 2016.

⁴²⁶ Ibid., para. 4.

Victor Madrigal-Borloz⁴²⁷; Graeme Reid is the current mandate holder.⁴²⁸ The mandate involves: assessing the implementation of instruments; dealing with foundational causes of discrimination and violence; raising awareness; engaging with different stakeholders; collaborating with States; addressing discrimination and violence; assisting with services, capacity-building and more aiming to facilitate State initiatives.⁴²⁹ It is relevant to disclose the functioning and characteristics of the mandate, as well as of documents such as the Yogyakarta Principles, since in combination they comprise the most recent global international human rights framework that applies to the case of transmasculinities in Brazil, as the country is a signatory to the Principles. The Yogyakarta Principles are central to the analysis since they represent a landmark, compiling and systematising human rights related to gender identity in an effort to approach gaps previously present in international human rights law concerning the topic.⁴³⁰

At a regional level, the Inter-American Human Rights System has engaged with gender identity by issuing documents such as the Advisory Opinion OC-24/17 on Gender Identity, Equality and Non-discrimination of Same-sex Couples, by the Inter-American Court of Human Rights and reports by the IACHR, including the report on Trans and Gender Diverse Persons and Their Economic, Social, Cultural, and Environmental Rights, of 2020⁴³¹. The Inter-American Court expressed that the American Convention on Human Rights protects gender identity:

⁴²⁷ The reader might notice that reports from Madrigal-Borloz are more proeminently used in comparison to the other two experts. This is due to the fact that Muntarborn published two reports and Reid one, the three of them portraying contents less aligned with the topic of this thesis in comparison to Madrigal-Borloz's publications. Muntarborn's reports (A/HRC/35/36 and A/72/172), for instance, do not address systemic causes of discrimination with the same emphasis as Madrigal-Borloz - this can be observed in the terminology used, as the former expert does not make consideration about cisgenderism, cisnormativity and others, different from Madrigal-Borloz. The report published by Reid (A/HRC/56/49) examines freedom of expression, peaceful assembly and association, a relevant topic, however, not as fitting within the scope of this thesis as some of Madrigal-Borloz's reports. UN Human Rights Council, *Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity*, 19 April 2017. A/HRC/35/36; UN General Assembly, *Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity*, 19 July 2017. A/72/172; UN Human Rights Council, *Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity*, Graeme Reid, 18 April 2024. A/HRC/56/49

⁴²⁸ UN Human Rights Office of the High Commissioner, *Annual Thematic Reports* (website) <https://www.ohchr.org/en/special-procedures/ie-sexual-orientation-and-gender-identity/annual-thematic-reports> (accessed 15 July 2024); UN Human Rights Office of the High Commissioner, *Graeme Reid* (website) <https://www.ohchr.org/en/special-procedures/ie-sexual-orientation-and-gender-identity/graeme-reid> (accessed 15 July 2024).

⁴²⁹ UN Human Rights Council Res 32/2, 15 July 2016, para. 3.

⁴³⁰ The Yogyakarta Principles, p.7.

⁴³¹ Inter-American Commission on Human Rights, *Report on Trans and Gender-Diverse Persons and their Economic, Social, Cultural, and Environmental Rights*, 7 August 2020. OEA/Ser.L/V/II.

115. Consequently, it can be concluded that the right of each person to define his or her sexual and gender identity autonomously and that the personal information in records and on identity documents should correspond to and coincide with their self-defined identity is protected by the American Convention under the provisions that ensure the free development of the personality (Articles 7 and 11(2)), the right to privacy (Article 11(2)), the recognition of juridical personality (Article 3), and the right to a name (Article 18).⁴³²

Additionally, the Court reiterated that Articles 1(1) and 24 apply to gender identity since they refer to non-discrimination when promoting, protecting and fulfilling human rights.⁴³³ Considering this, it can be observed that regionally gender identity has been addressed in the realm of human rights, the combination of global and regional human rights standards lays a foundation for the examination conducted further.

Within this international conjuncture non-discrimination will be a core category analysed as an overarching principle concerning aspects such as depathologisation; self-determination and autonomy; (legal) recognition and invisibility. This aims to later on engage with the questions of how a *transviado* perspective on transmasculinities in Brazil can foster anti-discriminatory practices. The second principle in Yogyakarta is ‘the rights to equality and non-discrimination’, there, discrimination related to gender identity and sexual orientation is defined as:

Discrimination on the basis of sexual orientation or gender identity includes any distinction, exclusion, restriction or preference based on sexual orientation or gender identity which has the purpose or effect of nullifying or impairing equality before the law or the equal protection of the law, or the recognition, enjoyment or exercise, on an equal basis, of all human rights and fundamental freedoms.⁴³⁴

Before the Yogyakarta Principles documents such as the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the American Convention on Human Rights establish non-discrimination as a basis for the enjoyment of all human rights; however, those do not mention explicitly gender identity or expression.⁴³⁵ Prior to the release of the Yogyakarta

⁴³² Inter-American Court of Human Rights, 2017, para. 115; Organization of American States, American Convention on Human Rights (adopted 22 November 1996 entered into force 18 July 1978), https://www.oas.org/dil/treaties_b-32_american_convention_on_human_rights.pdf.

⁴³³ Inter-American Court of Human Rights, 2017, para. 115; Organization of American States, American Convention on Human Rights.

⁴³⁴ The Yogyakarta Principles, p.10.

⁴³⁵ UN, International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976), Article 26, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>; UN, International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force 3 January 1976), Article. 2, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights>; UN, Universal Declaration

Principles, gender identity was mentioned in a joint statement by Norway, with 54 States, at the Human Rights Council's third session, in December 2006.⁴³⁶ After the Yogyakarta Principles, in 2011 the UNHRC adopted the first resolution mentioning gender identity: the 17/19 resolution regarding Human rights, sexual orientation and gender identity. When expanding the definitions of discrimination the Yogyakarta Principles Plus 10 emphasises that it 'manifests in a continuum of multiple, interrelated and recurring forms, in a range of settings, from private to public'.⁴³⁷ Additionally, the document affirms that discrimination has a collective element, meaning that individual discriminatory occurrences 'are also an attack on human diversity, and on the universality and indivisibility of human rights'.⁴³⁸ From the measures recommended in the Yogyakarta Principles, it can be concluded that discrimination amounts to a broader public spectrum, but also to a more private scope, where preventing interpersonal discriminatory acts is part of rights protection.⁴³⁹ This notion is reinforced by Muntarhorn, who declared that

50. (...) There is thus a need for effective anti-discrimination measures covering both the public and private spheres, and of a comprehensive kind: not only formal but substantive, not only de jure but also de facto, in addition to the building of a community open to understanding and respecting sexual and gender diversity.⁴⁴⁰

Additionally, in the current human rights framework gender and sexuality, as well as other social markers, are considered to intersect when being a target of discriminatory acts.⁴⁴¹ The Inter-American Court of Human Rights reinforces that the right to non-discrimination should be guaranteed on the basis of negative and affirmative interventions, where discrimination is prohibited but also conditions to achieving equality are actively provided.⁴⁴²

To better comprehend the human rights frame of discrimination and how that relates to a *tranviado* perspective it is important to analyze how certain concepts are defined and how this phenomenon is understood in relation to a broader societal context. Firstly, in the

on Human Rights (adopted 10 December 1948), Article. 7, <https://www.un.org/en/about-us/universal-declaration-of-human-rights>; Organization of American States, American Convention on Human Rights, Articles. 1, 24.

⁴³⁶ P. Coleman, 'Sexual orientation' and 'gender identity' at the UN: From obscurity to primacy in ten years', *IJRF*, vol. 6, no.1, 2013, p.130, Available from file:///Users/marinaabagge/Downloads/IJRF_Vol6-1_Coleman.pdf (accessed 23 July 2024); H. E. W. CHR. Strømme, *Joint Statement* (website) 2006, <https://arc-international.net/global-advocacy/sogi-statements/2006-joint-statement/> (accessed 22 July 2024).

⁴³⁷ The Yogyakarta Principles +10, p.7.

⁴³⁸ *Ibid.*

⁴³⁹ The Yogyakarta Principles, p.11.

⁴⁴⁰ UN General Assembly, 19 July 2017. A/72/172, para. 50.

⁴⁴¹ UN General Assembly, 15 July 2021. A/76/152, para. 14; UN General Assembly, 19 July 2017. A/72/172, para. 50.

⁴⁴² Inter-American Court of Human Rights, *Poblete Vilches et al. v. Chile*, Judgment of 8 March 2018, Series C No. 349, para. 123.

Yogyakarta Principles, as well as in other international human rights documents⁴⁴³, issued by organs such as the IACHR, there is a differentiation between gender expression and gender identity, where gender expression is defined by the individual's presentation and behaviours, not necessarily corresponding to their gender identity.⁴⁴⁴ Madrigal-Borloz beyond defining the usage of the term 'trans', explains that 'gender diverse' refers to

persons whose gender identity, including their gender expression, is at odds with what is perceived as being the gender norm in a particular context at a particular point in time.⁴⁴⁵

In this characterization, gender norms are central to defining these concepts; additionally, it can be observed that according to Madrigal-Borloz they are bound to a social environment and time. This conceptualisation matches the understanding of what is trans* by Bento⁴⁴⁶ for instance, which also places the experience of the dissonance of the individual with the social standards, not as an intrinsic experience. Part of the mandate of the Expert is to 'identify and address the root causes of violence and discrimination'.⁴⁴⁷ In that sense, it can be noted that reports⁴⁴⁸ utilise a theoretical understanding, on that Madrigal-Borloz argues:

Gender is the methodological lens for examining and describing the boundaries set by roles, behaviours, forms of expression, activities and attributes assigned to the social understanding of sex⁴⁴⁹

There, it can be questioned what the expert means by 'gender' as a methodological lens, as there are multiple theories around gender. Still, it can be observed that he defined gender as 'the social understanding of sex'. Going beyond that, Madrigal-Borloz does not consider sex as a naturally established concept, this can be acknowledged in the statement:

15. (...) because sex is assigned at birth based on the perception that others have of their genitalia, *sex assignment* is tainted by social preconceptions, and *is far from an absolute biological fact*.⁴⁵⁰

⁴⁴³ It is stated in the Report by the IACHR on Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas that 'The term gender expression refers to the outward manifestation of one's gender.' Inter-American Commission on Human Rights, *Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas*, 12 November 2015, OAS/Ser.L/V/II.rev.1, para. 22.

⁴⁴⁴ The Yogyakarta Principles +10, p.6.

⁴⁴⁵ UN General Assembly, 12 July 2018. A/73/152, para. 5.

⁴⁴⁶ See p. 29.

⁴⁴⁷ UN Human Rights Council Res 32/2, 15 July 2016, para. 3.

⁴⁴⁸ Especially reports by Madrigal-Borloz.

⁴⁴⁹ UN General Assembly, 12 July 2018. A/73/152, para. 18.

⁴⁵⁰ UN General Assembly, 15 July 2021. A/76/152, para. 15 (emphasis added).

