



# MAPPING THE **RAINBOW**

RESEARCHING THE DIVERSE COLOURS  
OF THE LGBTIQ+ COMMUNITY

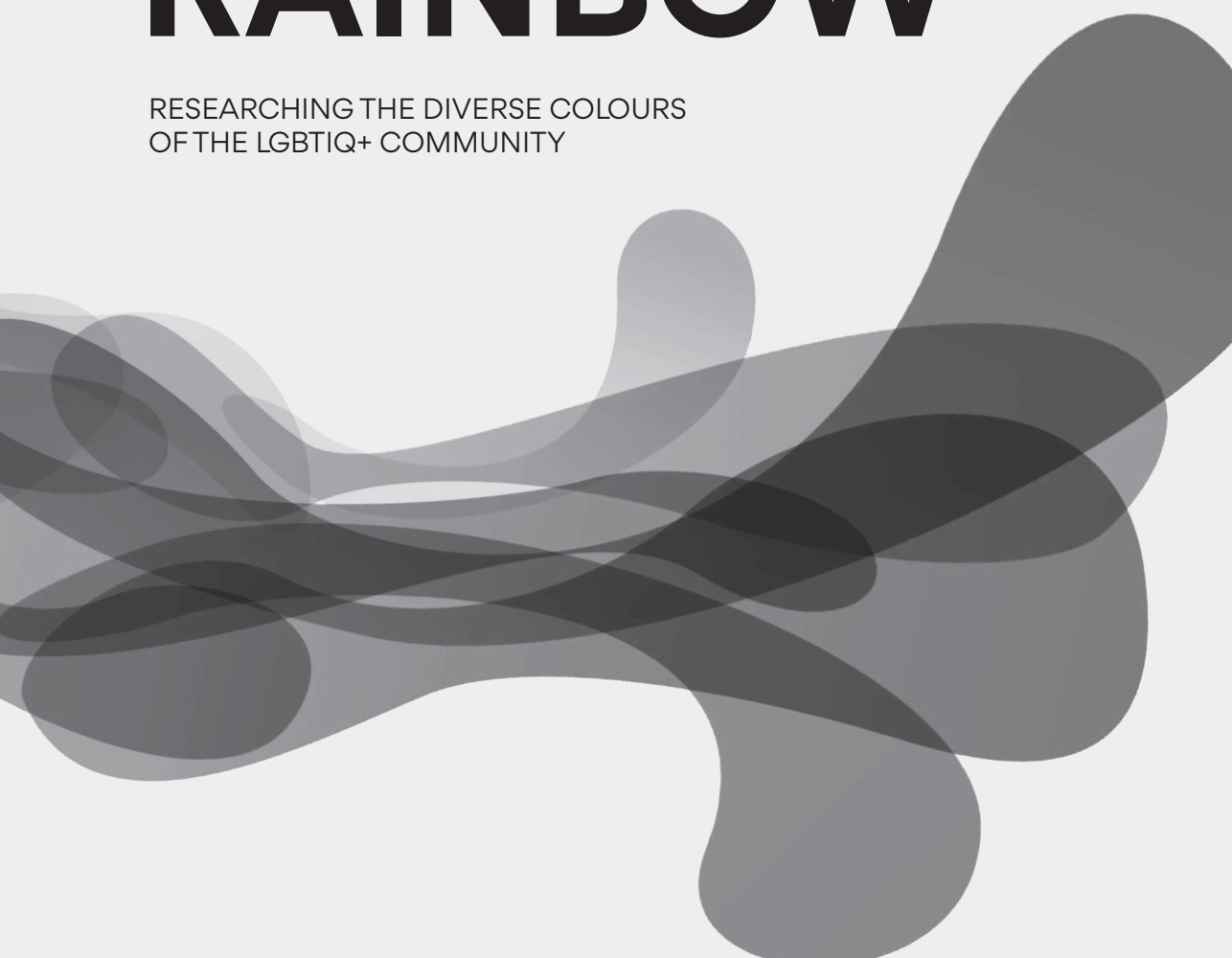
**VOLUME III**

Prof Marceline Naudi, Prof Mark Harwood &  
Dr Claire Azzopardi Lane (Eds.)

Published by the **Human Rights Directorate**

# MAPPING THE **RAINBOW**

RESEARCHING THE DIVERSE COLOURS  
OF THE LGBTIQ+ COMMUNITY



**VOLUME III**

Prof Marceline Naudi, Prof Mark Harwood &  
Dr Claire Azzopardi Lane (Eds.)

Published by the Human Rights Directorate within the Ministry for European Funds,  
Equality, Reforms and Social Dialogue  
Copyright © 2024 MEES

All rights reserved. No part of this publication may be reproduced, distributed, or  
transmitted in any form or by any means, including photocopying, recording, or  
other electronic or mechanical methods, without the prior written permission of the  
publisher, except in the case of brief quotations embodied in non-commercial uses  
permitted by copyright law.

First Published with the title *Mapping the Rainbow: Researching the diverse colours  
of the LGBTQ+ community – Volume III* by MEES in 2024.

Human Rights Directorate, Level O, A3 Towers, Triq l-Arkata, Paola - Malta

ISBN: 978-9918-0-0787-5

# Introduction

As policymakers, we rely on the evidence and analysis provided by researchers to develop inclusive policies that cater to the diverse needs of all citizens, recognising and respecting the unique experiences of each individual. Research serves as the cornerstone of our decision-making process, guiding us toward a society that celebrates diversity and fosters respect for all.

In this third volume of “Mapping the Rainbow,” we embark on a deeper exploration of the multifaceted experiences of the LGBTIQ+ community in Malta. We acknowledge the pivotal role that research plays in shaping our understanding and driving progress in this field. The studies presented in this publication illuminate the intersectional nature of LGBTIQ+ experiences, addressing issues such as the challenges faced by individuals who are both LGBTIQ+ and with a disability, the dynamics within the LGBTIQ+ sex work community, and the daily obstacles encountered by transgender athletes, among other themes.

Through the insightful contributions of dedicated researchers, we gain deeper insights into the obstacles faced by the LGBTIQ+ community and the pathways to meaningful change. This publication serves as a wellspring of knowledge for policymakers, researchers, and advocates alike, all of whom are committed to advancing equality and justice for all.

I commend the authors for their unwavering dedication and expertise in producing this invaluable body of work. Their contributions not only enrich our understanding but also inspire us to redouble our efforts in creating a more inclusive and equitable society for all.

As we navigate the complexities of policymaking in the realm of LGBTIQ+ rights, let us remain steadfast in our commitment to amplifying the voices of those most affected and using research to inform our decisions. Together, we can forge a future where every individual feels safe, valued, and respected, regardless of their identity or whom they love.

Hon. Rebecca Buttigieg  
Parliamentary Secretary for  
Reforms and Equality

This project represents the third symposium organised at the University of Malta for LGBTIQ+ research. As with the preceding research symposiums (2019 and 2021), the third symposium, held in May 2023, was the result of a collaboration between the University of Malta's Department of Gender and Sexualities within the Faculty for Social Wellbeing and the Institute for European Studies, the Malta LGBTIQ Rights Movement (MGRM) and the Human Rights Directorate (HRD) within the Parliamentary Secretariat for Reforms and Equality.

Malta's track record on LGBTIQ+ rights has seen significant advances over the last decade, and this has been reflected in the increased awareness and teaching of LGBTIQ+ issues at the University of Malta as well as the number of students undertaking research on LGBTIQ+ topics. In this way, 25 papers have been published in previous editions with the third symposium seeing 10 papers presented. Considering the impact of COVID-19 and the lived experience during the pandemic, we were very pleased to have such a robust level of interest and participation in the symposium.

The papers presented at the symposium are to be found in this publication and include studies which focus on the LGBTIQ+ community in Malta and also abroad.

Our thanks and appreciation go to Colette Farrugia Bennett and the HRD who partnered with the University of Malta in the organisation of the research symposium and to all the researchers for being willing to present their work and contribute to the ensuing publication.

Prof Marceline Naudi, Prof Mark Harwood &  
Dr Claire Azzopardi Lane (Eds.)

# Foreword



RAINBOW THREADS:  
EXPLORING INTERSECTIONALITY

Intersections in between: identifying as disabled  
and sexually diverse.....3

*Matthew Vassallo, PHD Candidate, University of Malta; Dr  
Claire Azzopardi Lane, Academic, University of Malta & Prof  
Andrew Azzopardi, Academic, University of Malta*

Life course and lived experiences of older trans  
persons: a Maltese case study .....19

*Tea Cekic, Master of Gerontology and Geriatrics, University of  
Malta & Prof Marvin Formosa, Academic, University of Malta*

Diversity within Diversity: the experiences of  
LGBTIQ+ expatriates residing in Malta .....35

*Elisabeth Grima, Master of Sociology, University of Malta*

LEGISLATIVE KALEIDOSCOPE:  
NAVIGATING POLICY REFORMS

Direct from owner: sex workers’ perspectives on  
the legislative and social changes necessary  
in Malta ..... 51

*Aaron Giardina, Master of Gender, Society and Culture,  
University of Malta*

Gender self-identification: a legal necessity .....85

*Angeliki Pantartzid, PHD Candidate, Aristotle University  
of Thessaloniki & Natali Kostara, Student, National and  
Kapodistrian University of Athens*

Conflict mapping, active governance and policy  
reform: 2 case-studies for Malta .....101

*Mina Jack Tolu, Master of Conflict Analysis and Resolution,  
George Mason University*

Contents



CHROMATIC NARRATIVES:  
UNDERSTANDING LIVED EXPERIENCE

The passing privilege: studying the concept of  
passing and its effects on the quality of life of  
transgender women ..... 123  
*Brenda Fenech, Master of Gender Studies, University of Malta*

A study of challenges that transgender athletes face  
in sports ..... 143  
*Maria Fenech, Bachelor of Science (Honours) in Sports,  
Exercise, and Health, Malta College of Arts, Science and  
Technology*

A pedagogy of coming out ..... 159  
*Jean Karl Grech, Master of Arts in Comparative Euro-  
Mediterranean Education Studies, University of Malta*

# RAINBOW THREADS:

EXPLORING INTERSECTIONALITY





# Intersections in between: identifying as disabled and sexually diverse

Matthew Vassallo

*PHD Candidate, University of Malta*

Dr Claire Azzopardi Lane

*Academic, University of Malta*

Prof Andrew Azzopardi

*Academic, University of Malta*

**Matthew Vassallo** (he/him) is a nurse by profession. After completing his undergraduate degree in nursing, he went on to read for a Master in Family Studies. He is currently employed as a Research Support Officer II within the Faculty for Social Wellbeing and is in his third year of Doctoral studies.

**Dr Claire Azzopardi Lane** (she/her) is a senior lecturer within the Department of Gender and Sexualities, within the University of Malta's Faculty for Social Wellbeing, of which she is also Deputy Dean. Dr Azzopardi Lane read for her PhD at the University of Kent's Tizard Centre, looking at the sexuality of persons with intellectual disabilities and the realities of their lived experience in a Maltese context. Dr Azzopardi Lane's research and follow-up work now includes studies on sex education, sexual and reproductive wellbeing, sexual and gender diversity, and parenting rights.

**Prof Andrew Azzopardi** (he/him) is an Associate Professor and Dean of the Faculty for Social Wellbeing and former Head of the Department of Youth and Community Studies. His lecturing and research focus on

sociology, critical pedagogy, disability, youth and community studies. He has contributed extensively in a number of other lauded journals, and has published various texts on disability politics, activism, young people and inclusive education. Azzopardi has also edited *Youth: Responding to Lives – An International Reader* (2013), co-edited *Perspectives on wellbeing – a reader* (2019). Andrew is passionate about social justice and takes clear positions on a number of social issues, namely prisoner rights, deinstitutionalisation, service user rights and against charity campaigns. He is also an anchor on a current affairs radio show on 103 Malta's Heart.

## Abstract

Disabled individuals have endured desexualisation due to institutional control, intrusive practices, and stigmatising discourse. Society, influenced by ableism, has labelled their sexual expression as problematic and deviant, necessitating control. This becomes more pronounced when disabled individuals identify as sexual or gender minorities, facing further suppression of their needs. Heteronormativity is often imposed on their sexual orientation, compounding this suppression, while gender binary norms persist in institutional settings. This convergence of identities intensifies discrimination and coercive control. Despite limited attention to the experiences of disabled individuals with sexual or gender minority identities in Maltese culture, this research aimed to comprehend their challenges. Through qualitative research, fourteen semi-structured interviews were conducted with disabled LGBT+ individuals, service providers, and NGOs. Thematic analysis revealed prominent themes including social attitudes, 'coming out', sexuality expression within services, and NGO support. While legislation has improved the quality of life for both disabled and LGBT+ communities, those with intersecting identities face complex discrimination and exclusion. They encounter negative experiences across socialisation, education, employment, and health. Recognising disabled individuals as sexual beings with intersecting identities is vital. Promoting diversity and intersectionality through mainstream channels can foster socio-cultural change, helping combat multifaceted discrimination and exclusion.

## Introduction and background

In this chapter the term LGBT+ will be used to refer to the spectrum of sexual and gender diversity.

Intersectionality is a framework that provides the insight to understand how the various aspects of a person's identity intertwine, resulting in discrimination or privilege (Atewologun, 2018). These interdependencies may include gender, race, ethnicity, sexual orientation, gender identity, class, spirituality and disability (Chan et al., 2018). It is known that disabled persons continue to experience discrimination (UNICEF, 2013a), social exclusion and loneliness (Abbott & Burns, 2007; Stoffelen et al., 2013), which is believed to be even more exacerbated among those who also identify within the LGBT+ intersect.

Disabled persons have historically been considered asexual or hypersexual (Noonan & Taylor Gomez, 2011) and there are still barriers limiting their sexual expression nowadays (McCarthy, 2014). This is particularly true for persons with intellectual disabilities whose sexual lives continue to be dictated by parents, guardians, families and service providers (Wilson & Frawley, 2016; Azzopardi-Lane, 2017). This paternalism has been listed as one of the barriers holding back LGBT+ persons with intellectual disability from receiving the education and support they need (Mann et al., 2006). The latter are sometimes still perceived as being incapable of making decisions about their sexual orientation and gender identity and they are often encouraged by parents to conceal their sexual desires and abstain from any sexual activity (Lam et al., 2019).

Findings in the literature about the experiences of LGBT+ disabled persons emphasized their fears and preoccupations about not having their identities respected when disclosing their sexual orientation and/or gender identity (O'Shea, et al., 2020). Research also concluded that 'coming out' can even be a daily occurrence due to the prevailing societal heteronormativity, thus rather than a onetime experience for

LGBT+ disabled persons, 'coming out' becomes a lifelong process. A growing body of evidence shows that disabled persons who identify as LGBT experience stigma and discrimination from both disability and LGBT communities leading to increased social exclusion (Dispenza et al., 2016; Sinecka, 2008; Vaughn et al., 2015). This social exclusion is also extended to disability services, where LGBT+ individuals expressed that they felt invisible when accessing these services (Mann et al., 2006).

Another identified barrier is the lack of comprehensive, sex affirmative, sex education offered by disability services, with most sex education focusing on protection (Yau et al., 2009). The lack of education about sexual and gender diversity provided to disabled persons further contributes to this invisibility by inhibiting awareness and inclusion. Amongst other consequences, this has lead heterosexual persons with intellectual disabilities to express prejudicial feelings (Burns & Davies, 2011) and verbal abuse (Tallentire, et al., 2016) towards LGBT peers.