In line with Madrigal-Borloz perspective, the Inter-American Court of Human Rights also highlights that assigning sex to individuals is a social elaboration.⁴⁵¹ Madrigal-Borloz explores this in more depth in:

16. The biological reality of sex characteristics must not be conflated with the social construct of gender. Human beings have sex characteristics, which are biological features (...) these are indeed a physical reality. While powerful, roles, behaviours, forms of expression, activities and attributes assigned to this biological reality by dominating social forces are constructs, *and individuals must be able to ignore, shatter or subvert them as an exercise of freedom.*⁴⁵²

It is possible to observe an alignment, to an extent, with a *transviado* perspective, for instance in the challenging of the fixed biological positioning of assigning sex to an individual. Also, in gender socially departing from the concept of sex. Still, this alignment can be questioned as there is a marked dichotomy in the discourse when the Expert poses sex characteristics as a physical reality and gender as a social construct. A *transviado* approach would not consider this necessarily untruthful but would point out that it is important to be attentive to not create a division between sex as strictly biological in comparison to gender, which would then be framed as socially developed from the notion of sexed body. The Expert could have highlighted the social construct of sex, for instance, this could have amplified the space for questioning those ‘dominating social constructs’.

When working on the comprehension of the causes of discrimination, the former Independent Expert cites concepts also used in *transviado* analysis. Madrigal-Borloz states that:

17. Drivers of discrimination and violence based on sexual orientation and gender identity also include stigmatization entrenched in the patriarchal and *cisnormative* sociocultural construction of same-sex intimacy, *gender non-conformity* and sexual pleasure as morally *transgressive*.⁴⁵³

Additionally, he uses the terms ‘binary and hetero/cisnormative social models’⁴⁵⁴ also arguing that beliefs which support discriminatory acts rely on gender dichotomy and heteronormativity.⁴⁵⁵ Another remarkable aspect is that the Expert states that all individuals can be considered to have a gender identity - meaning that this experience is not exclusive to

⁴⁵¹ Inter-American Court of Human Rights, 2017, para. 32; Organization of American States, American Convention on Human Rights.

⁴⁵² UN General Assembly, 15 July 2021. A/76/152, para. 16 (emphasis added).

⁴⁵³ UN Human Rights Council, *The right to the enjoyment of the highest attainable standard of physical and mental health of persons, communities and populations affected by discrimination and violence based on sexual orientation and gender identity in relation to the Sustainable Development Goals*, 22 November 2022. A/HRC/50/27, para. 17. (emphasis added).

⁴⁵⁴ UN Human Rights Council, 22 November 2022. A/HRC/50/27, para. 8.

⁴⁵⁵ UN General Assembly, 15 July 2021. A/76/152, para. 77.

trans* people.⁴⁵⁶ This contains similarities with the *transviado* process of naming cis and cisgenderism, of removing those positions of neutrality, from a place of naming transness but not from a location of being named as well. Terms such as ‘cisnormative’ and ‘cisgender’ are also used in the Report on Trans and Gender Diverse Persons and Their Economic, Social, Cultural, and Environmental Rights by the IACHR.⁴⁵⁷ Additionally, in the Advisory Opinion OC-24/17 the Inter-American Court of Human Rights describes concepts including ‘gender/sex binary system’, ‘cisgender person’ and others.⁴⁵⁸ Madrigal-Borloz also reinforces the notion idea that the imposition of a gender binary derives from coloniality.⁴⁵⁹ Furthermore, the Report of the Independent Expert, A/73/152, of 2018 acknowledges that the use of terminology such as ‘gender identity’, ‘gender’, ‘sex’ and others is not universal, mentioning that there are ‘cultures’ and ‘traditions’⁴⁶⁰ which experience and name diversity concerning what is understood by gender in different manners.⁴⁶¹ Likewise, the Report on Trans and Gender Diverse Persons and Their Economic, Social, Cultural, and Environmental Rights recognises that Western concepts might not encompass identities within ‘ancestral gender diversity’.⁴⁶² When observing the discourse in the reports by Madrigal-Borloz it is possible to notice that the theories sustaining his analysis may have roots in queer theory. It seems like an important advancement in the human rights frameworks that concepts such as cisnormativity or cisgender are explicitly mentioned - both in Independent Expert reports and in documents within the Inter-American Human Rights System. As the objectives of the Expert’s reports are not only analytical, it seems reasonable that those aspects are not explored more in-depth, especially considering that they achieve the function of serving as a foundational thought for accomplishing the other objectives of the mandate.

When observing how transmasculinities are approached in human rights documents, it is remarkable that the Report on Trans and Gender Diverse Persons and Their Economic, Social, Cultural, and Environmental Rights contains a section entitled ‘Masculine Trans Identities’.⁴⁶³ There, different terms of identification that could be used by this community in the American continent are disclosed.⁴⁶⁴ The commission, based on the work of Ávila and

⁴⁵⁶ UN General Assembly, 12 July 2018. A/73/152, para. 5.

⁴⁵⁷ Inter-American Commission on Human Rights, 7 August 2020, para. 195.

⁴⁵⁸ Inter-American Court of Human Rights, 2017, para. 32.

⁴⁵⁹ UN General Assembly, *Report of the Independent Expert on protection against violence and discrimination based on sexual orientation and gender identity, Victor Madrigal-Borloz*, 25 July 2023. A/78/227, para.63.

⁴⁶⁰ ‘Cultures’ and ‘traditions’ are terms employed in the Report.

⁴⁶¹ UN General Assembly, 12 July 2018. A/73/152, para. 3.

⁴⁶² Inter-American Commission on Human Rights, 7 August 2020, para. 93.

⁴⁶³ *Ibid.*, para. 82.

⁴⁶⁴ *Ibid.*, para. 82.

Gross⁴⁶⁵ on Brazilian transmasculinities, reinforces that within this community there are multiple interpretations regarding body modifications and that the process of identifying as transmasculine is diverse.⁴⁶⁶ A prominent alignment with *transviado* thought can be perceived when the report addresses some of the repercussions of acknowledging transmasculinities:

83. *One of the symbolic effects of the recognition of masculine trans identities is that it breaks cisgender men's monopoly on masculinity.* However, different studies have looked at the tensions between masculine trans identities and what could be called “hegemonic masculinity” and the privileges it offers in patriarchal societies.⁴⁶⁷ Effectively, *the IACHR has observed that trans men do not escape the kinds of discrimination and violence produced by cissexism*, which has been defined as the combination of the bias that places the feminine subordinate to the masculine, plus the bias that places trans identities as subordinate to cisgender identities.⁴⁶⁸

There, breaking this monopoly by cisgender men correlates with the thoughts of scholars, including Cavaca-Moreira and Padilha, when they articulate that masculinities exist outside the realm of bodies that were not assigned male at birth.⁴⁶⁹ It is important to notice human rights frameworks recognising non-hegemonic transmasculine alternatives, together with their relation with systems of oppression that sustain their discrimination. Beyond that, the report does not only situate transmasculinities in a location of oppressed but also mentions a potential within their non-hegemony - being in line with a *tranviado* proposition.

Human Rights international frameworks - including the ones contained in the Yogyakarta Principles, reports of Independent Experts⁴⁷⁰, and documents⁴⁷¹ issues within the Inter-American Human Rights System - have promoted and contributed to the

⁴⁶⁵ S. Ávila and M. P. Gross, ‘O ‘y’ em questao: as transmaculínidades brasileiras’, *Seminário Internacional Fazendo Gênero 10*, ISSN 2179-510X, 2013, p. 7, 10, Available from https://www.fg2013.www2017.eventos.dype.com.br/resources/anais/20/1386768141_ARQUIVO_SimoneAvila.pdf (accessed 20 July 2024).

⁴⁶⁶ Inter-American Commission on Human Rights, 7 August 2020, para. 84.

⁴⁶⁷ Here there is a footnote stating: ‘keep in mind that the concept of “hegemonic masculinity” also entails interpretations and implications that impact the life experience of cisgender men, especially when their gender expression tends toward the feminine. However, in this report, the IACHR will focus only on trans persons. Regarding the concept of “hegemonic masculinity,” see, in general: Luciano Fabbri, “¿Qué (no) hacer con la masculinidad? reflexiones activistas sobre los límites de los ‘colectivos de varones/grupos de hombres.’” V Coloquio de Estudios de Varones y Masculinidades (Santiago de Chile, 2015).’

⁴⁶⁸ Inter-American Commission on Human Rights, 7 August 2020, para. 83 (emphasis added).

⁴⁶⁹ Caravaca-Moreira and Padilha, p.50.

⁴⁷⁰ UN Human Rights Council, 19 April 2017. A/HRC/35/36, para. 37; UN General Assembly, 19 July 2017. A/72/172, para. 10; UN General Assembly, 12 July 2018. A/73/152, para. 8, 9.

⁴⁷¹ Inter-American Commission on Human Rights, 7 August 2020; Inter-American Court of Human Rights, 2017, para. 160; Inter-American Commission on Human Rights, *Advances and Challenges towards the Recognition of the Rights of LGBTI Persons in the America*, 7 December 2018. OEA/Ser.L/V/II.170, para. 104; Inter-American Commission on Human Rights, 2016.

depathologisation of transgender identities,⁴⁷² and still support this movement, as there is progress to be made. The Yogyakarta Principles already had a dephatologisation character: ‘a person’s sexual orientation and gender identity are not, in and of themselves, medical conditions and are not to be treated, cured or suppressed’.⁴⁷³ The IACHR also reinforces the idea that pathologisation is one of the sources of human rights violations of LGBT⁴⁷⁴ people.⁴⁷⁵ More recently, one of the pillars of the Report of the Independent Expert, A/73/152, of 2018 is depathologisation, being a central topic of the mandate to Madrigal-Borloz.⁴⁷⁶ The Expert emphasises the overarching role of pathologisation in fostering grounds for discrimination, in various sectors of public life as well as in contributing to prejudicial thinking, which impedes the exercising of human rights.⁴⁷⁷ In that sense, human rights frameworks propose a comprehensive understanding of pathologisation, aligned with *transviado* thinking.

Depathologisation is deeply interwoven with the right to the highest attainable standard of health, which also involves sexual and mental health.⁴⁷⁸ The IACHR reiterates that the pathologisation of transness significantly hinders the guarantee of the right to health of this population.⁴⁷⁹ It is relevant to observe the consideration of mental health as a human right, especially recognising how discrimination towards trans* people is a foundational factor that leads to psychological issues,⁴⁸⁰ a phenomenon acknowledged by Madrigal Borloz.⁴⁸¹ In the case of transmasculinities this is specifically relevant, considering that the community in Brazil claims that suicide is a persistent issue, enhanced by the (non)insertion of this population in a context which does not recognise their identity and imposes hegemonic masculinity standards.