Further to this, staff working with disabled persons are not receiving the appropriate related training to be in a position to support clients (Lafferty et al., 2012). This might be the reason why staff are not confident enough in supporting disabled persons in issues relating to their sexuality, particularly those who identify as lesbian, gay or bisexual (Abbott & Howarth, 2007). Negative attitudes have further been reported to be expressed by support staff who have threatened service-users into complying with heteronormative expression. Furthermore, it also demonstrates the lack of autonomy that disabled persons have in disability services and the authority that staff express over service-users (Dinwoodie et al., 2016). In view of this, a recent study has identified the need for services to have clear policies to support staff in the delivery of sex education (Azzopardi-Lane, 2021).

Due to the possible lack of support from family, disability services and the disability community, the importance of LGBT+ support groups in the lives of LGBT+ disabled persons is on the increase (Dinwoodie et al., 2016; Tallentire, et al., 2016; Smith et al., 2022). Socialising with other LGBT+



individuals has been associated with developing a positive self-identity (Elderton et al., 2014) and instilling pride in their identity (Tallentire, et al., 2016). Furthermore, socialising decreases loneliness as disabled persons are able to form new connections and friendships with people outside of their typical setting. A reason for such positive outcomes might be that LGBT+ disabled persons feel safer and understood in these support groups (Stoffelen et al., 2018). Internationally, support groups specifically aimed at LGBT+ disabled persons have shown positive results (Tallentire, et al., 2016). Although there are no support groups locally which are specifically aimed at supporting LGBT+ disabled persons, local NGOs mainly MGRM's Rainbow Support Services and Drachma, welcome all individuals irrespective of all other intersectional identities.

Moreover international, and especially local literature focusing on the experiences of LGBT+ disabled persons is still limited (Wilson et al., 2018; Dinwoodie et al., 2020). This highlights the importance of better understanding their lived experiences to be able to identify ways in which they can be better socially included and experience less discrimination.

## Methodology

The scope of this research was to begin to understand the impact of intersectional identities and multiple minority experiences faced by disabled persons who belong to sexual and gender minorities. This project attempted to answer research questions directed at understanding the nature of the impacts disabled persons experienced because of their diverse gender identity and/or sexual orientation and how these are dealt with. It also attempted to address policy recommendations that could help overcome negative impacts. Ethical clearance to conduct the research was obtained from the Faculty for Social Wellbeing's Research Ethic Committee (FREC).

A qualitative approach was taken, and participant triangulation was necessary to attain a better understanding of the experiences of this hard to reach population. Self-identifying disabled participants were

required to be over the age of 18 years and affirming of their LGBT+ identity. Participants were recruited through the Commission for the Rights of Persons with Disability (CRPD), who forwarded an information letter to all its members via email and shared a recruitment blurb on its social media platforms.

The profiles of the disabled individuals were diverse and included persons living with ADHD, autism, intellectual disabilities, mental health conditions and hearing impairment. Some individuals had multiple impairments or conditions. These five individuals identified as asexual, gay, demisexual, bisexual, non-binary and trans. Representatives from MGRM (1), LGBTI+ Gozo (1), DRACHMA (1), ARC (1), Rainbow Support Services (1) and national disability services provider, Aġenzija Sapport (1) as well as independent professionals (3) were recruited by sending an information letter inviting them to participate in the study directly to the entity or directly to their professional email address.

Data was collected through fourteen (14) semi-structured interviews and data collected were analysed using thematic analysis as presented by Braun and Clarke (2006). The process included becoming familiar with the collected data, transcription of verbal data, generating initial codes, searching for different themes, refinement of themes and defining and naming themes. Thematic analysis was deemed to be the most suitable mode of data analysis as it allowed for a more profound account of the experiences of the participants; this was essential given that the area is under-researched.

## **Findings**

Several superordinate themes and subordinate themes were drawn from the data emerging from experiences shared by the participants during the semi-structured interviews. Five superordinate themes reflected the 'coming out' process, attitudes towards and negative impacts experienced by LGBT+ disabled individuals, experiences within services and NGOs.

The 'coming out' process has been described as a turbulent lifelong process with participants confirming that disclosure of sexual orientation and/or gender identity is taking place at a younger age than previously. Parental reactions to 'coming out' varied depending on underlying factors, with most saying they eventually attained parental acceptance.

And that was the last straw (coming out as non-binary) for my mother and now I live alone...I'm renting

DP1

The latter participant added to their experience of non-acceptance, saying;

She used to use my 'dead name' and she still does. When she sees me, she uses my old name

DP1

Another participant who had reached a level of acceptance said:

So it was a bit traumatic, and I didn't think it would get better, but it did

DP4

The participants said they used various forms of support during this 'coming out' process, mostly informal support from friends and partners.

Attitudes towards LGBT+ disabled persons were reported to be discriminatory rendering the lives of these participants belonging to two minorities (both LGBT+ and disabled persons form part of social minority groups) difficult. Lack of awareness in society about LGBT+

disabled identities enhanced discriminatory attitudes. Discrimination was often expressed verbally and was frequently predominated by ableism and stereotypical ideas about disability and about LGBT+ issues.

There is an element of double discrimination due to the fact that they are persons with disability, so there is already the stigma and marginalisation that disability brings with it, and the fact that they identify as LGBTIQ brings with it other prejudices.

Professional 2

Nevertheless, a positive change in attitudes was noted, particularly in younger generations. Then again, discrimination had negative, long-lasting impacts on participants. One participant recounted their school experiences.

I was called gay growing up...school was horrible for me, and the teachers pretty much joined in.

DP 2

Discrimination perpetuated by institutions seemed to originate from the lack of understanding of the intersection between disability and LGBT+ identities.

Fresher's week was super loud and I couldn't stay at University for long.

DP 1

Furthermore, difficulties within employment scenarios were reported to have made some participants contemplate leaving their job.

There was a period where she was bullied at work “you’re not really trans, you’re crazy” referring to her with the pronouns of the wrong gender.

Rainbow Support Services

Financial restrictions in turn instigate poorer health outcomes as a consequence of the cost of required medication and private services. Participants reported that even simple daily activities, like going to the supermarket or getting the bus, required a great deal of effort at times leading to awkward situations. In particular, one participant explained:

When I go to a shopping mall, I don’t go into the male or female bathrooms, not just because I am trans, but because of the chaos of people. And to use the disability toilet it’s not the first time that somebody embarrassed me.

DP 2

During the interview, the representative from the National Disability Services provider, Agenzija Sapport, confirmed its educational role through a client-centred approach. However, the sex education offered still only covers only basic concepts, such as socially appropriate behaviour, personal hygiene, and aspects of sexual health and relationship. The representative also claimed that although training about sexual and gender diversity is offered to staff, resistance and negative attitudes perpetrated by staff to diversity based on personal beliefs and prejudices is exhibited.

...we still have a number of staff who completely go against the ideas of an inclusive society and that everybody

has rights. They still see what they perceive as 'normal' relationships being the only type of relation.

Agenzija Support

LGBT+ NGOs have an essential role in increasing awareness, visibility and representation as well as promoting inclusivity through their services and events. One participant recalled their experience:

Most of the places you'd go to meet LGBT+ people aren't suited for me. So, I don't drink, I'm very sensitive to noise and like.... I have problems with auditory processing.

DP 4

Yet NGO representatives confirmed they are becoming more aware of these needs and the need to make their events more diverse and accessible.

We are also working on having a book club next year, so a variety of events.

MGRM

Furthermore, NGOs felt they had the duty to identify innovative ways through which disabled LGBT+ persons can be better reached. A local NGO representative said:

As much as possible we try to be as inclusive in our events...we consult with the CRPD to see that the Pride event in itself is accessible in terms of even accessibility as a venue, in terms of the Pride march so we see that

we reach persons with mobility problems and also sign language interpretation.

ARC

Recommendations derived from the findings of this study intend to close gaps, reduce discrimination and improve the overall wellbeing of LGBT+ disabled persons. Recommendations from seven interconnected areas are put forward, these include improvements within disability services, education, employment, personal support, visibility, accessibility and socialisation. Further recommendations were made for future research.

Recommendations relating to disability services emphasised the strengthening of available disability services through diversification. Consequently, the development and implementation of sexual expression and gender diversity policy within services, which would include the provision of individualised and ongoing, affirmative sex education offered to all service-users and mandatory training for all employees. Such policies would highlight the provision of support and education for parents of disabled persons about sexuality including sexual expression and sexual and gender diversity.

Recommendations related to employment in general underlined the need of professional development for employees including individuals working in managerial positions. Such education and awareness raising is also required at community level, and ideally offered to LGBT+ / disability related service providers and NGOs. Furthermore, NGOs are encouraged to nurture an activist culture in younger generations of LGBT+ disabled youth.

In terms of personal support, the need of dedicated support for LGBT+ disabled persons and their parents/guardians was identified, as was the need of an accessible shelter for homeless LGBT+ disabled youth. To promote socialisation, recommendations for alternative spaces and events and their promotion, that takes into consideration the needs of

a variety of impairment groups and offer inclusive opportunities were made. Consequently, State support to LGBT+ NGOs is encouraged, together with public enforcement of ongoing accessibility. Finally, an increase in visibility as an overarching recommendation, emphasises the involvement of disabled persons in decision making platforms.

Since this was the first study of its kind in a Maltese context, the authors made further recommendations relating to future research. Although many areas are still unexplored, the study of the experiences, impairment, and related needs of LGBT+ individuals could lead to more focused recommendations. While a study that delves into the attitudes and experiences of support staff working with disabled persons and parents as well as parents/guardians towards sexual and gender diversity could shed light on current beliefs and contribute towards the local knowledge in this field.

## **Conclusion**

In recent years, attitudes towards disabled persons and towards individuals forming part of sexual and gender identity minorities have improved. Nevertheless, LGBT+ persons continue to experience double discrimination and social exclusion due to their being a minority in a minority. Although not a homogenous group, this intersectionality negatively impacts various aspects of their lives, including socialising, education, employment, finance, health and general wellbeing. There needs to be a change in beliefs and attitudes towards the expression of sexual and gender diversity of disabled persons. This can be facilitated by increasing awareness and education at all community levels and introducing related policy changes.



## References

- Abbott, D., & Howarth, J. (2007). Still off-limits? Staff views on supporting gay, lesbian and bisexual people with intellectual disabilities to develop sexual and intimate relationships. *Journal of Applied Research in Intellectual Disabilities*, 20, 116-126.
- Atewologun, D. (2018). Intersectionality Theory and Practice. *Oxford Research Encyclopedia of Business and Management*, Retrieved 6 Jan. 2022, from <https://oxfordre.com/business/view/10.1093/acrefore/9780190224851.001.0001/acrefore-9780190224851-e-48>.
- Azzopardi-Lane, C. (2021). "It's not easy to change the mentality": Challenges to sex education delivery for persons with intellectual disability. *Journal of Applied Research in Intellectual Disabilities*, 2021-10-27.
- Azzopardi-Lane, C. (2017). Intimate relationships and persons with learning disability. *Tizard Learning Disability Review*, 22(1), 24-27.
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative research in psychology*, 3(2), 77-101.
- Burns, J., & Davies, D. (2011). Same-sex relationships and women with intellectual disabilities. *Journal of Applied Research in Intellectual Disabilities*, 24(4), 351-360.
- Chan, C. D., Cor, D. N., & Band, M. P. (2018). Privilege and Oppression in Counselor Education: An Intersectionality Framework. *Journal of Multicultural Counseling & Development*, 46(1), 58-73. <https://doi-org.ejournals.um.edu.mt/10.1002/jmcd.12092>.
- Dinwoodie, R., Greenhill, B., & Cookson, A. (2016). 'Them Two Things are What Collide Together': Understanding the Sexual Identity Experiences of Lesbian, Gay, Bisexual and Trans People Labelled with Intellectual Disability. *Journal of Applied Research in Intellectual Disabilities*, 33(1), 3-16.
- Dispenza, F., Harper, L. S., & Harrigan, M. A. (2016). Subjective health among LGBT persons living with disabilities: A qualitative content analysis. *Rehabilitation psychology*, 61(3), 251-259.
- Elderton, A., Clarke, S., Jones, C., & Stacey, J. (2014). Telling our story: A narrative therapy approach to helping lesbian, gay bisexual and transgender people with a learning disability identify and strengthen positive self-identity stories. *British Journal of Learning Disabilities*, 42(4), 301-307.

- Lafferty, A., McConkey, R., & Simpson, A. (2012). Reducing the barriers to relationships and sexuality education for persons with intellectual disabilities. *Journal of Intellectual Disabilities*, 16(1), 29-43.
- Lam, A., Yau, M., Franklin, R. C., & Leggat, P. A. (2019). The unintended invisible hand: A conceptual framework for the analysis of the sexual lives of people with intellectual disabilities. *Sexuality and Disability*, 37 (2), 203-226.
- Mann, R., Horsley, P., Saunders, M., Briggs, V., & Mitchell, A. (2006). *Swimming Upstream: Making Places Welcoming. A Report on the Needs of Gay, Lesbian and Bisexual People in 'Hard to Reach Groups.'* Melbourne: GLHV, La Trobe University.
- McCarthy, M. (2014). Women with intellectual disability: Their sexual lives in the 21st century. *Journal of Intellectual & Developmental Disability*, 39(2), 124-131.
- Noonan, A., & Taylor Gomez, M. (2011). Who's Missing? Awareness of Lesbian, Gay, Bisexual and Transgender People with Intellectual Disability. *Sexuality and Disability*, 29(2), 175-180.
- O'Shea, A., Latham, J. R., McNair, R., Despott, N., Rose, M., Mountford, R., et al. (2020). Experiences of LGBTIQ+ people with disability in healthcare and community services: Towards embracing multiple identities. *International journal of environmental research and public health*, 17(21)<http://dx.doi.org/10.3390/ijerph17218080>.
- Sinecka, J. (2008). 'I am bodied,' 'I am sexual,' 'I am human,' Experiencing deafness and gayness: A story of a young man. *Disability & Society*, 23(5), 475-484.
- Smith, E., Zirnsak, T. M., Power, J., & Lyons, A. (2022). Social inclusion of LGBTQ and gender diverse adults with intellectual disability in disability services: A systematic review of the literature. *Journal of Applied Research in Intellectual Disabilities*, 35(1), 46-59.
- Stoffelen, J., Kok, G., Hospers, H., & Curfs, L. M. (2013). Homosexuality among people with a mild intellectual disability: an explorative study on the lived experiences of homosexual people in the Netherlands with a mild intellectual disability. *Journal of Intellectual Disability Research*, 57(3), 257-267. <https://doi-org.ejournals.um.edu.mt/10.1111/j.1365-2788.2011.01532.x>.
- Stoffelen, J. M., Schaafsma, D., Kok, G., & Curfs, L. M. (2018). Women who love: an explorative study on the experiences of lesbian and bisexual women with a mild intellectual disability in the Netherlands. *Sexuality and Disability*, 36(3), 249-264.

- Tallentire, L., Smith, M., David, L., Roberts, A., Morrow, S., Withers, P., et al. (2016). Stories of people who have attended a lesbian, gay, bisexual and trans support group in a secure intellectual disability service. *Journal of Applied Research in Intellectual Disabilities*, 33, 17-28.
- UNICEF. (2013a). Children and young people with disabilities: Fact sheet. Retrieved from [https://www.unicef.org/disabilities/files/Factsheet\\_A5\\_Web\\_REVISDED.pdf](https://www.unicef.org/disabilities/files/Factsheet_A5_Web_REVISDED.pdf)
- Vaughn, M., Schoen, B., McEntee, B., & McGrady, M. (2015). Addressing disability stigma within the lesbian community. *The Journal of Rehabilitation*, 81(4), 49.
- Wilson, N., & Frawley, P. (2016). Transition staff discuss sex education and support for young men and women with intellectual and developmental disability. *Journal of Intellectual & Developmental Disability*, 41(3), 209-221.
- Yau, M. K.-S., Ng, G. S.-M., Lau, D. Y.-K., Chan, K. S., & Chan, J. S. (2009). Exploring sexuality and sexual concerns of adult persons with intellectual disability in a cultural context. *The British Journal of Developmental Disabilities*, 55(109), 97-108.

# Life course and lived experiences of older trans persons: a Maltese case study

Tea Cekic

*Master of Gerontology and Geriatrics, University of Malta*

Prof Marvin Formosa

*Academic, University of Malta*

**Tea Cekic** (she/her) is a healthcare practitioner currently working as a senior phlebotomist at St. Vincent de Paul Long-Term Care Facility in Malta. She graduated from the Hippocrates medical school in Serbia with a special interest in the field of geriatrics and holds a Master of Gerontology and Geriatrics from the University of Malta. Her academic work focuses on older sub-cohorts that experience social exclusion, double and triple jeopardies, and ageism and age discrimination - most notably, trans older persons.

**Prof Marvin Formosa** (he/him) is a resident academic at the Department of Gerontology and Dementia Studies, Faculty for Social Wellbeing, University of Malta. He also holds the position of Chairperson of the National Commission for Active Ageing (Malta) and Rector's Delegate for the University of the Third Age (Malta). Prof. Formosa is Malta's Country Team Leader for the Survey of Health, Ageing, and Retirement in Europe (SHARE) which is partially funded by the European Commission. Prof. Formosa published widely in peer-reviewed journals on ageing policy, educational gerontology and the University of the Third Age. His most recent book includes The United Nations International Plan of Action on Ageing: Global Perspectives (with Mala Kapur Shankardass, 2023).

## **Abstract**

This presentation reports on a qualitative study on older trans women in Malta to grapple with their understandings and experiences of transitioning into later life. Results report how trans persons experienced difficulties in making friends and partnering - as well as finding it problematic to finding work so that many tend to experience periods of employment and reach later life with sparse savings and pension funds. At the same time, data confirmed once again how older trans persons are worried that they will become isolated in later life since many tend to be estranged from family relatives, frequently losing friends during the transitioning process, and often facing reluctance from heterosexual peers to befriend them. Informants also expressed anxiety with having to deal with allied health and medical practitioners who are uninformed for the social and health care needs of trans older women.

## Introduction

The process of ageing from middle-age to later is an incredibly challenging period for adults as they find themselves traversing complex physical, psychological and social challenges at a simultaneous time. Of course, the definitions of the terms 'ageing', 'later life' and 'older adults' constitute an enormous bone of contention in social science. Most empirical studies hinge the onset of later life upon a particular 'chronological' age, such as 60 as in the case of the United Nations or 65 as in the case of the Eurostat. Many studies generally take the statutory retirement age as the onset of later life, a figure that is usually between the ages of 60 and 70. This paper adopted a constructivist definition to recognise older persons as "people, whatever their chronological age, who are post-work in the sense that s/he is no longer involved in earning a living or with the major responsibilities for raising a family" (Withnall and Percy, 1994 : 4). As ageing persons suffer the onset of chronic illness, significant members of their social network are admitted to care homes or even pass away, whilst also starting to experience memory difficulties (Kermode, 2021). This process of ageing is even more complex for vulnerable persons such as working-class adults, persons living with physical, sensorial and/or cognitive disabilities, women and migrants. Similarly, the process of ageing is far more complicated for gender minority persons compared to normatively identified populations (Silverman & Baril, 2023). However, there are also significant differences between the experiences of transgender older adults and lesbian, gay and bisexual (LGB) peers due to the medical realities of physical gender transition and the associated difficulties that can occur in community and nursing homes settings (Witten & Eyler, 2012). At the same time, studies also find that trans men and women experience diverse challenges as they entered and settled in later life (Bishop & Westwood, 2019).

This chapter reports upon the results of a study forming part of a research consortium at the University of Malta to gather data and information on the daily lives of non-heterosexual and non-cisgender/transgender

older persons in Malta. Following the publication of findings on the life course of gay, lesbian and trans older persons (Vella, 2019, 2020; Cekic & Formosa, forthcoming), this publication continues to point the lens on older trans women. Whilst the next two sections present brief illustrations of the daily lives of older trans women and the methodology guiding the findings reported in the herein chapter, the fourth part presents and discusses the study's data. The final section draws up the salient contributions of the study and forwards recommendations for future research.

## **Older trans women**

The tendency for public and ageing policies to treat trans older persons as a homogenous group is not only false but discriminating towards such a social group. Most importantly, whilst trans older persons tend to be less 'out' compared to their younger peers, many have experienced discrimination on the basis of both gender identity and sexual orientation, and are more readily recognisable in medical settings due to the visible effects of surgery-possible genital transitions (Witten & Eyler, 2012). At the same time, the age at the time of their transition is a crucial variable as to their experiences of later life, with earlier ages bringing better adjustment levels to old age (Cekic & Formosa, forthcoming). A running thread in studies on trans older persons is prevalent with experiences of mistreatment, stigmatisation, abuse and threatening behaviours, often beginning early in life when gender non-conformity started to emerge (Perrin, 2002). Trans women are certainly more victimised more frequently than trans men and have included filmed hate crimes, physical violence and even fatal shootings (Kidd & Witten, 2007).

Trans older adults are very much preoccupied about their care needs in the foreseeable future and of being mistreated due to anti-transgender bias in the context of residential long-term care. In their own words, "in what ward would they put me, male or female? ... having genitals that don't fit my external experience and being abused, mistreated or

neglected as a result” trans older persons (as cited in Witten & Ekler, 2012, p. 212). Witten (2011) found that some trans older persons were so deeply troubled that they considered suicide prior to the onset of age-related disability to avoid such possibilities. The fact that older trans persons generally hold less-than-average levels of financial capital due to limited occupational prospects and even long-term unemployment due to their marginal social status (Bishop & Westwood, 2019), the choice to tap into private community and residential care is not an option for them (Formosa, 2021). In the face of such troubling concerns, resilience was sought via friends and family, religious faith, personal wisdom, and governmental and non-governmental organisations (Cekic & Formosa, forthcoming).

Studies have highlighted unique challenges experienced by older trans women (Hair et al; 2019; Walker et al., 2016). Tina Donovan recounts her particularly negative experiences looking for employment and housing and obtaining medical care. Her account focuses on the implications of the lack of financial security, as transgender persons who have been prohibited from finding legitimate work begin to reach old age. It also chronicles the abuses and neglect within the medical establishment as one attempts to get assistance for psychological and physical ailments:

One incident in particular that took place in a hospital emergency room was extremely traumatic for me. I was in the emergency room seeking treatment, which under the best of conditions is already a stressful experience. One of the nursing staff members saw on my chart the name “Thomas Donovan.” The name and the face did not go together. He asked me some questions and did not like my answers. He proceeded, in a very nasty and belittling manner, to try to lift my skirt to show the other nurses and patients that I was not what I appeared to be.

Donovan, 2001, p. 21



Indeed, older trans women also report higher levels of past bullying at schools, homes and public environments, as well as being treated with much hostility and/or coldness by strangers (Gomes de Jesus et al., 2020), as well as more occurrences of violence from intimate partners, social isolation, stigma and discrimination than trans men so that suicidal thoughts are generally more prevalent amongst the former than the latter (Kermode, 2021). They also experience specific health challenges compared to older trans men. In Bishop and Westwood's (2019) words,

For older transwomen, these issues may include (Age UK, 2017,11-12) the long-term effects of oestrogen replacement therapy; oestrogen, testosterone and prolactin (hormone) levels; prostate health (the prostate is not removed even with lower surgery); abdominal aortic aneurysm (AAA) screening; breast screening; dilation and douching advice if a transwoman has had plastic surgery to create a neo-vagina (vaginoplasty); and the state of silicone breast implants.

Bishop & Westwood, 2019, p. 85

Kermode (2021), however, highlighted the positive aspects of reaching later life as an older trans woman as many perceive themselves as survivors despite the fact that they form part of a sub-population characterised by high rates of suicide and illnesses: "whereas their peers worry about advancing years, they are grateful for the time they've had and enjoy having reached a stage in life when some things become easier" (p.136).

## Methodological notes

This chapter reports upon a study carried out with older trans women in Malta which includes robust policy frameworks favouring the rights and wellbeing of gender minorities. The ILGA Europe Rainbow Index - an index representing the advancement of the rights of lesbian, gay, bisexual and trans (LGBT) persons in terms of the legal, political and social systems amongst 49 Council of Europe Member States - gave Malta first ranking for the seven successive years of 2016-2022 (ILGA-Europe, 2023). At the same time, it is positive to note that older trans persons were not left out in the cold as far as public policy was concerned. On one hand, Malta's National Strategic Policy for Active Ageing (Ministry for Active Ageing, 2023) for the years 2023 - 2030 advocates the establishment of a national working group to map the common but also different social and health care challenges experienced by non-heterosexual and transgender older persons in the hope of ensuring care services are not only inclusive to older lesbian, gay, bisexual and trans persons but also backed by legal services that safeguard incumbents from ageist and cisgenderist discrimination. Malta's trans health policy affirms that older persons seeking transition-related care - including hormonal treatment and surgery - will be the same as those catering for younger persons "although the increased risks associated with these treatments must be clearly discussed" (Ministry for Health, n.d.).

The study aimed to share the lived experiences of older trans persons as they reach and settle in later life. Spearheaded by narrative biographical methodology (Kenyon & Randall, 1999), the interview schedule sought to uncover information on the past discrimination and hidden injuries experienced by older trans persons and how such life course experiences were impacting their present lives. Following approval from the Faculty for Social Wellbeing's Research Ethics Committee, the study attempted to recruit participants via an advocacy group who acted as a gatekeeper and distributed 'opt-in' adverts through its electronic mailing list. The inclusion criteria included that participants should be

aged 60 years or over and identify as a trans person. Despite several mail shots, no potential participants came forward. After the minimum age for participation in the study was consequently decreased to 50 years, four trans persons - all trans women and aged 50, 52 (2) and 56 - made contact to voice their wish to participate in the study. Although one had hoped that participants would include a mix of both trans men and trans women, aged 60 years or over, this did not prove possible. One determining factor for such a state of affairs is “the difference between the number of trans men and the number of trans women choosing to transition... the number of trans women vastly outweighed that of men” (Kermode, 2021, p. 28).

## **Living as an older trans woman in Malta**

The trans older women who participated in this study included Luna (50 years / primary education level / Euros 8,000 annual income / did not undergo gender affirmation surgery), Aurora (53 years / secondary education level / Euros 11,000 annual income / completed gender affirmation surgery), Athena (52 years / post-secondary education level / Euros 16,000 annual income / completed gender affirmation surgery), and Gaia (56 years / secondary education level / Euros 13,000 annual income / completed gender affirmation surgery). All lived in Malta throughout their lives and all names are pseudonyms.

### **Living the present: Embracing an ageing self-identity**

Respondents all dwelled at length on how, following their 50th birthdays, they experienced a distinct shift in their physical bodies, emotional state and social network. After a lifetime of believing that the adult phase is forever, all recounted how they had to embrace a new phase in their life course - that is, that of later life - which whilst certainly overlapping with middle age was also unique in that being active and healthy could no longer be taken-for-granted:

Healthy ageing for me is your mind is at rest, no more bullying around you, there is a place where to go and meet, you finally accept yourself in front of a mirror-you don't have to pretend to be someone else.

Aurora

A crucial dilemma as later life that encroached upon them was whether they - or even society as such - should treat and perceive them either as trans women who have aged or older women who are trans. This was due to the fact that throughout their lives, the older trans women always felt that society saw them first as trans, as queer, and only secondarily as persons, as citizens. In Athena's and Aurora's words,

I like to think that they (society in general) see us as other seniors. That's how it should be, right? I mean, a straight older person has his/her needs and demands, like I have. All people, no matter what colour of the skin they are, nor what gender they are, should be respected and should live in dignity.

Athena

Ageing makes me angry. I will lose my independence; I will look ugly. I will have minimal finance to live on, I will stay on my own, if my husband dies before. Who is going to look after me then? I have no intention to go to those homes where I'll be treated as second class citizen.

Aurora

The coming of newer self-identities, that are not simply trans-oriented, but also age-leaning, was not devoid of questions, queries, and dilemmas. This was especially true for the respondents who were single and not in

a relationship as ageing promised the possibility of even higher levels of solitude, loneliness, and isolation:

For example, I am afraid of getting old because I will stay alone and nobody will be there to help me. I will suffer alone. For example, nowadays I like a lot helping older people. And I always ask myself: once when I get older, will I find someone to help me?

Luna

However, as Kermode (2021) highlighted, all older trans women interviewed in this study showed much resilience in facing this new phase of life as all strove to widen their social network and inform themselves as to what type of care one generally needs when becoming frail. Despite being aware of impending challenges as one grows older, they all felt ready to face later life with enthusiasm and resilience.

### **Looking towards the future: Uncertainties and fears**

Participants' views of their future were dependent on the extent that they had favourable and robust social networks. On one hand, participants who had close relationships with partners, relatives and friends perceived their future to be in the community, ageing-in-place with their loved ones, supporting each other as long as possible. On the other hand, interviewees with weak levels of social capital accepted and anticipated that one day, perhaps even sooner than later, they may have to admit themselves to a residential long-term care facility. Whilst Luna displayed her distrust of public care homes for older persons, Athena was even sceptical of private industry:

To be honest, to attract media attention, they will do everything. But when that moment comes to accept

us and take care of us something must happen before. Everyone is talking about homes for older persons, but you never hear so and so about transgender people and what they did for us and to improve our ageing.

Luna

...they are a bit expensive, and my question is whether it will satisfy all my needs once I pay the price they ask for. Will they respect my identity and dignity? There are too many questions from my end and too little information about it. But if this will be my only choice, I have to come to terms with it one day.

Athena

Such levels of anxiety are not surprising considering the emergent research findings on that interface between non-heterosexual ageing and residential long-term care. LGBT older adults in long-term care facilities were found complaining of abuse, neglect, discrimination, verbal and physical harassment, admission refusals, visitation restrictions, abrupt discharges and denial to basic care (National Senior Citizens Law Centre, et al., 2015).

Oppression was also found to be a central finding as trans and non-binary persons tend to fear mistreatment and loss of authentic gender expression and recognition in long-term care facilities - fears of oppression factor into consideration of suicide and physical transition, although some participants hope societal shifts will lead to unbiased long-term care (Klocher & Flunker, 2021). Indeed, many LGBT persons choose to re-enter the closet when moving into residential care (Westwood, 2016). Loneliness in long-term care was further highlighted by lesbian and gay older persons who “expressed how alone they felt because they could not talk to anyone about their lives, their partners, and their grief they felt after the loss of their partners” (Stein et al., 2010,

p.430). Many LGBT residents in fact feel the need of disconnecting once they enter into long-term care out of fear of “outing” themselves and their identity being discovered (Sussman et al., 2018). At the same time, staff in nursing homes tend to lack knowledge of the best practices of person-centred care preferred by non-heterosexual residents (Willis et al., 2016). Indeed, there is an urgent need to integrate LGBT affirmative policies within residential long-term care facilities since relocations to such residences are typically sudden and unanticipated rather than the result of thoughtful contemplation on whether to enter a care home and which residence suits best one’s needs (Sussman et al., 2018).

## **Salient issues and policy recommendations**

This chapter puts the lens on the daily lives of older trans women in Malta, especially the juggling of their queer and ageing selves, as well as how to cope and deal with possible frailty in the foreseeable future. As Bishop and Westwood (2019) reported on older trans women in other international contexts, the past lives of older trans women in Malta were characterised by much inequality and harassment, particularly issues relating to resources, recognition and identity. Despite improvements in the Maltese legal and social contexts concerning LGBT persons, it remains that many older trans persons experience much exclusion and face many jeopardies in their present lives. As their bodies do not comply with the stereotypical cultural expectations of both cisnormativity and successful ageing, older trans women find it difficult to embed themselves in both informal and formal social networks. At the same time, the tendency is to focus all one’s energy when studying trans ageing into transphobia, when ageism is also a key issue negatively impacting the lives of older trans men and women. Indeed, most of the work on behalf of LGBT advocacy organisations is centred on younger persons who are able bodied and cognitively healthy. It is only very recently that social imaginaries have included the possibility that LGBT people may live with dementia! (Formosa, 2021). However, social service provision for older trans persons who identify within the traditional

binary is relatively better than that for non-binary peers, largely due to the fact that the latter still lack official recognition in policy contexts.