Gender identity, as a central element of people’s lives, is part of the right to the highest attainable standard of physical and mental health and to the right to bodily and mental integrity⁴⁸².⁴⁸³ Within this frame, the right to this standard of health also includes access to

⁴⁷² A. S. Schwend, ‘Trans health care from a depathologization and human rights perspective’, *Public Health Reviews*, vol. 41, no. 1, 2020, p.1, Available from <https://link.springer.com/article/10.1186/s40985-020-0118-y> (accessed 26 July 2024).

⁴⁷³ The Yogyakarta Principles, p.23.

⁴⁷⁴ ‘LGBT’ is the abbreviation used by the Commission on the press release.

⁴⁷⁵ Inter-American Commission on Human Rights, 2016.

⁴⁷⁶ UN General Assembly, 12 July 2018. A/73/152, para. 8, 9.

⁴⁷⁷ *Ibid.*, para. 11, 14.

⁴⁷⁸ The Yogyakarta Principles, p.22; UN Human Rights Council, 22 November 2022. A/HRC/50/27, para. 18.

⁴⁷⁹ Inter-American Commission on Human Rights, 7 August 2020, para. 324.

⁴⁸⁰ D. Kerry and L. A. Theeke, ‘Health impact of stigma, discrimination, prejudice, and bias experienced by transgender people: a systematic review of quantitative studies’, *Issues in mental health nursing*, vol. 43, no. 2, 2022, p.111, Available from <https://www.tandfonline.com/doi/full/10.1080/01612840.2021.1961330?scroll=top&needAccess=true>

⁴⁸¹ UN Human Rights Council, 22 November 2022. A/HRC/50/27, para. 18, 41.

⁴⁸² The right to bodily and mental integrity consists of the 32nd Principle in Yogyakarta Plus 10. The Yogyakarta Principles +10, p.10.

⁴⁸³ UN Human Rights Council, 22 November 2022. A/HRC/50/27, para. 17.

body modifications - still, healthcare concerning transgender individuals goes beyond that, as any kind of healthcare has to be ensured without discrimination.⁴⁸⁴ According to the IACHR limited education of health professionals significantly contributes to the discrimination of trans* people and should be addressed by States⁴⁸⁵ - a position also affirmed in the Yogyakarta Principles.⁴⁸⁶ The interconnection between the right to health, discrimination and depathologisation demonstrates how essential is to comprehend pathologisation and support depathologisation when promoting, protecting and fulfilling rights of trans* people through a *transviado* approach.

In this process of understanding it is important to notice that depathologisation is not understood equally in every realm, nor it is an always fully accepted or supported approach in trans* rights movements. Thus, comprehending what are the international human rights recommendations regarding depathologisation and best practices by States can shed light on the direction that human rights discourse recently has been taken. Firstly, when addressing those aspects, the ICD is utilised as a reference, as it is elaborated by the World Health Organization, a UN entity.⁴⁸⁷ It is relevant to note this since it is the same manual used in Brazilian public health, including in the public ‘Transsexualising Process’. In the context of the 11th version of the ICD, the Expert calls attention to features perceived as positive such as not using binary gender categories and avoiding normative conceptions of gender in the new category to where transness was moved, named “gender incongruence of adolescence and adulthood”.⁴⁸⁸ Concerning this it is emphasised that

13. The new category in the eleventh revision is intended to be used to facilitate access to gender-affirming treatment. In other words, *there is no reason to assign a diagnosis to trans people who do not seek gender-affirming medical treatment or some sort of bodily change*.⁴⁸⁹

It could be interpreted, from the highlighted sentence that, according to the Expert, there would be a reason to diagnose trans* individuals who are looking for body modifications. However, further, in the report, practices of countries such as Argentina and Malta, who do not demand a diagnosis for accessing body modification treatments, are commented as best practices.⁴⁹⁰ And finally, as a recommendation, it is stated that

79. In relation to public policies, the Independent Expert exhorts States to:

⁴⁸⁴ The Yogyakarta Principles, p.22.

⁴⁸⁵ Inter-American Commission on Human Rights, 7 August 2020, para. 392.

⁴⁸⁶ The Yogyakarta Principles, p.23.

⁴⁸⁷ UN General Assembly, 12 July 2018. A/73/152, para. 10.

⁴⁸⁸ Ibid., para. 12.

⁴⁸⁹ Ibid., para. 13 (emphasis added).

⁴⁹⁰ Ibid., para. 48, 49.

a) Take measures to improve the health and well-being of trans persons and guarantee their access to good-quality health-care services and health-related information, which includes *giving consideration to establishing the provision of gender-affirming care as a State obligation not dependent on a diagnosis, taking into account the best practices identified in the present report*.⁴⁹¹

In that sense, the ultimate recommendation of the mandate holder is that the optimal approach would entail not binding body modification to diagnosis, a similar stance is taken by *transviado* authors. It is interesting to observe the position of the Expert, although the best practice is the one mentioned above, from other statements, especially in Paragraph 13., there could be a margin of doubt concerning whether the discourse supports no diagnosis at all or if some types of diagnosis are acceptable, creating a sense that depathologisation has a limit to its extent. Perhaps, a reasoning behind this is an acknowledgement that this approach is far from being globally implemented, being first necessary that the countries comply with the last version of the ICD. Although Madrigal-Borloz proposes discarding diagnosis as a requirement of accessing body modifications, the IACHR does not explicitly recommends that, mentioning solely the need for trans* people to access healthcare without ‘diagnoses that are pathologizing’.⁴⁹²

Nevertheless, the best human rights practice involves detaching body modification treatments from any form of diagnosis, and from that, the question of what principles should then guide access to this type of healthcare could be raised. In that sense, the individual's self-determination concerning their own gender identity, tied to free and informed consent would be sufficient for the pursuit of those treatments.⁴⁹³ Self-determination in the sphere of rights related to transgender health is strongly linked to the concepts of freedom, autonomy and also consent. Madrigal-Borloz describes that

21. In turn, the principles of freedom and autonomy directly contradict the idea that a person is born to play a certain role in society. *Self-determined gender is a fundamental part of a person's free and autonomous choice in relation to roles, feelings, forms of expression and behaviours, and a cornerstone of the person's identity*.⁴⁹⁴ (...) ⁴⁹⁵

Here, gender self-determination is explored at the human rights discourse, a notion investigated in the realm of trans studies by different scholars also addressed by Brazilian transmasculine

⁴⁹¹ UN General Assembly, 12 July 2018. A/73/152, para. 79 (emphasis added).

⁴⁹² Inter-American Commission on Human Rights, 7 August 2020, para. 392.

⁴⁹³ UN General Assembly, 12 July 2018. A/73/152, para. 53.

⁴⁹⁴ The report A/73/152 cites the Report by the IACHR on Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas, however, para.16 does not refer to the content of A/73/152 report's passage, thus, there was a choice of including the content of the report A/73/152 instead of resorting to the Report by the IACHR on Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas, para. 16.

⁴⁹⁵ UN General Assembly, 12 July 2018. A/73/152, para. 21 (emphasis added).

authors⁴⁹⁶ and central to constructing non-hegemonic alternatives within transmasculinities. It is important to note, however, that the conceptualizations around the topic might differ, especially between trans studies scholars and the human rights frameworks, those tensions will be explored at a later stage. In the context of human rights, self-determined gender is also a central aspect of the right to bodily and mental integrity.⁴⁹⁷ Moreover, having autonomy over health and body is also part of the right to health,⁴⁹⁸ and the Yogyakarta Principles Plus 10 also poses consent as a foundation to access body modifications.⁴⁹⁹ Additionally, self-determination, should be the only condition for legal recognition of a person, is connected to the protection of personality and receives an approach centred in the individual which can be observed in the Advisory Opinion OC-24/17 by the Inter-American Court of Human Rights, used as background in the Report of the Independent Expert, A/73/152, of 2018⁵⁰⁰:

91. (...) To achieve this, the State and society must respect and ensure the individuality of each person, as well as the right to be treated in keeping with the essential aspects of their personality, with no other limitations than those imposed by the rights of other persons. Thus, consolidating the individuality of the person before the State and before society implies having the legitimate authority to establish the exteriorization of their persona according to their most intimate convictions.⁵⁰¹

In the Brazilian context, the Federal Psychology Council (CFP), self-determination, and autonomy were defined by the Resolution n° 001/2018 as core aspects of the institution's support for the depathologisation of transness.⁵⁰² There, self-determination, meaning the gender identification of a trans* person by themselves, is defined as the basis element for the recognition of their gender identity. This resolution was mentioned in the Report on Trans and Gender Diverse Persons and their Economic, Social, Cultural, and Environmental Rights by the IACHR as part of progress being made to depathologise transness.⁵⁰³

Other than being tied to autonomy in relation to the body, self-determination is also connected to legal recognition, addressed in Principle 3 and Principle 31 of Yogyakarta and

⁴⁹⁶ N. Sullivan, 'Somatechnics', *Transgender Studies Quarterly*, vol. 1, no. 1-2, 2014, p.189, Available from <https://read.dukeupress.edu/tsq/article/1/1-2/187/91759/Somatechnics?searchresult=1> (accessed 21 July 2024); K. M. Green and T. Ellison, 'Tranifest', *Transgender Studies Quarterly*, vol. 1, no. 1-2, 2014, p.224, Available from <https://read.dukeupress.edu/tsq/article/1/1-2/222/91825/Tranifest?searchresult=1> (accessed 25 July 2024); E. A. Stanley, 'Gender Self-Determination', *Transgender Studies Quarterly*, vol. 1, no. 1-2, 2014, pp.89-91, Available from <https://read.dukeupress.edu/tsq/article/1/1-2/89/92066/Gender-Self-Determination?searchresult=1> (accessed 25 July 2024).

⁴⁹⁷ The Yogyakarta Principles +10, p.10.

⁴⁹⁸ UN Economic and Social Council, *General Comment No. 14* (2000), 11 August 2000. E/C.12/2000/4, para. 8.

⁴⁹⁹ The Yogyakarta Principles +10, p.20.

⁵⁰⁰ UN General Assembly, 12 July 2018. A/73/152, para. 19.

⁵⁰¹ Inter-American Court of Human Rights, 2017, para. 91.

⁵⁰² Conselho Federal de Psicologia (CFP), 2018, Art. 7.

⁵⁰³ Inter-American Commission on Human Rights, 7 August 2020, para. 354, 366.

Yogyakarta Plus 10.⁵⁰⁴ An important aspect defined in the Principles is that medical procedures should not be necessary for an individual to acquire legal recognition, which should be based solely on self-determination, not bound to diagnosis as well. Madrigal-Borloz stressed that this right is strongly correlated to the access to numerous other rights, as all public and private administration procedures require an identification of the individual.⁵⁰⁵ In that sense, is part of the recommendation to States that gender markers should not be disclosed in documents, and in case they are, the legal modification of those should be easily acquired, as with name change procedures - additionally, non-binary categories should be an option.⁵⁰⁶ The Inter-American Court of Human Rights, on its Advisory Opinion OC-24/17 which has as one of its core elements addressed the change of name of trans* people, reiterates that such procedures should be free of cost.⁵⁰⁷ In 2018 Brazil adopted a process of legal recognition based on self-determination, back then considered to be a best practice in terms of guaranteeing the identification of trans* people.⁵⁰⁸ However, it is still interesting to analyse the historical and current usage of ‘social names’, and other forms of document modification, as a potential resource for the recognition of transmasculinities.