Trans elders are also much under-represented in academic research which serves to compound their marginalisation in knowledge production spheres and invisibility in social justice arenas. One hopes that the remaining years of this decade witnesses more cross-disciplinary research on trans and ageing issues, and with the organisation of the EuroPride in Valletta in September 2023 that this will serve to put more focus on the daily lives of older trans persons in Malta.



## References

- Bishop, J.-A., & Westwood, S. (2019). Trans(gender)/gender-diverse ageing. In S. Westwood (Ed.), *Ageing, diversity and equality: Social justice perspectives* (pp. 82-99). Routledge.
- Cekic, T. & Formosa, M. (forthcoming). "Maybe one day there will be someone who loves me the way I am!" Narratives of older trans women. In A. Azzopardi, M. Clarke, R. Falzon & S. Vella (Eds.), *Social wellbeing: Narratives from the field*.
- Donovan, T. (2001). Being transgender and older: A first person account. *Journal of Gay & Lesbian Social Services: Issues in Practice, Policy and Research*, 13(4), 19-22. [https://doi.org/10.1300/J041v13n04\\_04](https://doi.org/10.1300/J041v13n04_04)
- Formosa, M. (2021). Flying under the radar: LGBT older persons, active ageing and dementia care policies in Malta. In L. Azzopardi Lane, M. Naudi & M. Harwood (Eds.), *Mapping the rainbow: Reaching the diverse colours of the LGBTIQ community* (p. 32-44). Malta: Human Rights Directorate, Ministry for Equality, Research and Innovation.
- Gomes de Jesus, J., Belden, C. M., Huynh, H. V., Malta, M., LeGrand, S., Kaza, V. G. K., & Whetten, K. (2020). Mental health and challenges of trans women: A qualitative study in Brazil and India. *International Journal of Trans Health*, 21(4), 418-430. <https://doi.org/10.1080/26895269.2020.1761923>
- Hair, S. A., King, J., Edwards, N. & Hayes, S. (2019). Older transgender women in Thailand: Views of service providers. *Journal of Gay & Lesbian Social Services: Issues in Practice, Policy and Research*, 31(1), 65-88. <https://doi.org/10.1080/10538720.2019.1548328>
- ILGA-Europe. (2023). Annual Review 2023. <https://www.ilga-europe.org/?s=&categories=report>
- Kenyon, M. G., & Randall, L. W. (1999). Introduction: Narrative gerontology. *Journal of Aging Studies*, 13(1), 1-5.
- Kermode, J. (2021). *Growing older as a trans and/or non-binary persons*. Jessica Kingsley Publishers.
- Knochel, K. A., & Flunker, D. (2021). Long-Term Care Expectations and Plans of Transgender and Nonbinary Older Adults. *Journal of Applied Gerontology: The*

- Official Journal of the Southern Gerontological Society, 40(11), 1542-1550. <https://doi.org/10.1177/0733464821992919>
- Ministry for Active Ageing. (2023). National Strategic Policy of Active Ageing: Malta 2023-2030. Malta: Ministry for Active Ageing.
- Ministry for Health. (n.d.). Elderly. <https://deputyprimeminister.gov.mt/en/CMO/trans-health/Pages/psychosocial-care/elderly.aspx>
- National Senior Citizens Law Centre, The National Gay and Lesbian Task Force, SAGE, Lambda Legal, The National Centre for Lesbian Rights, & The National Centre for Transgender Equality. (2015). LGBT Older adults in long-term care facilities: Stories from the field. <https://justiceinaging.org/lgbt-older-adults-in-long-term-care-facilities-stories-from-the-field/>
- Silverman, M., & Baril, A. (2023). "We have to advocate so hard for ourselves and our people": Caring for a trans or non-binary older adult with dementia. *LGBTQ+ Family: An Interdisciplinary Journal*, 19(3), 187-210. <https://doi.org/10.1080/27703371.2023.2169215>
- Stein, G. L., Beckerman, N. L., & Sherman, P.A. (2010). Lesbian and gay elders and long-term care: identifying the unique psychosocial perspectives and challenges. *Journal of gerontological social work*, 53(5), 421-435. <https://doi.org/10.1080/01634372.2010.496478>
- Sussman, T., Brotman, S., MacIntosh, H., Chamberland, L., MacDonnell, J., Daley, A., & Churchill, M. (2018). Supporting Lesbian, gay, bisexual, & transgender inclusivity in long-term care homes: A Canadian perspective. *Canadian Journal on Aging*, 33(2), 121-0132. <http://doi10.1017/S0714980818000077>
- Vella, C. (2019). Narratives of older lesbian and gay persons: Exploring disparities within social and health care support in Malta. [Unpublished Master of Arts in Ageing and Dementia dissertation]. University of Malta.
- Vella, C. (2020). Narratives of older lesbian and gay persons: Exploring disparities within social and health care support in Malta. In M. Naudi & C. Azzopardi (Eds.), *Mapping the rainbow: Researching the diverse colours of the LGBTIQ community* (pp. 35-48). Valletta: Human Rights Directorate within the Ministry for Justice, Equality and Governance.
- Walker, C. A., Cohen, H., & Jenkins, D. (2016). An Older Transgender Woman's Quest for Identity. *Journal of Psychosocial Nursing and Mental Health Services*, 54(2), 31-38. <https://doi.org/10.3928/02793695-20160119-04>

- Westwood S. (2016). 'We see it as being heterosexualised, being put into a care home': gender, sexuality and housing/care preferences among older LGB individuals in the UK. *Health & social care in the community*, 24(6), e155–e163. <https://doi.org/10.1111/hsc.12265>
- Willis, P., Maegusuku-Hewitt, T., Raithby, M., & Miles, P. (2016). Swimming upstream: The provision of inclusive care to older lesbian, gay and bisexual (LGB) adults in residential and nursing environments in Wales. *Ageing and Society*, 36(2), 282-306. <https://doi.org/10.1017/S0144686X14001147>
- Withnall A. and Percy, K. (1994). *Good practice in the education and training of older adults*. Aldershot: Ashgate.
- Witten, T. M. & Eyler, A. E. (2012). Transgender and aging: Beings and becomings. In T. M. Witten & A. E. Eyler (eds.), *Gay, lesbian, bisexual and transgender aging: Challenges in research practice & policy* (pp. 187-269). The John Hopkins University Press.

# Diversity within Diversity: the experiences of LGBTIQ+ expatriates residing in Malta

Elisabeth Grima

*Master of Sociology, University of Malta*

**Elisabeth Grima's** (she/her) affinity for research has led her to pursue an M.A. in Sociology, whereby she had the opportunity to focus on her area of interest; intersectionality. Having enjoyed the dissertation-writing process, she has just graduated and is currently working in the social field where she provides guidance and assistance within the voluntary sector.

## Abstract

This Masters dissertation gives an insight on the effects of the intersectional identities and integrations of non-Maltese LGBTIQ+ people who choose Malta as their second home, whilst learning about what attracts them to Malta instead of other countries. The main research questions behind this study are: Does the fact that LGBTIQ+ expatriates in Malta are both foreign and LGBTIQ+ hinder or affect their integration? Does possessing two minority identities simultaneously present added challenges in the Maltese context? To study the lived experiences and effects of intersectional identities holistically, the methods of data collection consisted of closed-ended surveys and open-ended interviews with LGBTIQ+ expatriates in Malta hailing from different countries and continents. Both databases were later merged to get a simultaneously broad and specific understanding of this phenomenon through thematic analysis. Information on the demographics and the general feelings of the LGBTIQ+ expatriate community in Malta were gathered through an online survey whereas in-depth personal accounts of the lived realities were gathered through Zoom interviews. This mixed-methods approach revealed that some instances of intersectional prejudice do exist in Malta, however, the foreigner identity tends to be more problematic than the LGBTIQ+ identity. This study recommends that further in-depth research on LGBTIQ+ expatriates in Malta is carried out to bridge the present gap in local sources.

## Introduction and background

Research about intersectionality can be trickier than other studies as it entails the examination of multiple identities together. This study puts a spotlight on the foreign characteristic and sexual orientation as intersections which create unique individual experiences. Whilst expatriates in Malta hail from different countries and continents, some may seem more culturally distinct than others, leading to possible discrimination based on visible diversity. Therefore, this study aims to find out if the fact that LGBTIQ+ expatriates are both foreign and LGBTIQ+ hinders their integration in Maltese society. This study also sheds light on the reasons behind LGBTIQ+ expatriates' decision to relocate to Malta, their expectation of Maltese society against the real situation, as well as the local LGBTIQ+ community's acceptance of LGBTIQ+ expatriates. The purpose of this research is to obtain more knowledge on the integration process and feelings of LGBTIQ+ expatriates in Malta in a holistic way, exploring both the prevalent communal perspectives as well as specific individual ones.

The minority identities in relation to this study are explored as well as the different processes of self-identification that may vary depending on the context. Individuals possess several simultaneous identities, but the identity that prevails in specific situations depends on various factors such as the surrounding people and the surrounding environment (Chikwendu, 2013, pp. 40–43; Kim and Von Glinow, 2017, p. 320). Simultaneous identities cannot necessarily be divided into singular component identities, as they all influence and interact with a person's reality collectively. Hidden identities such as religion or sexual orientation need to be disclosed to others, therefore people may opt to not reveal such information about themselves when in hostile environments to ensure their own safety. However, visible identities such as race cannot be concealed, so discrimination might occur based on what outsiders see or perceive about a person (Bowleg, 2013). Both the visible and invisible identities are linked to privileges and disadvantages in everyday life as

well as in relations with people, institutions, and organisations, whereby the disadvantages may manifest themselves as discriminations.

Various push and pull factors influence why an LGBTIQ+ person decides to migrate or relocate to another country. LGBTIQ+ migrants possess a broader cultural consciousness as they form part of, and are able to adapt to, more than one culture. This means that they understand notions like sexuality more holistically as they are able to bridge different definitions (Ayoub and Bauman, 2018, p. 2). Although migration is often portrayed as a movement from repression to liberation, this is not always the case as individuals might still face new inequalities after settling in the host country (Luibhéid, 2008, p. 170). Discriminations such as homophobia, racism, and sexism may present themselves even in countries which are considered as the best for LGBTIQ+ individuals to relocate to and might result in a different lived experience than that which was expected.

Some countries or cities are specifically marketed as LGBTIQ+ friendly to attract LGBTIQ+ tourists and expatriates, as these people are seen as wealthy individuals with the potential to boost the economy all-year round (Austin and Wojcik, 2018, pp. 277–283). However, LGBTIQ+ friendly destinations may not necessarily support LGBTIQ+ individuals, as their liberal attitudes might be fuelled by consumerism rather than social change discourse, resulting in a discrepancy between the marketed destination and the situation and rights of the local LGBTIQ+ community (Hartal, 2019, p. 1149). Products such as LGBTIQ+ vacation packages, gay weddings, and LGBTIQ+ honeymoon destinations have also emerged as part of this niche market (Alonso, 2013, p. 171; Luibhéid, 2018, p. 412). These products might be considered as part of a ‘pinkwashing’ culture in countries or areas which promote themselves as very liberal but still employ other kinds of discrimination. For this reason, it is essential that destinations are researched carefully and visited prior to relocation to avoid any negative surprises.

Several considerations need to be addressed before choosing a new host country, and these considerations increase if an individual is part of

the LGBTIQ+ community. There may be differences in the recognition of LGBTIQ+ individuals between the native country and the host country, therefore some rights might not be fully transferable from one culture to another. This might be the case if expatriation is not a voluntary choice such as when LGBTIQ+ employees are sent on international assignments and have to expatriate in countries where they and their same-sex spouse are not legally protected (Gedro et al., 2013, p. 291). However, legal protection might not be enough to make LGBTIQ+ expatriates feel safe, as they might encounter harassment from the local population. This also varies between different areas of a country, where the levels of acceptance may differ (Formby, 2017).

As a destination, Malta is promoted for all kinds of tourists, however, it has also been promoted specifically for LGBTIQ+ travel and weddings. Malta has held the number one spot in the ILGA-Europe Rainbow Map index as the most LGBTIQ+ friendly country in Europe for seven consecutive years (ILGA-Europe, 2022); a ranking which provides a positive picture of the country to the rest of Europe and the world. However, other factors relating to the quality of life in Malta, which has decreased according to recent rankings carried out by expatriates themselves (Von Plato and Zeeck, 2021), might influence the expatriates' decisions and decrease the attractiveness of the islands despite the exceptional laws present.

## Methodology

To investigate this, the experiences of LGBTIQ+ expatriates living in Malta were collected through a mixed methods study to gain both broad and specific data on how this intersectional phenomenon affected and still affects the participants of this study. This two-phased collection of data was carried out simultaneously through quantitative online surveys with 57 individuals and qualitative in-depth Zoom interviews with 9 of them. Besides understanding the feelings of the participants through rating statements on a 5-point Likert scale, the online surveys were also undertaken to understand the demographics of the LGBTIQ+ expatriate



community in Malta. This was particularly crucial to make up for the lack of previous studies on the subject in the local context, and to provide the basis for the in-depth analysis carried out in the interviews. Both databases were then merged to offer a holistic understanding and to reinforce each other in the extraction of themes.

The participation criteria for this study were LGBTIQ+ expatriates who had been residing in Malta for not less than two years prior to February 2022. Participants were recruited through snowball sampling through gatekeeper Maltese LGBTIQ+ NGOs and expatriate groups on Facebook. The quantitative survey, consisting of 25 questions, was carried out between the months of February and April 2022. Its sample consisted of 57 individuals, comprising 26 cisgender females, 26 cisgender males, 2 non-binary individuals, 2 transgender males, and 1 transgender non-binary person. The survey respondents hailed from all continents except from Oceania, with the majority coming from Western or Central Europe. All age groups from 18 upwards were represented in this study, with the largest age bracket being 25-34, and the time of residence in Malta ranged from 2 years to 10+ years, with the majority having lived in Malta for between 2-4 years.

The last question of the survey was an optional one whereby participants who were interested in participating in the interviews left their email addresses and were later contacted with more information and a formal invitation to be interviewed. The qualitative interviews, which consisted of 6 questions and ranged between 20 to 40 minutes, were carried out between the months of February and May 2022. The sample consisted of 9 individuals, comprising 5 cisgender males, 3 cisgender females, and 1 non-binary person, meaning that there was no binary transgender representation in the qualitative part of this study. The survey respondents hailed from Asia, Western or Central Europe, North America, Africa, and the UK, with the majority coming from Western or Central Europe and North America. All age groups were represented in this sample except for the 45-54 age bracket, with the 25-34 age bracket being the most

dominant. The time of residence in Malta ranged from 2 to 8 years, with the majority having lived in Malta for between 2-4 years and 6-8 years. A more detailed look at the demographics of the anonymised interview sample can be seen in the table below.