Bento, in an article from 2014, before the implementation of Provision n. 73 of the Nacional Council in 2018,⁵⁰⁹ discussed the ‘social name’ concerning the citizenship of trans* individuals - as this was an option of more autonomously stating one’s gender identity and name in documents.⁵¹⁰ ‘Social name’ was implemented in 2016 by the Decree n° 8.727, of 28 April 2016 - establishing that in public administration a self-given name by trans* people can be included in documents, along with their civil names, through a simple non-judicial procedure.⁵¹¹ This is a simpler process than the judicial name ratification, which before 2018 required medical diagnosis, for instance.⁵¹² Regarding ‘social name’ solutions the IACHR outlines that, although beneficial in some aspects, they possess limits and should be a short-term approach prior to the implementation of legislation that comprehensively adheres to the Inter-American parameters.⁵¹³ Bento sheds light on a paradox when stating that

⁵⁰⁴ The Yogyakarta Principles +10, p.9; The Yogyakarta Principles, p.11.

⁵⁰⁵ UN General Assembly, 12 July 2018. A/73/152, para. 8.

⁵⁰⁶ The Yogyakarta Principles +10, p.9; UN General Assembly, 12 July 2018. A/73/152, para. 81.

⁵⁰⁷ Inter-American Court of Human Rights, 2017, para. 144.

⁵⁰⁸ UN General Assembly, 12 July 2018. A/73/152, para. 52.

⁵⁰⁹ Conselho Nacional de Justiça (CNJ), 2018.

⁵¹⁰ B. Bento, ‘Nome social para pessoas trans: cidadania precária e gambiarra legal’, *Contemporânea-Revista de Sociologia da UFSCar*, vol. 4, no. 1, 2014(c), p.166, Available from <https://www.contemporanea.ufscar.br/index.php/contemporanea/article/view/197/101> (accessed 26 July 2024).

⁵¹¹ República Federativa do Brasil, *Decreto n° 8.727*, 28 April 2016.

⁵¹² Instituto Brasileiro de Transmasculinidades (IBRAT), p.16.

⁵¹³ Inter-American Commission on Human Rights, 7 August 2020, para. 48.

The same individual who achieves full recognition of their gender identity within educational institutions has to have a psychiatric report that will enable them to have body modification surgeries. (...) So two conceptions of gender run through their lives. On the one hand, recognition, on the other, authorization.⁵¹⁴

A likewise gap currently applies, as medical reports are still a key requirement for body modification in public and often in private health; thus, in those spheres, there is a strong impediment to self-determination. Ultimately, Bento questions: ‘After all, what kind of society is this that guarantees half citizenship?’⁵¹⁵ This can be observed also in the fact that although self-determined legal recognition is granted in Brazil the current government implemented a national unification of the General Registry⁵¹⁶ document model but kept the category sex and still differentiates social name⁵¹⁷ from registry name.⁵¹⁸ According to Bento, trans* individuals experience precarious citizenship in Brazil, which is a denial both of humanity and rights as citizens of the country - and that is transpassed by the question of recognition in different realms.⁵¹⁹ Although Bento was addressing the legal situation of 2014 it is still relevant to use her reflections since rights are still partially guaranteed.

Considering the status of legal recognition of transgender individuals in Brazil it is possible to ask how this right is translated to practice, and how the transmasculine community relates to it. Firstly, there is a significant connection between the breaches in legal recognition and the invisibility experienced by this population. The lack of an imaginary to comprehend transmasculinities, especially outside of the expectations of hegemonic masculinity, can contribute to certain forms of discrimination present even with the legal recognition of identities. When having their gender and names modified in documents, transmasculinities might experience an erasure of their trans* identities, which can protect them from violences. As Pfeil and Pfeil affirm ‘the invisibility of our identity becomes a condition of our humanisation’.⁵²⁰ So, it is necessary to acknowledge that revealing one’s trans* identity can increase the risks of undergoing discrimination. There, the Yogyakarta Principles are clear in stating that the right to privacy includes the choice to reveal or not one’s gender identity.⁵²¹

⁵¹⁴ Bento, 2014(c), p.177.

⁵¹⁵ Ibid., p.177 (author’s translation).

⁵¹⁶ General Registry is the main identity document used in Brazil.

⁵¹⁷ These categories were developed during Jair Bolsonaro’s government, but chosen to be maintained and officially carried out in Luiz Inacion Lula da Silva’s mandate.

⁵¹⁸ Gov.br, *Identificação do cidadão e carteira de identidade nacional*, (website) <https://www.gov.br/governodigital/pt-br/identidade/identificacao-do-cidadao-e-carteira-de-identidade-nacional> (accessed 17 July 2024).

⁵¹⁹ Bento, 2014(c), p.167.

⁵²⁰ Pfeil and Pfeil, 2021(a), p.170 (author’s translation).

⁵²¹ The Yogyakarta Principles, p.14.

The complex relation to legal recognition is also observed in the narrative of transmasculine individuals who do not wish to change their documents aiming to be protected by laws, such as *Lei Maria da Penha*, that address violence against women. In that sense, it could be questioned which legal apparatus recognises the non-hegemonic position of transmasculinities in relation to gender and violences within it. Considering these interactions, it appears relevant to observe how this right is applied in Brazil, and which effects and improvements could be made from a transmasculine stance.

4.2 How can a *transviado* perspective contribute to non-discrimination as a human right to transmasculinities?

After developing an understanding of discrimination regarding trans* people in international human rights laid by the Yogyakarta Principles, Reports of Independent Experts on protection against violence and discrimination based on sexual orientation and gender identity, and documents issued within the Inter-American System, it is possible to explore how *transviado* thinking can add to this framework. This comprehension includes considering non-discrimination as a foundational principle concerning depathologisation, self-determination and legal recognition. With these examinations clarified, answering the proposed question encompasses analysing the potential of *transviado* in: continuously questioning the cisheteronorm and hegemonic masculinity as the roots of discrimination of transmasculinities; expanding the notion of self-determination and autonomy based on the proposition of non-hegemonic alternatives; persisting in pursuing full depathologisation as part of gender self-determination and non-discrimination; critiquing rights guaranteeing process based solely on the criminalisation of discrimination in Brazil. Within that, also comprehending which directions, needs and nuances can be indicated by non-hegemonic alternatives.

The potential of *transviado* in fostering non-discrimination as a human right to transmasculinities also lies in the possibilities of critically looking at human rights frameworks, posing suggestions of improvements that would contribute to tackling discrimination. Shedding light on elements possible of strengthening was an exploration initially intended to be carried out in a separate part of this chapter. However, the decision to embed this question into the enquiry regarding the contributions of a *transviado* perspective came from the understanding that these two interrogations are contained in each other; also, that current human rights frameworks are significantly advanced in terms of aiming to guarantee non-discrimination based on updated and sociohistorically thorough comprehensions regarding gender. Moreover, the intention is not to exhaust this question, due to the vastness of possibilities within the human

rights field. Finally, the potential of *transviado* is to apply its intrinsic practice of transgression to comprehend existing systems, also observing their breaches.

4.2.1 *Continuously questioning cisheteronormativity and hegemonic masculinity as the roots of discrimination of transmasculinities*

When addressing how understanding the foundational systems of oppression that sustain discrimination against transmasculinities can contribute to human rights, it is possible to dissect the question by asking how *transviado* can inform human rights practices. This highlights the application of human rights frameworks, in addition to their legal development. Part of addressing the root causes of discrimination entails placing the focus on rights-guaranteeing processes in policies, legal frames and actions that address those roots. This means as well to question human rights approaches that do not challenge cisheteronormativity. Responding to this enquiry involves separating the examination of a *transviado* contribution into four aspects for the purpose of this thesis: *transviado* education in anti-discrimination; critique of partial human rights solutions; examination of human rights discourses; and reinforcement of the inclusion of transness in notions of gender. In that sense, it is important to note that human rights frameworks and practices are composed of diverse strategies, some might address structural issues and some may be more emergency actions to manage certain violations. The aim is to not necessarily critique all practices that might not tackle the basis of discrimination but to understand how a *transviado* perspective can serve to construct a background and direction towards promoting non-discrimination in a more foundational form.

The fact that *transviado* studies emerged in Brazil through the field of education can point towards a fruitful relationship and indicate possible directions of interventions. One of the core contributions of addressing discrimination through questioning normativity in a *transviado* approach is proposing educational practices that aim at tackling structural causes of discrimination in relation to gender identity and sexuality. This is in line with the suggestion of Waites, who emphasises that, in the realm of human rights, queer approaches should engage with education.⁵²² Human rights frameworks regarding gender and sexuality address different levels of education and training, for instance, pointing out gaps, highlighting best practices and giving recommendations to states regarding educational practices. A *transviado* educational

⁵²² M. Waites, 'Critique of 'sexual orientation' and 'gender identity' in human rights discourse: Global queer politics beyond the Yogyakarta Principles', *Contemporary Politics*, vol. 15, no. 1, 2009, p.153, Available from <https://www.tandfonline.com/doi/epdf/10.1080/13569770802709604?needAccess=true> (accessed 20 July 2024).

strategy has differential elements when compared to other educational strategies to ‘diversity’.

Colling exemplifies

For example: in education, instead of textbooks teaching what a homoparental family is, how someone becomes homosexual, it should also be important to problematise how this ideal of the nuclear family was built, whether it still exists in "real life" and with what intensity. Instead of being overly interested in answering what makes someone homosexual, we should also ask with the same intensity what makes someone heterosexual.⁵²³

Therefore, a *transviado* approach goes beyond the assimilation of transness as acceptable and ‘normal’, since this acceptance is granted only if individuals are somehow conforming enough. Similar to Colling’s proposition regarding heterosexuality, it concomitantly involves questioning cisgender - which already carries enquiries in the act of naming it as an identity as well.

According to Ribeiro, the school system is a relevant locus for fomenting discrimination towards trans* people in Brazil. In her study, the author draws a comparison of reactions of educators when seeing images that depict non-normative sexualities and gender.⁵²⁴ When shown the image of a homoparental family reactions there were still negative, but significantly more negative responses occurred concerning an image of a transmasculine pregnant person. Although this study is not representative of the total of educators in the country it illustrates a state of abjection towards transmasculinities, not merely transmasculinities when they pass, but when they explicitly confront the binary stances of gender, when they radically break what is expected from hegemonical masculinity.

Considering this context, it would be beneficial that education in different levels and contexts would be informed by *transviado* perspectives - especially considering that, as asserted by Ribeiro, educators do not engage with anti-discriminatory practices in gender and sexuality due to lack of knowledge, personal prejudice, or not being supported by the curriculum.⁵²⁵ A *transviado* background of addressing the roots of discrimination in educational settings involves attention to the language used, to the definition of terms such as gender identity and sexuality. Also, the inclusion of historicity in relation to how current normative conceptions of sex and gender were formed. Exemplifying, Ribeiro suggests that a *transviado* approach entails attention to which images of bodies are displayed in didactic

⁵²³ Colling, 2011, p.15 (author’s translation).