	Age	Gender	Sexual Orientation	Nationality	How many years have you lived in Malta
Participant 4	35-44	Male	Gay	Asia	6-8
Participant 11	25-34	Female	Bisexual	Western or Central Europe	2-4
Participant 13	18-24	Male	Gay/Ace	North America	2-4
Participant 23	55-64	Male	Gay	North America	6-8
Participant 24	55-64	Male	Gay	Africa	4-6
Participant 25	25-34	Male	Queer	Western or Central Europe	6-8
Participant 26	65+	Female	Bisexual	Western or Central Europe	6-8
Participant 28	25-34	Non-Binary	Queer	UK	2-4
Participant 46	25-34	Female	Lesbian	North America	2-4

Demographics of the interview sample

## Findings

Whilst the majority of the LGBTIQ+ expatriate sample hailed from Western or Central Europe and the UK, the major reasons behind their expatriations were the search for work, education, and the climate and culture of the Maltese islands. The choice of the host country was not undertaken in the same way by all the expatriates. Some took the relocation decision very seriously and took everything into account before committing themselves to the place whilst others were more adventurous in their approach and preferred experiencing the host country and culture personally. The laws and reputation of the place were not necessarily considered by all the LGBTIQ+ expatriates since their expatriation was generally fuelled by the same motivations that heterosexual expatriates possess. Therefore, LGBTIQ+ expatriates may

not necessarily expatriate to the most LGBTIQ+ accepting destination for its openness as there are also other factors that are considered.

Some minor reasons behind the relocation of LGBTIQ+ expatriates include Malta's progressive rights, retirement, and life changes. The expectations of Malta's safety for LGBTIQ+ individuals prior to expatriation were generally high, which remained very similar after experiencing the true host culture. Some expatriates reported having high expectations of Malta but then experiencing a bad reality upon relocation, possibly due to discrimination and intersectional prejudice.

Different attitudes in different parts of the country are also present in a small country like Malta, particularly when comparing Malta with Gozo. The shifts from repression to liberation can be also seen between different countries whereby it is easier to talk about sexuality in some countries more than in others, although cities tend to be the most open spaces. This also affects the disclosure of personal information since different environments will affect the individual's willingness to come out or undergo depersonalization. This was seen with some LGBTIQ+ expatriate interviewees whereby their relocation from a village in their native country to Malta introduced them to a more open and accepting environment. Therefore, open environments make the disclosure of sexual orientation a voluntary choice based on how much an individual is willing to reveal about themselves and creates a division between personal life and public life. Furthermore, identities may be invisible if they conform to the heterosexual norm, such as in the case of bisexual or pansexual individuals in opposite-sex relationships, whose identities might remain hidden unless disclosed.

Coming from other countries, the LGBTIQ+ expatriates in this study reported instances of culture shocks particularly concerning the insular culture of the Maltese islands. As a result of the small size of the country and its people being more closely-knit, the country has been described as concentrated and friend circles in Malta have been described as inaccessible during the first expatriation period, leading to initial

feelings of loneliness. Other culture shocks concern the intersection between religion and sexuality as well as the lack of specific LGBTIQ+ oriented businesses and products in Malta, due to the de facto inclusive behaviour of local service providers and the inclusive laws which prohibit discrimination and denial of services. However, the LGBTIQ+ expatriates in this study showed that they have integrated successfully in Malta.

The process of successful expatriation might start on the basis of shared identities with similar people, however, not all the members of the LGBTIQ+ community share the same experiences or identities. Some LGBTIQ+ expatriates consider that having a common sexual orientation is enough to build a bond with someone new, whilst others give equal importance to their sexual orientation and would not be willing to bond with a stranger over a common sexuality only. This is because some queer expatriates feel like they would need to have more things in common to build a bond with new people. Individual preferences and the extent of identification with specific identities are highly subjective as they vary from one person to another. Some individuals may feel a strong urge to bond with others like them whilst other individuals may not necessarily want to engage with the broader LGBTIQ+ community.

The majority of the LGBTIQ+ expatriates in this study have many Maltese friends and feel safe around Maltese people. The minority that does not have many local friends and prefer the company of other foreigners could be explained as a result of feelings of prejudice and discrimination. Even within the LGBTIQ+ community itself, the absolute majority of the survey sample feels safe around LGBTIQ+ Maltese individuals. However, in this case, nationality and language may be factors of similarity or 'otherness' between people in the same community, which may determine the extent of belonging between strangers.

The status of the expatriates may also alter the way with which their integrations proceed. Single expatriates or those on work assignments may be perceived as temporary visitors and so they might not be allowed to develop deep friendships in the host country due to the

possibility of leaving the country without constraints, which hinders their total belonging. Expatriates on work assignments may also encounter another issue if the work environment does not have much input from the host country itself. Such experiences create a boundary between the culture lived in the work environment and the true culture of the place, inhibiting the process of successful integration. Socialisation was not as accentuated among LGBTIQ+ expatriates who relocated to Malta as a couple since both individuals could benefit from each other's friend circles and found it generally easier to make local friends.

LGBTIQ+ expatriates under the age of 35 mentioned how targeted Facebook groups, Instagram pages, and dating apps like Tinder were important tools for them to integrate into the Maltese LGBTIQ+ sphere, and they were also used to build new friendships during the COVID-19 pandemic. The absolute majority of the survey sample who used and/or still use dating apps in Malta reported not facing any discrimination based on their foreign identities. However, the number of LGBTIQ+ expatriates facing discrimination on dating apps nowadays increased slightly compared to those who used dating apps during their initial relocation period.

Having no connections to locals acts as an advantage in some cases. The interviewed LGBTIQ+ expatriates felt that they possess more freedom in Malta when compared to native LGBTIQ+ people due to the lack of familial attachments. At times, Maltese LGBTIQ+ individuals may not feel entirely comfortable being themselves or engaging in non-conforming behaviour in local spaces as a result of the insular culture of the islands whereby they may meet people they know in various places, consequentially outing themselves to people they may not want to out themselves to. For this reason, LGBTIQ+ foreigners have a broader sense of freedom than the Maltese LGBTIQ+ community.

When several non-locals live in the same community or are connected to one another, a subculture is formed. In Malta, the subcultures that have been mentioned by the interviewees were the general expatriate

community and the LGBTIQ+ expatriate community, particularly in the area of the Three Cities, which provides community members with belonging and support despite its members hailing from different countries.

The quantitative part of this study showed that most of the sample does not attend LGBTIQ+ events often, but this is not due to feeling unwelcome. In fact, more than half the sample reported feeling welcome at such events, so the wish to attend targeted events or not in this case does not depend on the feelings transmitted by the LGBTIQ+ community. Furthermore, engagement in social media platforms might make some LGBTIQ+ expatriates opt for online socialisation rather than offline.

Most of the LGBTIQ+ expatriates in this study are not members of any local LGBTIQ+ NGO, however, this does not mean that they do not engage with the organisations. Due to the local NGOs' exceptional online presence, interaction with them and knowledge about their work is very easily accessible through the internet. This means that interested individuals do not necessarily need to be formal members of the organisations. Only 5% of the survey sample has held executive positions within local LGBTIQ+ NGOs, and such positions have helped these individuals broaden their friend circles, integrate more into the Maltese queer scene, and give back to the Maltese community. The majority of those who have held executive positions in Malta were not active in LGBTIQ+ activism in their native countries, though they were openly queer.

Most of the survey sample did not face double discrimination being simultaneously foreign and LGBTIQ+ in Malta, however, the most problematic identity for LGBTIQ+ expatriates tended to be the foreign identity. The greatest issues have been reported to arise from older Maltese people who were revealed to be the most judgemental against people who are 'others,' whereas younger Maltese people are more used to diverse individuals and do not have as many issues.

Furthermore, in terms of identity, the queer identity may be perceived as less threatening to Maltese culture than the foreign identity, whereby different cultures in Malta may be seen as erasing the local culture in the long run, unlike different sexualities.

The majority of the survey sample revealed that they identify more with their LGBTIQ+ identity rather than with their race. From the interviewed participants whose majority was of Caucasian ethnicity, they did not report instances of blatant racism, however, the major obstacle concerned being taken advantage of due to their foreign identity and lack of spoken Maltese. When it comes to the LGBTIQ+ identity, whilst the majority of the survey sample are out as queer in all settings in Malta and did not personally experience issues with their identity, the majority of the interviewees felt that a non-conforming gender expression is the main quality that fuels any harassment or discrimination.

## **Conclusion**

In conclusion, the majority of LGBTIQ+ expatriates in Malta are successfully integrated, do not experience exceptional problems due to their intersectional identities, and feel comfortable identifying with both identities at the same time. Minor issues presented themselves mostly in relation to the foreign identity, however, one interviewee expressed experiencing structural intersectionality from his Maltese partner's family due to being simultaneously foreign and queer. As for the majority of the sample in this survey, their expatriation in Malta has been described in a positive way.

This study will prove beneficial in filling the academic void on intersectional LGBTIQ+ expatriate identities in the Maltese context. Such an investigation gives insight into how minority identities work together, exposing the reader to realities which are present in our community but often go unexplored.

# References

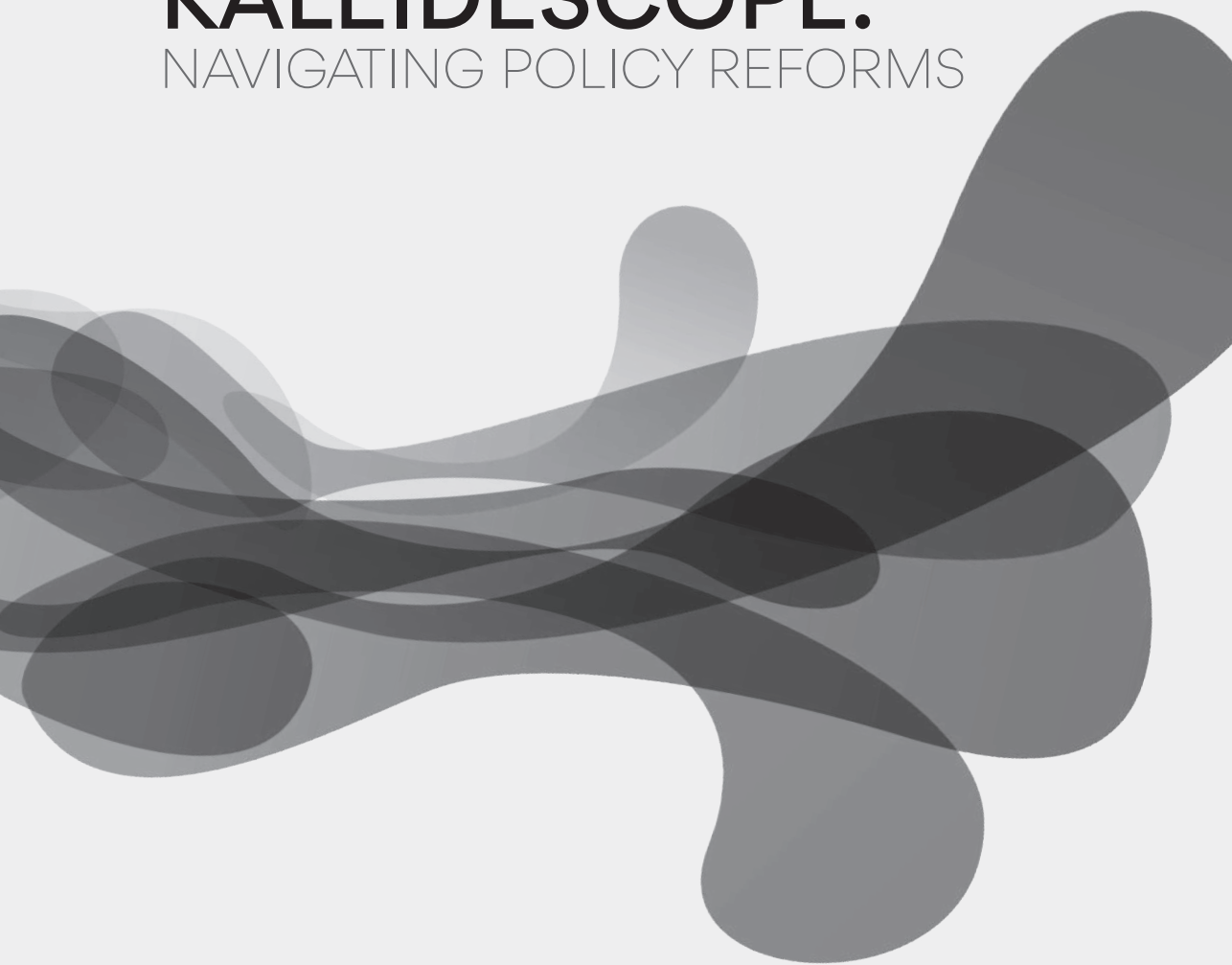
- Alonso, M. (2013). *Best Inclusion Practices: LGBT Diversity*. Palgrave Macmillan.
- Austin, D., & Wojcik, M. E. (2018). 'Freedom's Frontiers: The Travails of LGBT Travelers' *Pólemos*, 12(2), 271-295.
- Ayoub, P. M., & Bauman, L. (2018). 'Migration and queer mobilisations: how migration facilitates cross-border LGBTQ activism.' *Journal of Ethnic and Migration Studies*.
- Bowleg, L. (2013). "'Once You've Blended the Cake, You Can't Take the Parts Back to the Main Ingredients': Black Gay and Bisexual Men's Descriptions and Experiences of Intersectionality.' *Sex Roles*, 68, 754-767.
- Chikwendu, M. (2013). 'Circular consciousness in the lived experience of intersectionality: Queer/LGBT Nigerian diasporic women in the USA' *Journal of International Women's Studies*, 14(4), 34-46.
- Formby, E. (2017). *Exploring LGBT Spaces and Communities: Contrasting Identities, Belongings and Wellbeing*. Routledge.
- Gedro, J., Mizzi, R. C., Rocco, T. S., & van Loo, J. (2013). 'Going global: Professional mobility and concerns for LGBT workers' *Human Resource Development International*, 16(3), 282-297.
- Hartal, G. (2019). 'Gay tourism to Tel-Aviv: Producing urban value?' *Urban Studies*, 56(6), 1148-1164.
- ILGA-Europe. (2022). *Rainbow Europe 2022* | ILGA-Europe. <https://www.ilga-europe.org/rainboweurope/2022>
- Kim, K., & Von Glinow, M. A. (2017). 'Contextual determinants in disclosing one's stigmatized identity during expatriation: The case of lesbian and gay self-initiated expatriates' *Journal of Global Mobility*, 5(3), 317-338.
- Luibhéid, E. (2008). 'Queer/migration: An unruly body of scholarship' *GLQ: A Journal of Lesbian and Gay Studies*, 14(2-3), 169-190.
- Luibhéid, E. (2018). 'Same-sex marriage and the pinkwashing of state migration controls' *International Feminist Journal of Politics*, 20(3), 405-424.



Von Plato, P., & Zeeck, M. (2021). Expat Insider 2021 — The Year of Uncertainty.  
In InterNations. [https://cms-internationalsgmbh.netdna-ssl.com/sites/default/files/2021-05/InterNations\\_Expat-Insider-2021\\_O.pdf](https://cms-internationalsgmbh.netdna-ssl.com/sites/default/files/2021-05/InterNations_Expat-Insider-2021_O.pdf)

# LEGISLATIVE KALEIDESCOPE:

NAVIGATING POLICY REFORMS





# Direct from owner: sex workers' perspectives on the legislative and social changes necessary in Malta

Aaron Giardina

*Master of Gender, Society and Culture, University of Malta*

**Aaron Giardina** (he/they) is a Policy and Research Manager at the Human Rights Directorate, with their work primarily related to LGBTQIA+ policy and mainstreaming. They are a graduate with a Bachelors in European Studies with Communication Studies and hold a Masters in Gender, Society and Culture, with their research focusing on the perspectives and opinions of voluntarily engaged sex workers. They have been awarded the Outstanding Postgraduate Student Award by the Dean of the Faculty for Social Wellbeing, University of Malta. Aaron is an activist and the current Vice-President of Young Progressive Beings, a youth pro-choice organisation in Malta. They participated as a speaker in research symposiums and international conferences, while also acted as Malta's representative to several European LGBTQIA+ fora. Aaron's research interests include LGBTQIA+ equality, sex workers' rights, body autonomy and consent, the representation of minorities and wider human rights issues.

## Abstract

Limited research exists on the opinions of voluntarily engaged sex workers regarding social and legislative changes for their safety and interests, particularly in the local context. This study aimed to amplify the voices of this unheard community in Malta. Four voluntarily engaged sex workers participated, recruited through social media, sharing their experiences to inform national legislation, policy, and services. Using the Biographical Narrative Interpretative Method, individual interviews explored the complexity of sex work and its impact on sex workers and clients. The study highlighted Malta's sex industry reliance on tourism and migratory workers as service providers. It emphasised the “work” aspect of “sex work,” how participants navigate stigma, make business decisions, and sustain their quality of life. Protective tactics against abusive clients, including technology use and public disclosure, were revealed, along with a lack of trust in authorities. Participants favoured the secure decriminalisation approach, allowing them to negotiate with clients without haste. Anti-discrimination legislation was seen as vital to safeguard sex workers' interests and offer alternative employment opportunities, regardless of the approach chosen. This research underscores the need to address the concerns of voluntarily engaged sex workers to ensure their safety, well-being, and empowerment in society.

## Introduction

Sex work, often referred to as “the world’s oldest profession” (Salmon, 2010), remains a subject shrouded in taboo and silence. Sex workers, who exist on the fringes of society, are seldom given the opportunity to voice their opinions (McAlinden, 2019). However, this research aims to provide a platform for sex workers to share their experiences and perspectives.

In recent years, there has been a surge in platforms addressing sex work, leading to a wide range of discussions on related policies. These discussions span from complete abolishment of the industry to the decriminalisation of sex workers, service providers, and buyers (Hughes, 2004; Sullivan, 2010; Abel, 2014; Vanwesenbeeck, 2017). Researchers, policymakers, activists, and sex workers themselves have all contributed to these conversations, each offering their own perspectives and proposed solutions.

A national consultation period on a reform of human trafficking and prostitution took place in Malta in 2019, sparking a debate on the decriminalisation of sex work (Government of Malta, 2019). However, the voices of local sex workers were conspicuously absent from this discussion, rendering the sex working community invisible (Kamrat-Deputati, 2020). Current laws and societal stigma prevent sex workers from challenging their marginalised status.

The research being presented should be regarded as a glimpse into the experiences and opinions of a specific, yet underrepresented community in Malta. However, it cannot be considered as an exhaustive representation of the entire sex work experience in the country.

Sex work and the LGBTQIA+ community have a deeply intertwined history (Schwartz et al., 2020; Natividad, 2023), and this research sheds light on their intersection by focusing on the perspectives of four voluntarily engaged sex workers, each of whom identifies as a member

of the LGBTQIA+ community. Through their accounts, this study seeks to offer insights into the challenges, aspirations, viewpoints and unique circumstances faced by this particular subgroup within the wider sex work community in Malta. Nevertheless, it is essential to acknowledge that the experiences of sex workers are diverse and multifaceted, and not necessarily represented in these accounts.

### **Research question**

The research question guiding this study is as follows:

What changes, according to sex workers who have worked in Malta within the past five years, are necessary to ensure their safety and protect their rights within the Maltese context?

Through this research, a deeper understanding of the perspectives of sex workers actively and voluntarily involved in the industry in Malta will be generated. This understanding can contribute to the development of policies that better address the needs of sex workers and further our knowledge of the evolving local sex industry.

### **Setting the Terminology Straight**

Sex work or prostitution?

The terminology used to describe sex work is subject to ideological and political interpretations (Skilbrei, 2019). The term “sex work” has gained popularity over “prostitution” as it aims to distance the profession from the stigma associated with the latter term (Leigh, 1997). Advocates for decriminalisation argue that “sex work” carries a more positive and empowering connotation (May et al., 2000).

Different perspectives exist regarding the social standing of sex workers, with some viewing them as agents who consciously choose sex work for

economic reasons (Ghose et al., 2008), while others see them as victims of a patriarchal system unable to fully consent (Day, 2007; Sullivan, 2007; Gatrell, 2010). Various sex worker-led and LGBTQIA+ NGOs, human rights organisations, and international agencies support the use of “sex work” as a more dignified term that recognises the agency and rights of individuals involved.

Who are the sex workers?

Sex workers encompass individuals of any gender, sexuality or background “who receive money or goods in exchange for consensual sexual services or erotic performances, either regularly or occasionally” (Open Society Foundations, 2019, para.1). For this research, ‘sex worker’ refers to any consenting adult engaged in any form of sexual service, with or without physical contact (Murphy & Venkatesh, 2006).

### **Rationale and positionality**

The researcher’s positionality, influenced by their social, political, and philosophical standing, shapes their worldview, and informs the research process (Savin-Baden & Major, 2013; Rowe, 2014; Marsh et al., 2017; Grix, 2018). As a gay genderqueer person and human rights activist, I am driven to understand the experiences and struggles faced by marginalised communities.

Having witnessed Malta’s remarkable progress in LGBTQIA+ rights, I question the catalysts behind this transformation and how they relate to narratives and political will. These reflections extend to the topic of sex work, where I seek to challenge the stigma faced by sex workers by providing them with a voice in public discourse.

As an activist advocating for bodily autonomy, I also acknowledge the conflicting discourse surrounding sex work. This research will seek to represent not my voice as someone on the outside of the sex industry, but the voices of those who choose to work in this industry and live this stigmatised reality.



## Background Research

A limited review of English-language literature is presented, focusing on the interplay between sex work and representation, agency and control, stigma, and legislative perspectives (Church et al., 2001; Barbara, 2018; Johnson, 2019). The objective is to establish a framework that facilitates an understanding of the viewpoints of sex workers in Malta and to explore social and legislative changes necessary to ensure their safety and protect their interests.

### **The voices of sex workers**

Accurately representing a community in research is vital for generating valid and generalisable findings. However, sex workers have often been underrepresented in research, leading to biased conclusions (Sanders, 2005). It is crucial to provide sex workers with a platform to express their perspectives and experiences authentically.

Who are the sex workers represented in literature?

Research on the lived experiences of sex workers has gradually increased (Mellor & Lovell, 2012; Ditmore, 2014; Basnyat, 2017; Machat et al., 2019), but limited representation exists regarding their perspectives on stigma and legislative challenges (Lutnick & Cohan, 2009; Mienies & Surgey, 2017). Sex workers constitute a diverse group influenced by various factors, such as socioeconomic status, migration, and gender identity (Cockrell & Hoffman, 1989; O'Neill, Goode, & Hopkins, 1997). However, their voices have often been overshadowed by the prevailing portrayal of victimisation (Shaver, 2005).

The heterosexual, cisgender identity is often assumed in the available research, shifting this perspective as the dominant discourse. The International Committee on the Rights of Sex Workers in Europe (2015) speaks of how “in studies, female sex workers are usually not asked about their sexual orientation, which leads to common assumptions that they all identify as heterosexual” (p. 5).

Whose voices are coming out as dominant when researching sex work? The dominant narrative in sex work literature has heavily relied on the perspectives of social work service providers, law enforcement agents, and health practitioners, often overlooking the diversity of experiences within the sex work community (Shaver, 2005; Bellis et al., 2007; Sanders et al., 2017; Ma et al., 2017). Consequently, the representation of sex workers has been skewed, perpetuating the image of sex workers as victims as the dominant narrative (Weldon, 2010; Benoit et al., 2018).

### **Stigmatisation and the whorearchy**

Stigma manifests as the marginalisation and rejection of individuals, professions, and communities, resulting in social exclusion and the denial of identities (Goffman, 1963; Baran et al., 2012). Sex workers face stigmatisation both from external sources (de Meis, 2002; Koken, 2012; Mavin & Grandy, 2013) and within the industry itself (Cockrell & Hoffman, 1989; O'Neill, Goode, & Hopkins, 1997; Brents and Hausbeck, 2010; Marvin and Grandy, 2013). The concept of the 'whorearchy' underscores the hierarchical divisions within the sex work community (McNeill, 2012; Witt, 2020), where street-based sex workers experience the most severe stigmatisation (Lawless, 2016; Witt, 2020). Knox (2014) includes gay and trans sex workers as also being "particularly ostracised by the mainstream [other sex workers] due to the AIDS stigma" (para. 5) that still persists in some parts of the world.

### **Agency over the body**

Agency refers to an individual's capacity to actively influence their living conditions (Bruner, 1990; Holzkamp, 2005). Within the context of sex work, the concept of agency has sparked debates, with divergent viewpoints on whether sex workers are victims of exploitation or possess autonomy and decision-making power (Sanders, 2009; Vanwesenbeeck, 2017; Mac & Smith, 2018).

#### **The victim sex worker**

Some research portrays sex workers as victims (Farley, 2004; Raymond, 2013), emphasising prior experiences of trauma or coercion as factors

contributing to their involvement in the sex industry (Bagley and Young, 1987; Belton, 1992; Widom & Kuhns, 1996; Dworkin, 1997; Farley, Lynne & Cotton, 2005; Wiechelt & Shdaimah, 2011; Kraus, 2016). The background and life story of the sex worker is sometimes considered to be stripping them of their agency, as consent is facilitated by dire economic needs (Farley et al., 1998; Farley & Kelly, 2000) and, or drug addictions (Inciardi, 1995; Miller, 1995).

#### The agentic sex worker

Recognition of sex workers' agency and the complexities of their decision-making has now grown (Wood, 2000; Murphy, 2003; Sanders, 2005; Vanwesenbeeck, 2017). Studies indicate that some sex workers enter the industry voluntarily, utilising their entrepreneurial skills to maximise their income (Johnson, 2019). Power dynamics and economic factors play significant roles in shaping their decision-making processes (Rhodes & Cusick, 2002; Maher et al., 2011; Krüsi et al., 2012).

#### **Keeping safe**

Research agrees that the sex industry is associated with safety risks, including violence and social vulnerabilities (Spittal et al., 2002; Potterat et al., 2004; Goodyear & Cusick, 2007). Sex workers' decisions regarding safety measures are influenced by economic considerations and risk perception (Rhodes et al., 2012; Shannon et al., 2014).

Financial considerations impact sex workers' willingness to compromise on safety practices (Bruckert, 2002). Riskier activities may yield higher earnings, highlighting the connection between economic gains and risk-taking (Rao et al., 2003; Gertler et al., 2005; Willman, 2009).

#### Social and legislative contexts and safety

Sex workers with greater control over their working conditions and access to resources are better equipped to mitigate potential harm (Agustin, 2003; Sanders, 2005; Brents et al., 2010; Phrasisombath, 2012). Social and legislative factors play a crucial role in ensuring the safety and well-being of sex workers (Sanders, 2005; Brents and Hausbeck, 2005).

## Theoretical framework

Feminism, characterised by various understandings and political cultures, aims to address the inequalities experienced by women and marginalised groups (Ramazanoglu & Holland, 2002; Payne & Payne, 2004; Harding, 2004). This research adopts a feminist standpoint epistemology and intersectional theory to explore the perspectives and socio-political opinions of voluntarily engaged sex workers.

Feminist standpoint theory acknowledges that knowledge is shaped by social positioning and biases (Clough, 1994). It emphasises the importance of centring the experiences and perspectives of marginalised groups, such as in this case sex workers, when generating knowledge (Harding, 1989; Smith, 2005, Harding 2009). By privileging the experiences of disadvantaged groups, standpoint theory aims to provide a more comprehensive and less biased understanding of their lives (Harding, 1993; Collins, 1990, Brooks, 2007).

To truly comprehend the complexity of realities that groups at the periphery of society have to navigate, one must consider how these multiple axes of oppression that are present within society function and interact with one another (Crenshaw, 1989; Cho, Crenshaw, & McCall, 2013). Intersectionality recognises that individuals' standpoints result from a combination of intersecting social identities, including gender, ethnicity, and social class (Smith, 1987; Davis, 2008). It challenges the assumption that individuals within a shared identity category hold a singular perspective (Collins, 1998, Hekman, 2004). Applying an intersectional lens to sex work acknowledges the multiple dimensions of discrimination and oppression faced by sex workers, such as those based on gender identity, migration status, or disabilities (Mac & Smith, 2018; Beal, 2008).

The theoretical framework of feminist standpoint theory and intersectionality provides a foundation for understanding the perspectives and experiences of sex workers in this research project. By

centring the voices of marginalised groups and considering intersecting oppressions, this study aims to uncover nuanced insights into the complex realities faced by sex workers.

## Methodology

Qualitative research entails delving into personal experiences and understanding the subjective meanings individuals assign to them (Denscombe, 1998; Knowles & Cole, 2008; Willig, 2008). Adopting a qualitative approach, this study seeks to gain profound insights into the experiences, complexities, and perspectives of sex workers, drawing upon the narratives of those directly and voluntarily involved (Bradford & Cullen, 2011).

Purposive sampling was employed to select participants who fulfilled specific criteria (Rubin & Babbie, 2009). The recruitment strategy encompassed establishing an online presence, collaborating with gatekeepers in the field, and implementing snowball sampling techniques to ensure diverse representation within the study. For a participant to be eligible to take part in this research, they had to satisfy the set criteria, being: of consenting/adult age (eighteen years of age and above); able to communicate in Maltese or English; worked as a sex worker in Malta at any point in the past five years (2017-2022); and engaged voluntarily in sex work. Although inclusion in the LGBTQIA+ community was not originally specified as a selection criterion, it emerged that all participants who advanced to the interview stage identified themselves as members of this community. Participants identified as per below:

- Participant 1: cisgender man – gay
- Participant 2: cisgender woman – bisexual
- Participant 3: trans woman – heterosexual
- Participant 4: non-binary person – pansexual

Unstructured interviews were conducted using the Biographical Narrative Interpretative Method (BNIM), facilitating the exploration of participants' views and experiences (Corbally & O'Neill, 2014; Wengraf, 2001). As such all encounters were initiated with my Single Question Aimed at Inducing Narrative (SQUIN) being:

What are the changes that need to take place in Malta, in order for the needs and interests of sex workers to be better safeguarded?

Between January and July 2022, four individual interviews were conducted online. Flexibility was provided to participants in selecting their preferred interview setting. With participants' consent, the interviews were audio-recorded and subsequently transcribed for analysis purposes.

Thematic analysis was utilised to identify recurring patterns and central topics within the collected data (Braun & Clarke, 2006). The analysis followed the six-phase guide proposed by Braun and Clarke, ensuring a comprehensive exploration of the data.

Ethical considerations were thoroughly addressed throughout the research process. Informed consent was obtained from all participants, ensuring their voluntary participation and confidentiality. Measures were taken to protect participants' identities by using pseudonyms in the reporting of findings. The study also adhered to ethical guidelines, ensuring respect for autonomy, privacy, and the right to withdraw from the study at any stage.

This study has certain limitations that should be acknowledged. Firstly, the sample size was relatively small, consisting of four participants, which may limit the generalisability of the findings. Secondly, the reliance on self-report data through interviews may introduce potential

biases and subjectivity. The study also focused specifically on sex workers in Malta, and the findings may not be applicable to different contexts or populations. Lastly, all participants identified as being part of the LGBTQIA+ community, which while it may be limiting in generating general data, it opens a window on a previously under-researched group within the sex working community.

## Findings, analysis and discussion

The findings of this research were identified into five main themes. All interviews were conducted in English, except for a few instances where some participants opted to use some phrases in Maltese. In the eventuality of a quotation which is in its entirety or partially in Maltese, a verbatim translation is provided in brackets.

### **The complexity of sex work: nothing is so straight forward**

When examining sex work, its complexity becomes apparent as various factors shape the experiences of sex workers and clients. This research highlights the influence of power dynamics, including gender, race, and class, on the realities and needs of individuals involved (Eldh et al., 2020; Lingard, 2019). Female sex workers were predominant among the participants, while acknowledging the limited sample's representativeness. However, male sex work was also acknowledged as existing, with different forms and platforms. The gendered nature of sex work is widely recognised, with girls and women commonly selling sex to men (European Parliament, 2014; Foundation Scelles, 2019). It's important to note that available data often fails to consider gender identity beyond the binary, potentially misclassifying non-binary individuals.