⁵²⁴ L. A. Ribeiro, ‘Educação sobre a diversidade de gêneros pautada em diretrizes nacionais para a educação em direitos humanos e no viés da teoria queer’, *Cenas Educacionais*, vol. 5, no. e11668, 2022, p.12, 14, 15, Available from, <https://www.revistas.uneb.br/index.php/cenaseducacionais/article/view/11668/9348> (accessed 23 July 2024).

⁵²⁵ Ribeiro, p.8.

material,⁵²⁶ aiming that those are not always of bodies aligned with cisheteronormative expectations. The specific demands of transmasculinities in Brazil reveal a prominent need for improvement of non-discrimination in health care. There, training of health professionals, a recommendation present in the Report of the Independent Expert, A/73/152,⁵²⁷ in the Yogyakarta Principles⁵²⁸, and in the report by the IACHR⁵²⁹, would be highly beneficial, as it was mapped by IBRAT⁵³⁰ that various forms of discrimination affect the access of transmasculinities to healthcare.

Intervening in the sources of discrimination of transmasculinities through a *transviado* standpoint also involves being critical of partial solutions regarding the human rights of trans* people. Historically, Bento states that it is a practice in Brazil in which rights of certain populations are granted gradually and partially, instead of fully from the beginning.⁵³¹ This creates a dissonance between experiencing different rights - for instance, having one's identity legally recognised through self-determination but not holding the same autonomy when accessing body modifications. Thus, Bento emphasises a need for an overarching legislation that addresses the fundamental rights of trans* people, instead of legal approaches focused on specific rights. This is also relevant because it is possible to then have a more coherent and unified understanding of gender and sexuality as a common basis for rights guaranteeing, avoiding laws and policies grounded on different comprehension of discrimination causes, which can entail contradictory actions when assuring those rights. For instance, Bento mentions different draft legislation in Brazil that although aim for the increase of rights of trans* individuals still carry a pathologising viewpoint, still significantly relying on medical diagnosis.⁵³² The author argues that a law of full recognition of gender identity is needed, a best practice also mentioned in the Report of the Independent Expert, A/73/152, of 2018 and by the IACHR in its report on Violence against Lesbian, Gay, Bisexual, Trans and Intersex Persons in the Americas and reiterated later in 2018 in the Report on Advances and Challenges towards the Recognition of the Rights of LGBTI Persons in the Americas, of 2018.⁵³³

⁵²⁶ Ribeiro, p.10.

⁵²⁷ UN General Assembly, 12 July 2018. A/73/152, para. 79.

⁵²⁸ The Yogyakarta Principles, p.23.

⁵²⁹ Inter-American Commission on Human Rights, 7 August 2020, para. 392.

⁵³⁰ Instituto Brasileiro de Transmasculinidades (IBRAT), p.49.

⁵³¹ Bento, 2014(c), p.172.

⁵³² *Ibid.*, p.173.

⁵³³ Bento, 2014(c), p.172; UN General Assembly, 12 July 2018. A/73/152, para. 53; Inter-American Commission on Human Rights, 2015, para. 419; Inter-American Commission on Human Rights, 2018, para. 100.

Argentina's Gender Identity Law from 2012⁵³⁴, the optimal approach recommended by Madrigal-Borloz and the IACHR, encompasses the legal recognition of gender identities based on simple administrative procedures, healthcare concerning trans* people - including body modifications accessed through free and informed consent, and dignified treatment.⁵³⁵ Although Bento wrote in 2014, ten years later there is still no general law or policy on gender identity in Brazil. Such an approach, from a *transviado* perspective, would involve applying concepts regarding cisheteronormativity in policies and law cohesively.

This raises the matter of the content of policies and law, in terms of which understanding of gender support strategies towards non-discrimination. There, a *transviado* outlook has the potential of offering a detailed analysis of human rights frameworks and national policies, as well as propositions of definitions around gender and structures that sustain discrimination. The movement to include these perspectives in human rights has already taken place to a certain extent. For instance, in the discourse of Madrigal-Borloz principles from a *transviado* approach can be observed, seeming that the expert is informed by alike theories on gender. Additionally, in different documents published within the Inter-American Human Rights System concepts used in *transviado* analysis can be observed, as gender/sex binary, cisgender or cisnormative.⁵³⁶ More prominently regarding transmasculinities, the IACHR explicitly addresses how this community relates to hegemonic masculinities and how transmasculine non-hegemonic alternatives can impact cisheteronormativity.⁵³⁷ Queer theory's function of engaging with definitions around gender and transness in relation to the human rights field has been explored by Waites. The author highlights the necessity of when, in contexts of rights claiming⁵³⁸, employing terms such as gender identity or sexual orientation, have intentional definitions of those that go beyond binary understandings of transness.⁵³⁹ Danisi also explores the potential of queer theory of comprehending the relations between

⁵³⁴ Author's translation to *Ley de Identidad de Género*. It is important to note that although the Argentinian Gender Identity Law can be considered a human rights best practice the current Argentinian government poses threats to the rights of trans* people and takes actions that do not comply with the Gender Identity Law of the country. A. Rueda, *Al prohibir el lenguaje inclusivo en el Estado, el gobierno argentino incumple la Ley de Identidad de género* (website) 2024, <https://agenciapresentes.org/2024/02/27/al-prohibir-el-lenguaje-inclusivo-en-el-estado-el-gobierno-argentino-incumple-la-ley-de-identidad-de-genero/> (accessed 17 July 2024); M. Centenera, 'Un crimen de odio enciende las alarmas en Argentina', *El País*, 20 May 2024, Available from <https://elpais.com/argentina/2024-05-20/un-crimen-de-odio-enciende-las-alarmas-en-argentina.html#> (accessed 17 July 2024).

⁵³⁵ República Argentina, *Ley de Identidad de Género no. 26.743*, 9 May 2012.

⁵³⁶ Inter-American Commission on Human Rights, 7 August 2020, para. 195; Inter-American Court of Human Rights, 2017, para. 32.

⁵³⁷ Inter-American Commission on Human Rights, 7 August 2020, para. 83.

⁵³⁸ The author mentions contexts such as public debates, schools and media.

⁵³⁹ Waites, p.157.

sexuality, sex and gender as also part of identity and interconnected when subjected to discrimination.⁵⁴⁰ Bento also emphasises that

The laws of the various countries that regulate the rights of trans people change according to the legislator's understanding of what gender is. The closer to a biologised view of gender, the greater the requirements for transgenitalisation surgeries and changes to documents. According to this view, you are either born a man or a woman, and nothing can change the predestination written in your hormones. In these cases, the legislation is authorising. Trans people will need a specialist to certify the validity of their demands.⁵⁴¹

Thus, it is important to attempt to impact this comprehension by refining understandings through *transviado* principles.

In addition to proposing characterisations, *transviado* lens can be applied to analyse existing definitions of gender identity. The definition in the Yogyakarta Principles and its extended version, for instance, does not include a societal aspect, or a mention of gender norms.⁵⁴² It is also relevant to observe, in the Advisory Opinion OC-24/17 of the Inter-American Court of Human Rights on Gender Identity, Equality and Non-discrimination of Same-sex Couples, that there is a cautious and attentive approach to defining terms, which can be considered as an effort to not perpetuating concepts that could be discriminatory. This is clarified before describing any nomenclatures:

31. The Court must approach these issues bearing in mind that they usually involve concepts and definitions on which no agreement has been reached by national and international agencies, or by organizations and groups that defend the respective rights, or in academic circles in which they are discussed. In addition, these definitions respond to a conceptual dynamic that is constantly changing and being revised. Furthermore, adopting definitions in this matter is highly sensitive because it is easy to stereotype or classify individuals, and this must be carefully avoided. Consequently, in this opinion, the Court will try to avoid, insofar as possible, the use of these conceptually problematic definitions and, when it must do so, it will do this with the greatest breadth and provisionality, without adopting or defending any conceptual or, especially, inflexible position.

32. Merely for illustrative purposes, and even to demonstrate this difficulty, the Court notes that the following concepts taken from different international sources appear to be the most up-to-date ones at the international level – and again insists that it does not adopt them as its own in this opinion⁵⁴³

It is interesting to observe that the Court reiterates a lack of consensus regarding such concepts, followed by a flexible approach towards, also highlighting the importance of definitions and

⁵⁴⁰ C. Danisi, M. Dustin, N. Ferreira et al, 'Queering asylum in Europe: Legal and social experiences of seeking international protection on grounds of sexual orientation and gender identity', Springer, 2021, p.75, 78.

⁵⁴¹ Bento, 2014(c), p.172 (author's translation).

⁵⁴² The Yogyakarta Principles, p.6; The Yogyakarta Principles +10, p.6.

⁵⁴³ Inter-American Court of Human Rights, 2017, para. 31, 32.

how problematic characterisations can foster discrimination. When observing the proposed characterisations through a *transviado* outlook the most relevant remarks are on the fact that the Court describes the terms ‘transsexual person’ and ‘transvestite’, separating those from ‘transgender or trans’, which is also defined as a category.⁵⁴⁴ The description of ‘Transsexual person’ is

Transsexual persons feel and perceive themselves as belonging to a gender that is not the one socially or culturally associated with their biological sex and who opt to have medical treatment – hormonal, surgical or both – to adapt their physical-biological appearance to their mental, spiritual and social sense of self.⁵⁴⁵

It can be considered that this definition strongly contains the idea of ‘true transsexual’, as in the history of the pathologisation of transness those were understood as individuals eligible for medical interventions due to their persistent and fixed wish to exist in the ‘opposite gender’.⁵⁴⁶ From a *transviado* perspective, bringing such a definition to a human rights document could reinforce discriminatory notions by posing a separation between those who wish to pursue body modifications one those who do not, reinforcing an association of legitimization and value of transness with modifying one’s body - ideas connected a pathological view of transgender. Transsexual is not a different from transgender in the sense that does not describe different people, but it is a term considered to have a higher attachment to the medical realm. ‘Transvestite’ is also separated from ‘transgender or trans’ when actually transvestite is a term of identification used by transfemine individuals in Latin America, often tied to a political reasoning,⁵⁴⁷ - so, transvestites can be considered within the trans* umbrella. On its definition by the Court, there is an element of gender expression linked to it

In general, it could be said that transvestites are persons who express their gender identity – either on a permanent or temporary basis – by wearing articles of clothing and adopting the deportment and mannerisms of the gender opposite to the one socially and culturally associated with their biological sex. This may or may not include body modifications.⁵⁴⁸

This definition can be considered outdated from a *transviado* perspective. Feliciano explains that historically, it was common to categorize transvestites as referring to clothing, as ‘men dressed as women’.⁵⁴⁹ In Brazil transvestite identities are commonly target of significant

⁵⁴⁴ Inter-American Court of Human Rights, 2017, para. 32.

⁵⁴⁵ Ibid.

⁵⁴⁶ Favero and Souza, p.305.

⁵⁴⁷ K. O. Feliciano, ‘Orgulho de ser travesti: a ressignificação da identidade social travesti como estratégia de resistência’, *Humanidades em Perspectivas*, vol. 7, no. 16, 2023, p.134, Available from <https://www.cadernosuninter.com/index.php/humanidades/article/view/2639> (accessed 18 July 2024).

⁵⁴⁸ Inter-American Court of Human Rights, 2017, para. 32.

⁵⁴⁹ Feliciano, p.126.

prejudice, according to the author, associated with criminality and promiscuity, also being fetishized. Feliciano continues stating that often this division between transvestite and transgender is attempted to be made, however, that just reinforces stigma. It could be argued from this that if a distinction between transvestite and trans* identities is made, it might be more adequate to only clarify the political character of transvestite, stating that it is part of the transgender realm. Alternatively, a strength within the definitions proposed by the Court is describing cisnormativity and heteronormativity⁵⁵⁰, emphasising the normative social expectations in relation to sexuality and gender.

Another analysis of definitions can be made concerning the Decree n° 8.727, of 28 April 2016, which establishes the ‘social name’ in Brazil, it is described in the legislation:

gender identity - dimension of a person's identity that concerns how they relate to representations of masculinity and femininity and how this translates into their social practice, without being necessarily related to the sex assigned at birth.⁵⁵¹

Interestingly, this definition has distinct elements when compared to international human rights documents such as the Yogyakarta Principles, it can be considered a not commonly seen characterisation of the term. The last part of the sentence still carries a more widespread current perspective of detaching gender identity from assigned sex at birth. The first segment proposes a relation of the individual to representations of masculinity and femininity, and that this relation occurs within the realm of identity. It could be questioned by ‘representations of masculinity and femininity’ it is meant gender, which is most present in other definitions. Although masculinity and femininity do not necessarily entail a restricted view that the only existing genders are man and woman since they are repetitions of practices, and not gender itself - a *transviado* approach would point out that the definition could have still avoided this binary contextualization of possible gender relations. Still, a positive aspect of it is the inclusion of ‘social practice’, signalling that how identity is socially experienced is relevant, also meaning that elements classified as gender expression in human rights discourse can also be a target of discrimination, not only restricted to the subjective perception of self. The importance of defining terms and perspectives when aiming at rights guaranteeing is also described by Madrigal Borloz:

In that connection, the manner in which laws and policies define identity terms has a significant impact on whether and to what extent universally protected human rights are recognized and protected under the law; moreover, the use of terms such as “sex”,

⁵⁵⁰ Inter-American Court of Human Rights, 2017, para. 32.

⁵⁵¹ República Federativa do Brasil, *Decreto n° 8.727*, 28 April 2016, Article 1 (author’s translation).

“gender”, “gender identity” and “gender expression” can either give full effect or unduly limit the universal application of human rights.⁵⁵²

Contrasting with this approach, the Brazilian National Policy of Integral Health of Lesbians, Gays, Bisexuals, Transvestites and Transsexuals does not define gender identity, for instance.⁵⁵³ The examples of the Decree n° 8.727, of 28 April 2016 and the Nacional Policy illustrate a need, in the Brazilian context, to clarify conceptualisations on gender and sexuality at a federal level.

Other than proposing examinations of definitions, a *transviado* approach can endorse the notion that human rights in relation to gender do not only refer to womanhood but also to gender-diverse persons. Madrigal-Borloz reinforces that international human rights frameworks on gender do not pertain solely to (cis) women.⁵⁵⁴ Madrigal-Borloz further defines:

Gender is therefore used in international human rights law as concerning human persons who live in gendered societies, among preconceptions and power hierarchies that will create a context for the development of their personal identities and social interactions. In this manner, gender theory is also relevant as a tool to address, analyse and transform systems of violent masculinity.⁵⁵⁵

In this context, individuals undergo gender-based violence and discrimination differently according to a diversity of social markers - as mentioned by Madrigal-Borloz there is a need for comprehension of those differences in order to guarantee that discrimination is tackled effectively.⁵⁵⁶ Still, the former expert analyzes that

Challenging the male/female binary system is a daunting task. It has been an ordering principle for the socioeconomic, cultural, civil and political framing within States and at the regional and global levels and is a cornerstone of patriarchal and heteronormative concepts that are at the origin of most injustice, including discrimination and violence against women. It is, however, also a part of the framework that has shaped the development of international human rights law and, for the last six decades, has also been referred to in the global endeavour to achieve equality: *often, gender equality is understood as socially and politically interchangeable with equality between men and women.*⁵⁵⁷

Thus, trans* people are left out of this analysis. Additionally, certain strands of feminism that are trans* exclusionary claim that approaches to gender that include trans individuals reflect

⁵⁵² UN General Assembly, 12 July 2018. A/73/152, para. 4.

⁵⁵³ Ministério da Saúde, 2013(b).

⁵⁵⁴ UN Human Rights Council, 3 June 2021. A/HRC/47/27, paras 13,14.

⁵⁵⁵ Ibid., para 14.

⁵⁵⁶ Ibid., para 93.

⁵⁵⁷ UN General Assembly, 15 July 2021. A/76/152, para. 14 (emphasis added).

on a threat to (cis) women's rights.⁵⁵⁸ This is related also to using sex and gender and equal terms, and basing claims on sex as a biological reality. In that sense, transmasculinities in Brazil experience gaps in rights guaranteeing claims, practice and legal and political frameworks concerning aspects connected to embodiment, such as sexual and reproductive rights, as well as gender-based violences that affects this community. Addressing those rights entails considering the specific place that transmasculinities occupy with regard to masculinity, a non-hegemonic position, that is recalled also by this physical reality. Peçanha, Monteiro and de Jesus engage with aspects that could be improved for transmasculinities, rights in relation to: pregnancy, sexual violence and abortion, and menstruation.⁵⁵⁹ According to them, pregnancy in the public health system in Brazil is embedded in cisheteronormative stances, not contemplating the possibility that transmasculinities can engage in biological parenthood. The understanding of the potentials of a transmasculine body is a significant challenge faced by transmasculinities in a context where hegemonic masculinity prevails, aligning with the findings of Ribeiro's research.⁵⁶⁰ This is reflected not only in private social discrimination but also has a broader health and reproductive-related impact. Transmasculinities can also be a target of a specific form of sexual violence, Peçanha, Monteiro and de Jesus elaborate:

Trans men can be victims of sexual violence, such as corrective rape (...) characterised as violence aimed at "correcting" the victim's sexuality or gender identity. The aggressor punishes the victim for opposing cisheteronormativity (...)⁵⁶¹

Here, it is possible to comprehend the specificity of the foundations of this type of violent act, a movement important in the elaboration of strategies aiming to avoid its occurrence. In addition, transmasculinities are often left out of discourses claiming abortion rights, with campaigns often wording only about (cis) women's bodies.⁵⁶² Finally, addressing menstruation while including transmasculinities also involves nuances in terminology, such as using 'menstruators' or 'people who menstruate' instead or in addition to 'women'.⁵⁶³ Cisheteronormative views on those rights pose a significant erasure of transmasculinities,

⁵⁵⁸ S. J. Turnbull-Dugarte and F. Mcmillan, "Protect the women!" Trans-exclusionary feminist issue framing and support for transgender rights', *Policy Studies Journal*, vol. 51, no. 3, 2023, p.632, Available from <https://onlinelibrary.wiley.com/doi/full/10.1111/psj.12484> (accessed 20 July 2024).

⁵⁵⁹ L. M. B. Peçanha, A. A. Monteiro and J. G. Jesus, 'Transfeminismo das transmasculinidades: Diálogos sobre direitos sexuais e reprodutivos de homens trans brasileiros', *Revista Brasileira de Estudos da Homocultura*, vol. 6, no. 19, 2023, p.97. <https://periodicoscientificos.ufmt.br/ojs/index.php/rebeh/article/view/15787/12374> (accessed 19 July 2024).

⁵⁶⁰ Ribeiro, p.12, 14, 15.

⁵⁶¹ Peçanha, Monteiro and Jesus, p.100 (author's translation).

⁵⁶² B. L. Pfeil and C. L. Pfeil, 'Em defesa de parentalidades transmasculinas: uma crítica ao (cis) feminismo', *Revista Brasileira de Estudos da Homocultura*, vol. 6, no.19, 2023(b), p.50, Available from <https://periodicoscientificos.ufmt.br/ojs/index.php/rebeh/article/view/15382/12376> (accessed 15 July 2024).

⁵⁶³ Peçanha, Monteiro and Jesus, p.100

therefore, a *transviado* lens can offer broader paths to deal with the embodiment of transmasculine rights as well as gender-based violence that affects them.

4.2.2 Expanding the notion of self-determination and autonomy based on the proposition of non-hegemonic alternatives

Proposing non-hegemonic alternatives within transmasculinities is a practice of gender self-determination. Self-determination related to gender in human rights mostly regards individuals being able to voice and choose their own gender, and having that reflected in their legal and social recognition and guarantee of bodily autonomy. This can point out that this is a highly individualized right. Still, a *transviado* approach to the matter can propose a discussion on collectivity related to the topic. According to Sullivan, and in alignment with *transviado* thinking, gender self-determination in human rights is using the available medical technology in favour of the person's desire to modify their own body, in favour of their autonomous and free expression of gender.⁵⁶⁴ This is ultimately different from a relation where individuals are granted access to that technology only to pursue an alignment to normative expectations of what it is to be a man. Thus, a human rights framework and policies in relation to body modification must be supported by the notion that non-hegemonic alternatives imply voluntary and autonomous control over the interpretations and acts related to the body.

In this frame, and beyond body autonomy, how do ideas of collectiveness regarding non-hegemonic alternatives within transmasculinity relate to gender self-determination? Stanley poses a critique of the Western view of the individualised person, derived from neoliberalism, who possesses human rights.⁵⁶⁵ The author continues by arguing a necessity to observe a collective sense of gender self-determination, which is constructed in social relations. Considering that masculinity, its hegemonic forms but also any alternative that is being tailored, is a repetition of practices, it is reasonable to contemplate a collective element to gender self-determination. A collective contribution of self-determination remarks that *transmasculine* individuals who for any reason did not pursue body modifications have the same right to have their gender identity respected administratively and socially as persons who went through a series of body modifications. This is part of thinking this community collectively concerning education in non-discrimination - entailing that professionals in various fields, but especially healthcare⁵⁶⁶, can base their actions on principles of self-determination.

⁵⁶⁴ Sullivan, 2014, p. 189.

⁵⁶⁵ Stanley, p.90.

⁵⁶⁶ Since it is a significant demand of transmasculinities in Brazil.