Race and ethnicity were additional agents of power discussed by participants, affecting the experiences of sex workers. White privilege was mentioned by some participants, with whiteness associated with more positive perceptions and reduced stigma compared to black female sex workers.

Migrant sex workers, often facing legal uncertainty, were placed at the bottom of the whorearchy, subject to stricter treatment by authorities.

Certain races tend to have a harsher outcome with the police. Police tend to be stricter with migrant sex workers... [the police are also] harsher with people who work in the street, who again are a lot of time migrants.

The concept of the whorearchy, which varies based on intimacy with clients and interactions with authorities, was highlighted as a shifting power dynamic impacting sex workers (Belle Knox, 2014; Balloo, 2018; de Jong, 2021).

Regarding clients, cisgender men were primarily mentioned as the main clientele of sex workers, although some participants also offered services to female clients. Clients sought experiences and fantasies they would not typically engage in, with gender identity and curiosity influencing their preferences.

I do have those men who wouldn't want to be seen with a trans woman... but men who fantasise about me being a trans woman, and playing with me.

Older individuals and tourists were commonly mentioned, with the online platform attracting a different clientele compared to street-based sex work.

These complexities illustrate the intricate nature of sex work, highlighting the interplay between various themes. The subsequent theme will further contextualise these findings within the local setting.



### **Sex work in Malta: context, particularities and peculiarities**

The unique geographical and population size of Malta presents challenges for sex workers, as they often find themselves working and living in close proximity, risking encounters with clients outside of work.

At night I am messaging this person, and the next day I am like sitting for lunch on the table right next to him with his family... this never happened to me anywhere else.

The small size of the country also makes it difficult to separate personal and working lives, exposing sex workers to additional stigma in a conservative society.

The conservative values and beliefs prevalent in Maltese society contribute to the stigmatisation of sex work. Many individuals still view it as morally wrong, associated only with those who are coerced into it. A survey conducted by the Malta Women's Lobby confirms this sentiment, with a majority of respondents not considering sex work as a normal job and expressing concerns about increased sexual violence with greater acceptance of sex work (Berger, 2021). However, some participants expressed hope for a shift in societal perception, drawing parallels to the changing attitudes towards the LGBTQIA+ community.

The participants emphasised the significant role of tourists as the primary clients for sex workers in Malta. Due to the small size of the country and the potential risks of encountering clients outside of work, sex workers often choose to focus exclusively on serving tourists. For one participant "focusing on just tourists is easier" and eliminates the risk of meeting one of their clients outside of work. This is a reflection of autonomy, choice and control, where the participant has the opportunity and the luxury to choose who they sell sex to.

The influx of tourists brings higher demand and greater financial opportunities compared to local clients. One participant describes her best clients as “good tourists with good money” when compared to Maltese men “who are looking for a quick blowjob or a quick fuck, that does not leave you much money in your pockets”. This reliance on tourists as a client base has been observed in other touristic destinations, and thus places Malta within this perspective (Martiny, 2022).

Migration plays a significant role in sex work in Malta, with a substantial number of sex workers being foreigners, particularly Eastern European and South American. Some participants engaged in migratory sex work, moving between countries to find better working opportunities and experiences.

I like to move around. I like to change the country where I live quite a bit. But also, sometimes I would travel just for work. For example, I was working in Tanzania for a year, and moved there for just work.

The phenomenon of migratory sex work is influenced by various factors such as conflicts, prices, seasonality, and clientele volatility (Rocha et al., 2022).

These insights shed light on the complex realities of sex work in Malta, influenced by factors such as geography, societal values, and the dynamics of the tourist industry. While this research provides valuable perspectives, it should be noted that it represents only a glimpse into the broader landscape of sex work in Malta.

### **My body, my choice: societal stigma and agency over the body**

Participants in this research study revealed the persistent societal stigma faced by sex workers and the impact it has on their daily work. They discussed strategies to protect themselves from stigma, such as

concealing their work and using alternative terms to refer to sex work. One participant, for example, expressed discomfort in openly mentioning sex work in public and preferred to use the term “the industry.” This aligns with international literature highlighting the need for sex workers to conceal their work to avoid stigma (Benoit et al., 2018; Sallman, 2010; Blakey & Gunn, 2018). Some participants found ways to navigate stigma without significant negative effects, while others, internalised societal stigma, leading to feelings of shame.

Might be also coming from internalised stigma maybe?  
Don't know, but I mean I am also a product of society, so I think some level of stigma is still ingrained in me.

Participants recognised that stigma also worked in their favour, as both sex workers and their clients mutually protected each other's identities within their close-knit networks.

Normally they don't want to interact when not my clients, because it would mean that people will not only know what I do, but also what they do.

This discretion was more effective for online sex workers compared to street-based sex workers who faced additional challenges due to their visibility and interactions with passers-by and neighbours. The participants discussed how certain groups within the sex working community, such as male sex workers, enjoyed better social standing and faced less victimisation compared to their female counterparts.

For men it is easier, because even men who have a lot of sex aren't called 'ahba' [whore] but like 'playboy' or something. So actually, getting money for doing it probably makes it more manly and even hotter.

The research also explored participants' adaptation to different work contexts and their perception of sex work as work rather than solely about sex. They emphasised the control and flexibility sex work provided, enabling them to have more agency over their lives and pursue other interests. This sentiment was shared by most participants, who acknowledged the financial benefits and flexibility sex work offered compared to traditional jobs.

Sex work is not something I cannot live without; it just makes it easier to do so. What other job would allow me to stop for a whole two months without me running out of money? I save up before and go for a few weeks on my savings.

They highlighted the luxury experiences they could enjoy through their work, such as staying in prestigious hotels. The participants emphasised that sex work was just one aspect of their lives and did not define their entire identity.

Regarding marketing strategies, participants discussed the use of various websites and platforms to promote their services. They mentioned specific websites like *Eurogirls*, *Happy Escorts*, and *Sugar Baby*, but also recognised the broader reach of non-specific platforms such as dating sites and social media platforms. They used their physical appearance and image to their advantage in marketing themselves, leveraging their gender identity, expression, and unique characteristics to attract clients.

Overall, this highlights the need to go beyond the victim stereotype associated with sex workers and acknowledge the non-homogenous experience of sex work. Additionally, it underscores the participants' recognition of sex work as a form of labour that grants them control over their lives and the various marketing strategies they employ to attract clients.

### **Navigating the system: keeping safe, reporting, and finding support**

The research findings highlight the strategies adopted by sex workers to ensure their safety and access support in the face of potential risks. Participants emphasised the importance of engaging in a conversation with clients before meeting them, allowing them to assess the situation and establish boundaries. One participant, who is trans, also considers it important for her safety that she was open about her gender identity and expression with her clients from the initial stages of the conversation.

I also always told them that I am trans while still on the street where people can see us. I don't want them to be surprised. Smajt u qrajt bi stejjer ta' nisa trans barra minn Malta (I heard and read stories of trans women abroad). And I wanted to be safe – so better that way and they know right away.

This concern is backed by research which suggests the increased risk of trans sex workers experiencing violence from clients (see also Spittal et al., 2002; Potterat et al., 2004; Goodyear & Cusick, 2007).

Participants also recognised the role of technology in facilitating their safety measures, such as avoiding private phone calls and requesting fiscal deposits or personal details from clients. Creating a safety net by sharing client information with trusted friends was another common practice among participants. Public spaces and hotels were preferred

for initial encounters due to the potential for assistance from others in case of abusive behaviour.

However, the participants expressed a lack of trust in reporting to the authorities, particularly the police, due to their perceived inability to handle cases involving sex workers effectively.

I think I'd be somewhat hesitant to report unless it is super dangerous – threatening.

This distrust is rooted in the belief that sex workers are often seen as victims and not believed to be providing services voluntarily. The participants emphasised the need for proper training of authorities in addressing the specific needs of sex workers and creating a supportive environment. Existing sex worker-led organisations and online platforms were recognised as important sources of support, providing a space for sharing experiences and information among sex workers. In a situation where such networks are non-existent as is the case of Malta, this role is filled by women and LGBTQIA+ rights organisations.

Overall, the findings highlight the self-protective measures employed by sex workers and their limited trust in law enforcement agencies. The study suggests the importance of improving the relationship between sex workers and authorities through training, support, and inclusive approaches, as well as the need for dedicated support networks for sex workers to ensure their safety and well-being.

### **Sex workers as policy makers: legal and policy changes needed**

Sex workers in Malta face challenges in organising and participating in policy-making processes that affect them. Limited anonymity in a small country like Malta hinders sex workers from publicly advocating for their rights.

But it is very difficult to start, especially if people do not want to be visible in such a small country, and with people also working and going to another place.

The transient nature of the industry, relying on tourism and migratory sex work, also makes it difficult to establish stable organisations. Engaging with sex workers through online platforms alone is insufficient; efforts should extend to street-based sex workers as well. Without sex worker lobby groups in Malta, political parties and representatives need to reach out to sex workers directly to understand their needs.

Probably engaging online through the websites used to find clients. I mean that is where most of us are - but that is still somewhat limiting. You are not really reaching out to those working on the streets, in strip clubs, parlours, etc.

Participants expressed uncertainty about the legal status of sex work in Malta. They emphasised the need for legal and policy changes to ensure their safety. Criticism was raised against the abolitionist approach, where selling sex is not a criminal offence but buying it is. Participants argued that criminalising clients would push the industry further underground and pose risks to sex workers.

Imagine that Malta passes the Nordic model... it will be more dangerous to me anyway – they [clients] wouldn't want me to screenshot the chat, want to video chat with me, they wouldn't want to show their faces.

Instead, they supported the decriminalisation approach, emphasising the importance of consent and negotiations between consenting adults.

There needs to be a system where if someone – both parties are consenting and share an agreement, the state shouldn't get involved. I don't see why it should be illegal for someone to sell a service, here being sex, and someone buying that service.

Decriminalisation, coupled with anti-discrimination legislation, would empower sex workers to make independent choices and reduce exploitation. Participants also highlighted the need for other policies and government interventions. Anti-discrimination policies are crucial to protect sex workers' employment prospects. Registering sex work as a legitimate profession would enable access to government support during economic shocks. Still, opinions differed on whether sex work should be registered and recorded, with participants being divided on the matter. Participants believe government support and decriminalisation would challenge societal prejudices and reduce stigma surrounding sex work. The importance of holistic approaches, including police collaboration, support groups, and government-funded sex worker-led organisations were emphasised. These measures would enhance the safety and well-being of sex workers in Malta.

This paper presented perspectives on sex work by sex workers in Malta, highlighting the interconnectedness of various themes. While the participants' opinions may not represent the entire sex working community, they provide valuable insights previously lacking in local research.



## Conclusion

The study explores the opinions of sex workers in Malta regarding necessary social and legislative changes to ensure their safety and protect their working interests. The research took a different approach by recruiting participants through social media instead of requesting access through service-providers, offering a unique perspective on the sex industry.

The findings highlight the diversity among sex workers in Malta, including different gender identities, sexual orientations, and nationalities. Clients also come from various backgrounds, with tourists playing a significant role in driving local demand. The study emphasises the migratory nature of sex work and the close relationship between the sex industry and the tourism sector.

Sex workers in Malta face challenges due to the country's small size, conservative mentality, and societal stigma surrounding their profession. While participants chose sex work willingly, they navigate the stigma by targeting tourists and staying hidden from the local community. Female-presenting sex workers experience harsher stigma compared to their male-presenting counterparts, while street-based sex workers face additional stigma within the sex working community.

Online sex work has become the predominant form of sex work in Malta, and participants rely heavily on technology for safety and navigating their working environment. They also emphasise the importance of recognising the “work” aspect of sex work, as they consider themselves running their own businesses, offering greater flexibility and financial return than other employment options.

Participants expressed hesitation to seek assistance from authorities due to a lack of trust and negative past experiences. They also highlighted the absence of official support networks within the local sex working

community. Therefore, it is crucial to improve communication and training for authorities to better interact with and support sex workers.

The study recommends engaging sex workers from diverse backgrounds in discussions that affect them, using appropriate channels and ensuring confidentiality. Efforts should also include sensitisation training, opening spaces for sex workers to share their experiences, and promoting inclusivity and diversity acceptance.

Regarding legislation, participants support the decriminalisation of both sex workers and buyers. Regardless of the approach taken, it is vital to protect sex workers from discrimination and guarantee alternative employment opportunities.

Recommendations for further research include exploring the perspectives of heterosexual, cisgender individuals who were disproportionately underrepresented and the experiences of asylum seekers and undocumented migrants, who were completely missing in this research.

In conclusion, this research sheds light on the complexity of sex work in Malta and emphasises the need to consider the diverse needs and interests of sex workers. Stakeholders should actively involve sex workers in decision-making processes, ensure confidentiality, improve communication with authorities, and promote inclusivity. Regardless of the chosen approach, the rights of sex workers should be acknowledged and protected from discrimination.

## References

- Abel, G. (2014). A decade of decriminalization: Sex work 'down under' but not underground. *Criminology and Criminal Justice*, 14(5), 580-592.
- Agustin, L. (2003). A migrant world of services. *Social Politics*, 10(3), 377-396.
- Amnesty International. (2016). *Amnesty International Policy on State Obligations to Respect, Protect and Fulfill the Human Rights of Sex Workers*. New York: Amnesty International.
- Bagley, C., & L., Y. (1987). Juvenile prostitution and child sexual abuse: a controlled study. *Canadian Journal of Community Mental Health*, 6, 5-26.
- Balloo, S. (2018, August 4). The grim reality of Soho Road prostitutes charging as little as £5 for sex. Retrieved September 3, 2022, from Birmingham Mail: <https://www.birminghammail.co.uk/news/midlands-news/grim-reality-soho-road-prostitutes-14983363>
- Baran, B. E., Rogelberg, S. G., Carello Lopina, E., Allen, J. A., Spitzmuller, C., & Bergman, M. (2012). Shouldering a silent burden: The toll of dirty tasks. *Human Relations*, 65, 597-626.
- Basnyat, L. (2017). Structural violence in healthcare: Lived experience of street-based female commercial sex worker in Kathmandu. *Qualitative Health Research*, 27(2), 191-203.
- Beal, F. (2008). Double jeopardy to be black and female. *Meridian: feminism, race, transnationalism*, 8(2), 166-176.
- Bellis, M. A., Watson, F. L., Hughes, S., Cook, P. A., Downing, J., Clark, P., & Thomson, R. (2007). Comparative views of the public, sex workers, businesses and residents on establishing managed zones for prostitution: Analysis of a consultation in Liverpool. *Health & place*, 13(3), 603-616.
- Belton, R. (1992). Prostitution as traumatic reenactment. International Society for Traumatic Stress Annual Meeting. Los Angeles.
- Benoit, C., Jansson, S. M., Smith, M., & Flagg, J. (2018). Prostitution Stigma and Its Effect on the Working Conditions, Personal Lives, and Health of Sex Workers. *The Journal of sex research*, 55(4-5), 457-471.