This means that they can see a body that does not conform to normative expectations and avoid associating this body with a specific gender if the person's identity has not yet been voiced. Thus, it involves reflecting on how non-discrimination can be fostered by the social elaboration of new imaginaries where a collective body of people is perceived as legitimate in their own identity. Here, a *transviado* standpoint has the potential to question what is needed for the right to self-determination to be respected in a context where hegemonic masculinity prevails. This implies going beyond the legal aspect of this right and also analysing how it translated into social practices of recognition and possible discrimination. Finally, another practice of implementing a collective view of gender self-determination is observing language and discourses created in the context of non-hegemonic alternatives and considering applying those to human rights frameworks and public policy. If only about half of the transmasculinities in Brazil⁵⁶⁷ identify as 'trans man', and other terms of identification are being employed it could be relevant to include those terms in legal and political discourses.

4.2.3 Persisting in pursuing full depathologisation as part of gender self-determination and non-discrimination

A significant alignment between *transviado* perspectives and human rights discourse on transness is the agreement that depathologisation has to be promoted for the achievement of non-discrimination. As Suess, Espineira and Walters argue that

(...) the trans depathologization framework introduces a paradigm shift in the conceptualization of gender identities: from conceiving gender transition as a mental disorder to recognizing it as a human right and expression of human diversity.⁵⁶⁸

If depathologisation entails rejecting the medicalisation and categorisation of transness as an illness, which requires a diagnosis to access rights, gender self-determination is the alternative proposed to this conception. In that sense, *transviado* perspectives support the connection between depathologisation and self-determination. Current international human rights uphold depathologisation, to the extent of, in particular documents, proposing that States do not require any diagnosis to undergo body modifications, as recommended by Madrigal-Borloz.⁵⁶⁹ Thus, it could be questioned how a *transviado* perspective could contribute in this context. The potential of this approach is offering a profound political, social and historical comprehension of pathologisation - which is one of the central phenomena that, until this day, is part of the foundation of discrimination of trans* individuals. *Transviado* thought engages with concepts

⁵⁶⁷ According to the mapping performed by IBRAT.

⁵⁶⁸ Suess, Espineira and Walters, p.74.

⁵⁶⁹ UN General Assembly, 12 July 2018. A/73/152, para. 13.

of normality and abnormality, and the process of placing certain bodies in locations of abjection, supported by scientific knowledge. It grants an understanding of how pathologisation was developed based on the concepts of gender dysphoria and ‘true transexual’, and how and where these ideas currently occur, affecting transmasculinities - a process that ultimately relies on a fixed notion of what displays of masculinity entail.

A key aspect of a *Transviado* approach is that it promotes not only depathologisation but the end of diagnosis. Favero and Souza emphasise that those are not synonyms, as sometimes depathologisation is encouraged but diagnosis is read as unavoidable and still kept in its position.⁵⁷⁰ The thoughts of the authors are summarised when they state:

(De)pathologising has not been exactly the same as (de)diagnosing, because, paradoxically, some of the same institutions, both national and international, that claim that trans and transvestite identities do not have a psychic illness, are also generally those that defend the possibility of clinically assessing these experiences through a diagnosis. In other words, if there is no pathology, why diagnose?⁵⁷¹

This is the case of the Federal Psychology Council of Brazil (CFP) which is in favour of depathologisation, focusing on anti-discrimination in psychological practice, however, it does not question the status or existence of the process of diagnosis.⁵⁷² As depathologisation is no longer a doubt in the human rights field, Favero and Souza illustrate more precisely the issues to where a *transviado* perspective can contribute when stating that ‘the challenge of depathologisation is revealed when diagnosis appears to be indispensable to the logic of very well-intentioned services.’⁵⁷³ *Tranviado* thinking also encourages then the development of medical and psychological practices that do not enforce an immutable self-perception of gender, that does not impose a fixed notion of transness - which has been strongly tied to diagnosis.

Although the best practice recommended by Madrigal-Borloz is to require no diagnosis for accessing the right to health Brazilian public health still relies on a process of diagnosis and evaluation for access to body modifications, with some medical procedures requiring a two-year process of assessment.⁵⁷⁴ This means that significant advancements are still needed in the field. In addition, it is not a unanimous thought within trans movements in Brazil that transness should not be pathologised. Oliveira explains how this is carried out

(Trans) people know that they are not ill (...), however, like skilful chess players, they realise that the power relations in which they are inserted require some -master moves.

⁵⁷⁰ Favero and Souza, p.320.

⁵⁷¹ Ibid., p.320 (author’s translation).

⁵⁷² Conselho Federal de Psicologia (CFP), 2018.

⁵⁷³ Favero and Souza, p. 312.

⁵⁷⁴ Ministério da Saúde, 2017; Associação Nacional de Travestis e Transsexuais (ANTRA), 2020.

So, although they are aware that they are not diseased, they strategically prefer to keep their (trans) identities pathologised due to their perception that they may lose some of their few rights, especially the right to public healthcare.⁵⁷⁵

Bento and Pelúcio complement this by stating

Although some activists fear the loss of rights they have won, such as, in Brazil, the guarantee of free access to the transsexualising process by the Unified Health System (SUS), we believe that pathologisation has not in fact guaranteed rights, but has imposed a model for thinking of transsexuality as a catalogued, curable and normalisable experience.⁵⁷⁶

To approach this issue, human rights perspectives based on recommended best practices on non-diagnosis associated with *transviado* outlook can be resourceful in informing and dialoguing with trans communities in Brazil on possibilities of guaranteeing the right to health, with the bodily autonomy it carries, while safeguarding gender self-determination.

4.2.4 Critiquing rights guaranteeing process based solely on the criminalisation of discrimination

One of the recommendations of Madrigal-Borloz to States aiming to address discrimination towards gender-diverse people is to

Enact hate crimes legislation that establishes transphobia as an aggravating factor for the purpose of sentencing; and adopt legislation in relation to hate speech on the grounds of gender identity.⁵⁷⁷

In Brazil, it was decided by the Supreme Federal Tribunal (STF) in 2019 that acts of homophobia and transphobia should be classified as crimes under the Racism Law (Law No. 7,716/1989).⁵⁷⁸ While this is not the only approach to human rights guaranteeing of trans* people, as various other recommendations are made, it can be seen in social movements in Brazil, who when confronted with acts of violence tend to choose the path of claiming for rights by the criminalization of conduct considered to be homophobia, transphobia or others^{579, 580}

⁵⁷⁵ Oliveira, p.158 (author's translation).

⁵⁷⁶ Bento and Pelúcio, p. 574 (author's translation).

⁵⁷⁷ UN General Assembly, 12 July 2018. A/73/152, para. 78.

⁵⁷⁸ Supremo Tribunal Federal (STF), *STF equipara ofensas contra pessoas LGBTQIAPN+ a crime de injúria racial* (website) 2023
<https://portal.stf.jus.br/noticias/verNoticiaDetalhe.asp?idConteudo=512663&ori=1#:~:text=A%20decis%C3>
 (accessed 5 July 2024).

⁵⁷⁹ Others such as lesbophobia, for instance.

⁵⁸⁰ A. N. Martins, 'A criminologia 'queer' e o abolicionismo penal transviado', *Dilemas: Revista de Estudos de Conflito e Controle Social*, vol. 15, no. 02, 2022, p. 703, Available from <https://www.scielo.br/j/dilemas/a/DkhS4hVqNJcyJ7NpMNV3kxx/?format=pdf&lang=pt> (accessed 5 July 2024).

Considering certain *transviado* viewpoints⁵⁸¹ it is possible to question this approach. According to Colling, there is an expectation that the criminal justice system will provide solutions for a variety of issues.⁵⁸² However, this ignores how this system impacts gender dissidences in Brazil. Martins argues that it is a regulating structure that reinforces the cisheteronorm, controls bodies and affects not all LGBTQIA+ community, but those who are considered to be most abject - the ones marginalised from the economy, non-white, sex workers and individuals living with HIV.⁵⁸³ There, more 'normalisable' and economically and racially privileged sectors of this community receive some benefits of criminalisation, Martins describes:

(...) while non-white LGBT people, especially trans people and transvestites, continued to be criminalised, the most prominent sectors of the LGBT movement, which came to be included as respectable citizens to be protected by penal institutions, sought to distance themselves from any connection with the image of criminalisable LGBT people.⁵⁸⁴

Therefore, ultimately there is a contradiction of pursuing criminalisation of conducts while forgetting that the penal system also operates in regulating gender dissident bodies - causing an intensification of experiences of abjections of those passible of incarceration. A *tranviado* perspective enables thinking about the pursuit of non-discrimination of transmasculinities in Brazil through other pathways.

Dividing the contribution of a *tranviado* perspective into four categories assisted in analysing its possible inputs. One of them: continuously questioning the cisheteronorm and hegemonic masculinity as the roots of discrimination of transmasculinities, was divided into four other classifications due to the diversity of matters approached within it. The detailed examination of human rights discourses emerged as a location where *transviado* can provide substantial and extensive insights. Although it can be considered that in human rights frameworks there currently is caution and awareness when proposing definitions related to transness, still, improvements could be made - for example, in the definitions of trans in the Advisory Opinion⁵⁸⁵ or in definitions of gender identity in Brazilian legislation, as in the Decree n° 8.727, of 28 April 2016⁵⁸⁶. The analysis of definitions also has shown to be important in the context of education, as a basis for anti-discriminatory educational practice. Furthermore, part of examining the roots of discrimination through *transviado* lends involves being critical

⁵⁸¹ Martins, who researches on *transviado* critical criminology, clarifies that not all *transviado* knowledge in relation to the criminal justice system is in agreement that the increase of criminalisation of conducts is not the most suitable solution to the Brazilian context. Martins, p.710.

⁵⁸² Colling, 2011, p.11.

⁵⁸³ Martins, p.703.

⁵⁸⁴ Ibid., p.704 (author's translation).

⁵⁸⁵ Inter-American Court of Human Rights, para. 32.

⁵⁸⁶ República Federativa do Brasil, *Decreto n° 8.727*, 28 April 2016.

of fragmented human rights solutions and seeking to include transmasculinities in the scope of human rights related to gender, avoiding that those encompass solely cis women.

Other than questioning cisheteronormativity and hegemonic masculinity as foundations of discrimination, a *transviado* perspective can expand the comprehension of self-determination and autonomy in the human rights field. It proposes the increase of a collective understanding of self-determination of transmasculinities, which amounts to a social comprehension of the plurality of non-hegemonical expressions of masculinity. Depathologisation was another significant locus of intersection between human rights and *transviado* thought. There, *transviado* can support the promotion of best practices that do not require a diagnosis for access to different human rights. It can also question why human rights frameworks are not more explicitly encouraging those practices. Finally, human rights frameworks do not aim to achieve non-discrimination only by the criminalisation of transphobia and other ‘phobias’. However, a *transviado* perspective could still highlight the issues and contradictions, especially as a strategy of social movements in Brazil, of emphasising the pursuit of criminalisation of conducts in the country.

5 Conclusion

This thesis aimed to answer the question: how can the pervasiveness of hegemonic masculinity on transmasculinities in Brazil and its non-hegemonic alternatives be comprehended from a *transviado* perspective, fostering non-discrimination? It became evident that hegemonic masculinity entails a gatekeeping in the realm of masculinity, and the subordination of other forms of masculinity. There is a constant need to prove masculinity through the repetition of behaviours. This is performed at a more interpersonal level, but it is also significantly institutionalised - posing a barrier for transmasculinities to access fundamental rights concerning transness such as the right to bodily autonomy and the right to the highest attainable standard of physical and mental health. Summarising: a pathological view of transgender imposes cisheteronormative standards on what a transmasculine person should become or desire to become - physically and in their behaviour. These standards amount to a hegemonical form of masculinity which prevails in placing transmasculinities in a location of invisibility. This state of invisibility leads to gaps in the comprehension of human rights violations regarding transmasculinities in Brazil. Attempts to cover those gaps come significantly from the transmasculine community, which through its associations, scholarship and self-organised gatherings of information try to map the effects of the cisheteronorm over

them. Within those attempts, it is highlighted that violences that afflict this community demand a non-individualistic comprehension, for instance with phenomena such as suicide. To enable this, it is essential to, from the beginning, understanding trans* in relation to the cisheteronom - it demands starting from a definition of trans* such as a *transviado* one, that centralises a conflict with the gender norms.

For the enhancement of non-discrimination as a human right of transmasculinities a *transviado* approach can be resourceful in assisting in understanding non-discrimination as a broader principle that contains and is fostered by depathologisation, gender self-determination and autonomy, and legal recognition of trans* people. The contribution of a *tranviado* perspective was divided into the categories: continuously questioning the cisheteronorm and hegemonic masculinity as the roots of discrimination of transmasculinities; expanding the notion of self-determination and autonomy based on the proposition of non-hegemonic alternatives; persisting in pursuing full depathologisation as part of self-determination and non-discrimination; critiquing rights guaranteeing process based solely on the criminalisation of discrimination in Brazil assisted in the analysis of its possible inputs. Continuously questioning the cisheteronorm and hegemonic masculinity as the roots of discrimination of transmasculinities separated into: *transviado* education in anti-discrimination; critique of partial human rights solutions; examination of human rights discourses; and reinforcement of the inclusion of transness in notions of gender.

Within the present human rights scenario a *transviado* approach to transmasculinities in Brazil can contribute to fostering non-discrimination by offering a theoretical framework that enables the comprehension of the operation of the cisheteronorm, allowing for the questioning of hegemonic masculinity as an underlying source of different branches of human rights violations of transmasculinities. It can thoroughly examine definitions and discourses on gender identity - which according to Madrigal-Borloz are fundamental in granting, or not, human rights protection - depending on how they are formulated.⁵⁸⁷ For the purpose of this thesis, parts of documents were analysed as a sample, exemplifying what a *tranviado* outlook could mean; this approach could be expanded to additional material in future research.

It can be argued that current international human rights frameworks in relation to gender identity work towards comprehending the structures that lead to the discrimination of trans* individuals - and seek the implementations of practices based on those understandings. This can be observed in the attentive use of definitions of gender, sex and other concepts. Including

⁵⁸⁷ UN General Assembly, 12 July 2018. A/73/152, para. 4.

in cases where these descriptions of concepts contain issues from a *transviado* perspective, there is an explicit disclaimer on the attempt to not reproduce notions that would reinforce discrimination, as in the case of the Advisory Opinion OC-24/17 of the Inter-American Court of Human Rights on Gender Identity, Equality and Non-discrimination of Same-sex Couples. As gaps can be noticed when applying a *transviado* lens to analyse certain documents, modifications could be implemented aiming to improve them. In terms of addressing root causes of discrimination, a *transviado* approach can also contribute to the development of educational strategies, especially for groups such as health professionals who work with transmasculinities. The training of this group can be considered one of the core needs for the promotion of non-discrimination of transmasculinities in Brazil. Additionally, as part of questioning partial human rights solutions, *transviado* thought understands that transmasculinities in Brazil could benefit from comprehensive legislation regarding gender identity, considering the best human rights practices in this domain. Finally, a *transviado* perspective in continuously questioning cisheteronormative structures also reinforces the inclusion of transmasculinities in human rights related to their bodies, which often in the context of rights claiming in Brazil, contemplates mostly exclusively (cis) women.

Self-determination and autonomy concerning one's gender identity are central aspects of human rights frameworks in relation to transness. There, a *transviado* outlook can increase understanding of self-determination based on the propositions of non-hegemonic alternatives within transmasculinities. It informs that part of self-determination is observing language used by that community, collective practises of organisation and deconstruction of meanings attached to the body, in an attempt to coin new imaginaries and exercises of masculinities. If done so, a process of rights claiming can be based on a trans-centred standpoint, not in a pathological gaze. It is essential that these non-hegemonic alternatives being coined by transmasculinities reach other social sectors since there could be a tendency for them to be restricted to that community, creating a significant gap between a broad societal understanding of transmasculinities in Brazil and the experience of masculinity of this population. Thus, the thesis's relevance lies in providing a dialogue with the human rights field and proposing amplifying the reach of comprehensions being elaborated by this community.

Concerning depathologisation and pathologisation, it can be observed how the historical process of placing transness in a location of illness is impactful in the current access of rights related to the highest attainable standard of physical and mental health and bodily autonomy by transmasculinities. It appears, for instance, in outdated terminology in national policies and in the strong focus of healthcare tied to body modification procedures, neglecting

other forms of care.⁵⁸⁸ - or in the significant experience of discrimination by transmasculinities in healthcare. There, international human rights recommendations can play an important role in advancing rights claiming based on global best practices in relation to trans* access to healthcare - which entails the detachment of body modification procedures to a diagnosis process. In combination with that, *transviado* can continue reinforcing the pursuit of comprehensive depathologisation.

Along with defining the core conclusions of the thesis, it is important to delineate some observations on the processes, perceptions and additional contributions of derived from it. Transmasculine scholars in Brazil are producing significant knowledge on how cisheteronormativity affects them, what expectations it poses on their masculinities and how it is intertwined with human rights violations. However, there is a lack of systematisation of the concepts used, for instance, the same authors use several different terms to address oppressions associated with hegemonic masculinity. There, the work of finding congruency between the thoughts of academics and analysing these foundational causes of discrimination through a systematic idea of hegemonic masculinity appears to be a relevant contribution of this thesis. Also, non-hegemonic alternatives within transmasculinities are being crafted and appear in Brazilian transmasculine literature, however, there is also not a compilation of what those alternatives could mean, and how they can point towards directions to counter discrimination.

Occasionally, it was necessary to cover and examine general aspects related to transness instead of delving directly or exclusively into transmasculinities in Brazil. The justification for this is that transmasculinities are part of the trans* spectrum, so in human rights frameworks or diagnostic manuals there is rarely a specificity of this population, but rather general approaches to gender identity. Additionally, the history of pathologisation of transgender and the development of cisheteronormativity correspond to dissidences generally, being important to comprehend those general processes to then understand discrimination towards transmasculinities. Thus, there is a need to constantly dialogue with a wider trans* category also transposing thought and human rights implications to transmasculinities in Brazil.

A further noticeable aspect is that *transviado* author's publications are less recent if compared to publications by transmasculine scholars. One could inquire about the differences between them, or why *transviado* publications are not so current - so, it could be a suggestion for future research to comprehend that timeline. Regarding the transmasculine authors, it could

⁵⁸⁸ Ministério da Saúde, 2013(a); Associação Nacional de Travestis e Transsexuais (ANTRA), 2020.

be considered that they derive from that *transviado* knowledge, but adopt an increased trans studies perspective and propose a focus on transness in their studies. They explicitly use cisheteronormativity as a category of analysis, different from most *transviado* authors. It could be considered that there is a process to a certain extent, of autonomous craft of knowledge, in approaches such as from the *Revista Estudos Transviades* or from *Brava*. However, *transviado* literature still showed to be significantly relevant for this research, since it coins the theory employed - being more intensely developed at a period and possibly going through a process of fewer releases of publications after some core aspects were delineated.

A curiosity that could be sparked in the reader is the reasons why transmasculine people were not interviewed in this research, considering that they could provide empirical input on the effects of hegemonic masculinity. This was not performed since it was considered that there was enough information in the literature available, especially because the material on transmasculinities possesses a positionality where the subjective transmasculine experience of discrimination is also reflected and informing this knowledge making. Additionally, trans studies propose an ethics of knowledge-making regarding transness that aims to avoid using trans* people as objects of study - instigating reflections on how to engage with this populations and what should be given in return as a research result. Although the elaboration of scientific research can be considered a benefit, there would be still a concern in producing a delivery that could be more directly impactful for this community. Furthermore, aspects such as time restraints and online interviewing pose barriers to the development of an in-depth process of data collection based on the *acolhimento*⁵⁸⁹ and collaboration with the participants. However, it is a suggestion for further research to engage in interview-based data collection with this population, aiming to increase the comprehension of how hegemonic masculinity affects them - if founded on ethical principles as trans studies propose. Other limitations of this thesis were the gaps in access to certain information regarding transmasculinities in Brazil, considering that there is no official general census on the community in Brazil, which reflects the state of invisibility experienced by them. Ultimately, time constraints were a limitation to apprehend more systematically the application of current state of international human rights frameworks in Brazil - being relevant in future studies to increase the systematic focus on how international human rights standards translate into Brazilian policies. Processes of translations from Portuguese to English, and mainly utilizing sources in Portuguese cannot be considered a

⁵⁸⁹ *Acolhimento* can be translated into a word like caretaking, reflecting the idea of proposing a safer and ethical space for data collection.

limitation of the thesis, on the contrary, they are part of a relevant movement of translation. However, it is still important to mention that this process can have an, to an extent unknown, effect on this thesis.

Further knowledge could be produced on discursive practices within the transmasculine community, their strategies of rights claiming and how human rights are embedded in their discourses. It could be beneficial to engage with transmasculine associations such as IBRAT. Additionally, resorting directly to current or former UN Independent Experts on protection against violence and discrimination based on sexual orientation and gender identity could be relevant to acquiring a more nuanced understanding of the state of international human rights frameworks in relation to gender identity. As similar issues impact transmasculinities concerning hegemonic masculinities in Latin America, an increase of exchange between knowledge produced in Brazil and in the rest of the region could be an important decolonial strategy of augmenting understanding of how discrimination is shaped and can be addressed in the Inter-American Human Rights System. Finally, after comprehending locations where discrimination is especially high and poses an important barrier to the guarantee of other rights such as in the public healthcare system, it can be important to produce knowledge on anti-discrimination educational strategies and the application of those through public policies in Brazil. Considering the findings of this thesis in combination with the possibilities of further research it proposes, it can be concluded that *transviado* holds significant potential when employed as a theoretical frame in the analysis of various aspects related to the human rights of transmasculinities and other gender dissident populations in Brazil.

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