- Benoit, C., Smith, M., Jansson, M., Healey, P., & Magnuson, D. (2018). "The Prostitution Problem": Claims, Evidence, and Policy Outcomes. *Archives of sexual behavior*, 48(7), 1905-1923.
- Berger, S. (2021, June 8). Survey: Majority of Maltese believe that prostitution should not be legalised or decriminalised. Retrieved September 3, 2022, from Malta Independent: <https://www.independent.com.mt/articles/2021-06-08/local-news/Survey-Majority-of-Maltese-believe-that-prostitution-should-not-be-legalised-or-decriminalised-6736234144>
- Blakey, J. M., & Gunn, A. (2018). The "ickiness factor": Stigma as a barrier to exiting prostitution. *Journal of offender rehabilitation*, 57(8), 538-561.
- Bradford, S., & Cullen, F. (2011). *Research and Research Methods for Youth Practitioners*. London: Routledge.
- Braun, V., & Clarke, V. (2006). Using thematic analysis in psychology. *Qualitative research in psychology*, 3(2), 77-101.
- Brents, B. G., & Hausbeck, K. (2010). Sex work now: what the blurring of boundaries around the sex industry means for sex work research and activism. In M. H. Ditmore, A. Levy, & A. Willman, *Sex work matters* (pp. 9-22). London: Zed Books.
- Brents, B. G., Jackson, C., & Hausbeck, K. (2010). *The State of Sex: Tourism, Sex and Sin in the New American Heartland*. New York : Routledge.
- Brents, B., & Hausbeck, K. (2005). Violence and Legalized Brothel Prostitution in Nevada: Examining Safety, Risk and Prostitution Policy. *Journal of Interpersonal Violence*, 20(2), 270-295.
- Brooks, A. (2007). Feminist standpoint epistemology: Building knowledge and empowerment through women's lived experience. In S. N. Hesse-Biber, & P. L. Leavy, *Feminist research practice* (pp. 53-82). New York: SAGE Publications Ltd.
- Bruckert, C. (2002). *Taking it off, putting it on: Women in the strip trade*. London: Women's Press.
- Bruner, J. S. (1990). *Acts of meaning*. Cambridge: Harvard University Press.
- Bungay, V., Halpin, M., Atchinson, C., & Johnston, C. (2011). Structure and agency: reflections from an exploratory study of Vancouver indoor sex workers. *Culture, health and sexuality*, 13(1), 15-29.

- Chang, S. (2021). Intimate Itinerancy: Sex, Work, and Chinese Women in Colonial Malaya's Brothel Economy, 1870s-1930s. *Journal of women's history*, 33(4), 92-117.
- Cho, S., Crenshaw, K. W., & McCall, L. (2013). Towards a field of intersectionality studies: Theory, applications and praxis. *Signs*, 38(4), 785-810.
- Church, S., Henderson, M., Barnard, M., & Hart, G. (2001). Violence By Clients Towards Female Prostitutes in Different Work Settings: Questionnaire Survey. *British Medical Journal*, 322, 524-525.
- Clough, P. (1994). *Feminist thought: desire, power and academic discourse*. Cambridge: Oxford University Press.
- Cockrell, J., & Hoffman, D. (1989). Identifying the needs of boys at risk in prostitution. *Social Work Today*.
- Collins, P.H. (1990). *Black feminist thought: Knowledge, consciousness and the politics of empowerment*. Boston: Unwin Hyman.
- Collins, P.H. (1998). *Fighting words: Black women and the search for justice*. Minnesota: University of Minnesota Press.
- Corbally, M., & O'Neill, S. C. (2014). An introduction to the biographical narrative interpretive method. *Nurse researcher*, 21(5), 34-39.
- Crenshaw, K.W. (1989). Demarginalizing the intersection of race and sex: a black feminist critique of antidiscrimination doctrine, feminist theory and antiracist politics. *The university of Chicago legal forum*, 139-167.
- Davis, K. (2008). Intersectionality as buzzword: a sociology of science perspective on what makes a feminist theory useful. *Feminist Theory*, 9(1), 67-85.
- Day, S. (2007). *On the Game: Women and Sex Work*. London: Pluto Press.
- de Jong, B. (2021, July 14). 'It's A Wild West': An Insider's Account Of Malta's Underground Sex Industry. Retrieved September 3, 2022, from Lovin Malta: <https://lovinmalta.com/lifestyle/health/sexual-health/its-a-wild-west-an-insiders-account-of-maltas-underground-sex-industry/>
- de Meis, C. (2002). House and street: Narratives of identity in a liminal space among prostitutes in Brazil. *Ethos*, 30, 3-24.

- DeBrincat, M. (2019). A retrospective study of the lived experience of children whose mothers engaged in prostitution. Master's dissertation.
- Denscombe, M. (1998). The good research guide. Open University Press.
- Directorate-General for Internal Policies. (2014). Sexual exploitation and prostitution and its impact on gender equality. Brussels: European Parliament.
- Ditmore, M. H. (2014). "Caught Between the Tiger and the Crocodile": Cambodian Sex Workers' Experiences of Structural and Physical Violence. *Studies in Gender and Sexualities*, 15(1), 22-31.
- Dworkin, A. (1993). Prostitution and Male Supremacy. *Michigan journal of gender and law*, 1(1), 1-12.
- Dworkin, A. (1997). *Life and Death*. New York: Free Press.
- Eldh, A. C., Arestedt, L., & Bertero, C. (2020). Quotations in Qualitative Studies: Reflections on Constituents, Custom, and Purpose. *International journal of qualitative methods*.
- Farley, M. (2003). *Prostitution, trafficking, and traumatic stress*. New York: Routledge.
- Farley, M. (2004). Bad for the body, bad for the heart': Prostitution harms women even if legalised or decriminalised. *Violence Against Women*, 10(10), 1087-1125.
- Farley, M. (2004). Prostitution is sexual violence. *Psychiatric Times*, 21(12), 7-10.
- Farley, M., & Kelly, V. (2000). Prostitution: A critical review of the medical and social sciences literature. *Women and Criminal Justice*, 11, 29-64.
- Farley, M., Baral, I., Kiremire, M., & Sezgin, U. (1998). Prostitution in five countries: Violence and post-traumatic stress disorder. *Feminism and psychology*, 8, 415-426.
- Farley, N., Lynne, J., & Cotton, A. J. (2005). Prostitution in Vancouver: violence and the colonization of First Nations Women. *Transcult Psychiatry*, 42(2), 242-271.
- Fink, A. (2010). *Conducting Research Literature Reviews: From the internet to paper* (3rd ed.). California: Sage Publications.
- Foundation Scelles. (2019). *Sexual exploitation: New challenges, new answers*. Paris: Foundation Scelles.

- Gatrell, C. (2010). Who Rules the Game? An Investigation of Sex-Work, Gender, Agency and the Body. *Gender in Management: An International Journal*, 25(3), 208-226. doi:10.1108/17542411011036419
- Gertler, P., Shah, M., & Bertozzi, S. (2005). Risky Business: The market for unprotected sex. *Journal of political economy*, 113(3), 518-550.
- Ghose, T., Swendeman, D., George, S., & Chowdhury, D. (2008). Mobilizing collective identity to reduce HIV risk among sex workers in Sonagachi, India: the boundaries, consciousness, negotiation framework. *Social science and medicine*, 67(2), 311-320.
- Goffman, E. (1963). *Stigma: Notes of the Management of Spoiled Identity*. New York: Simon and Schuster.
- Goodyear, M. D., & Cusick, L. (2007). Protection of sex workers. *BMJ*, 3(34), 52-53.
- Grix, J. (2018). *The Foundations of Research*. Bloomsbury Publishing.
- Haraway, D. (2004). *The Haraway reader*. New York: Routledge.
- Harding, S. (1989). Feminism and science. In N. Tuana, *Is there a feminist method?* (pp. 18-32). Bloomington and Indianapolis: Indianapolis University Press.
- Harding, S. (1993). Rethinking Standpoint Epistemology: What is Strong Objectivity. In L. Alcoff, & P. E., *Feminist epistemologies* (pp. 101-120). New York: Routledge.
- Harding, S. (2004). Introduction: Standpoint theory as a site of political philosophic and scientific debate. In S. Harding, *The feminist standpoint theory reader* (pp. 1-16). New York: Routledge.
- Harding, S. (2009). Standpoint Theories: Productively Controversial. *Hypatia*, 24(4), 192-200.
- Hekman, S. (2004). Truth and method: feminist standpoint theory revisited. In S. Harding, *The feminist standpoint theory reader* (pp. 225-241). New York: Routledge.
- Holzkamp, K. (2005). *Theory and experiment in psychology* (3rd ed.). Berlin: de Gruyter.
- Hughes, D. M. (2004). *Best Practices to Address the Demand Side of Sex Trafficking*. University of Rhode Island.
- Inciardi, J. A. (1995). Crack, crack house sex, and HIV risk. *Archives of Sexual Behavior*, 24, 249-269.

- International Committee on the Rights of Sex Workers in Europe (2015). Underserved. Overpoliced. Invisibilised. LGBT sex workers do matter.
- Kamra tad-Deputati. (2020). Kumitat Permanenti Dwar L-Affarijiet Soċjali: Laqgħa Nru 31. Kumitat Permanenti Dwar L-Affarijiet Soċjali: Laqgħa Nru 31 (Rapport Ufficjali u Rivedut) (pp.1-25).Valletta: Ufficju tal-Iskrivan tal-Kamra tad-Deputati.
- Knowles, J. G., & Cole, A. L. (2008). Handbook of the Arts in Qualitative Research: Perspectives, Methodologies, Examples, and Issues. London: SAGE Publications Ltd.
- Knox, B. (2014, February 7). Tearing Down the Whorearchy From the Inside. Retrieved September 3, 2022, from Jezebel: <https://jezebel.com/tearing-down-the-whorearchy-from-the-inside-1596459558>
- Koken, S. (2012). Independent female escort's strategies for coping with sex work related stigma. *Sexuality and Culture*, 16, 209-229.
- Kraus, I. (2016, September 16). Trauma as Pre-condition and Consequence of Prostitution. Scientists for a world without prostitution.
- Krüsi, A., Chettiar, J., Ridgway, A., Abbott, J., Strathdee, S. A., & Shannon, K. (2012). Negotiating safety and sexual risk reduction with clients in unsanctioned safer indoor sex work environments: A qualitative study. *American Journal of Public Health*, 102(6), 1154-1159.
- Lawless, T. (2016, May 23). Sex worker and activist Tilly Lawless, explains the whorearchy. (K. Sciortino, Interviewer)
- Leigh, C. (1997). Inventing Sex Work. In J. Nagle, *Whores and other Feminists* (pp. 224-231). New York & London: Routledge.
- Lingard, L. (2019). Beyond the default colon: Effective use of quotes in qualitative research. *Perspect Medical Education*, 8(6), 360-364.
- Lutnick, A., & Cohan, D. (2009). Criminalization, legalization or decriminalization of sex work: What female sex workers say in San Francisco, USA. *Reproductive Health Matters*, 17(34), 38-46.
- Ma, P.H., Chan, Z. C., & Loke, A. Y. (2017). A Systematic Review of the Attitudes of Different Stakeholders Towards Prostitution and Their Implications. *Sexuality research & social policy*, 15(3), 231-241.



- Mac,J., & Smith, M. (2018). *Revolting prostitutes: the fight for sex workers' rights*. London: Verso Books.
- Machat, S., Shannon, K., Braschel, M., Moreheart, S., & Goldenberg, S. M. (2019). Sex workers' experiences and occupational conditions post-implementation of end-demand criminalization in Metro Vancouver, Canada. *Canadian journal of public health*, 110(5), 575-583.
- Maher, L., Mooney-Somers, J., & Phlong, P. e. (2011). Selling sex in unsafe spaces: sex work risk environments in Phnom Penh, Cambodia. *Harm Reduct*, 8(1).
- Marsh, D., & Furlong, P. (2017). "A Skin not a Sweater: Ontology and Epistemology in Policial Science". In V. Lowndes, D. Marsh, & G. Stoker, *Theory and Methods in Political Science* (pp. 17-41). Bloomsbury Publishing.
- Martiny, J. (2022, August 9). Sex tourism: When conscience takes a vacation. Retrieved September 4, 2022, from DW: <https://www.dw.com/en/sex-tourism-when-conscience-takes-a-vacation/a-62710636>
- Mavin, S., & Grandy, G. (2013). Doing gender well and differently in dirty work: The case of exotic dancing. *Gender, Work and Organization*, 20, 232-251.
- May, T., Harocopos, A., & Hough, M. (2000). *For Love or Money: Pimps and the Management of Sex Workers*. London: Policing and Reducing Crime Unit, Research, Development and Statistics Directorate.
- McAlinden, O. (2019, 3 27). Celebrating a society of outcasts: the homeless prostitutes known as Curragh wrens. *Irish Times*. Retrieved from <https://www.irishtimes.com/culture/books/celebrating-a-society-of-outcasts-the-homeless-prostitutes-known-as-curragh-wrens-1.3839341>
- McNeill, M. (2012, May 10). Whorearchy. Retrieved June 15, 2022, from The Honest Courtesan: <https://maggiemcneill.com/2012/05/10/whorearchy/>
- Mellor, R., & A., L. (2012). The lived experience of UK street-based sex workers and the health consequences: an exploratory study. *Health Promotion International*, 27(3), 311-322.
- Mienies, K., & Surgey, G. (2017). Identifying the barriers sex workers experience to participate in policy making decisions in johannesburg, south africa. *Sexually Transmitted Infections*, 93(2), 251.

- Miller, J. (1995). Gender and power on the streets: Street prostitution in the era of crack cocaine. *Journal of Contemporary Ethnography*, 23, 427-452.
- Murphy, A. (2003). The dialectical gaze: Exploring the subject-object tension in the performances of women who strip. *Journal of Contemporary Ethnography*, 32(3), 305-335.
- Murphy, A., & Venkatesh, S. (2006). Vice careers: the changing contours of sex-work in New York city. *Qualitative Sociology*, 29(1), 129-154.
- Natividad, I. (2023, June 27). Juana Maria Rodríguez: Sex work is a queer issue. Retrieved from Berkeley News: <https://news.berkeley.edu/2023/06/27/juana-maria-rodriguez-sex-work-is-a-queer-issue/>
- Open Society Foundations. (2019, April). Understanding Sex Work in an Open Society. Retrieved from Open Society Foundations: <https://www.opensocietyfoundations.org/explainers/understanding-sex-work-open-society>
- Östergren, P. (2017). From zero tolerance to full integration. Rethinking prostitution policies. DemandAT.
- Parliamentary Secretariat for Reforms, Citizenship and Simplification of Administrative Processes . (2019). Reform on Human Trafficking and Prostitution. Valletta: Government of Malta.
- Payne, G., & Payne, J. (2004). Feminist research. In G. Payne, & J. Payne, Key concepts in social research (pp. 89-93). London: SAGE Publication Ltd.
- Phrasisombath, K., Faxelid, E., Sychareun, V., & Thomsen, S. (2012). Risks, benefits and survival strategies-views from female sex workers in Savannakhet, Laos. *BMC public health*, 12, 1004.
- Potterat, J. J., Brewer, D. D., Muth, S. Q., Rothenberg, R. B., Woodhouse, E., D., ... S., B. (2004). Mortality in a long-term open cohort of prostitute women. *Am J Epidemiol*, 159(8), 778-785.
- Ramazanoglu, C., & Holland, J. (2002). Feminist methodology: Challenges and choices. SAGE Publications Ltd.
- Rao, V. I., Lokshin, M., & Jana, S. (2003). Sex workers and the cost of safe sex: The compensating differential for condom use among Calcutta prostitutes. *Journal of Development Economics*, 585-603.

- Raymond, J. G. (2013). *Not a choice, not a job : exposing the myths about prostitution and the global sex trade*. Dulles: Potomac Books.
- Rhodes, T., & Cusick, L. (2002). Accounting for unprotected sex: Stories of agency and acceptability. *Social Science and Medicine*, 55(2), 211-226.
- Rhodes, T., Wagner, K., Strathdee, S. A., Shannon, K., Davidson, P., & Bourgois, P. (2012). Structural violence and structural vulnerability within the risk environment: Theoretical and methodological perspectives for a social epidemiology of HIV risk among injection drug users and sex workers. *Rethinking Social Epidemiology*, 205-230.
- Rocha, L. E., Holme, P., & Linhares, C. D. (2022). The global migration network of sex-workers. *Journal of computational social science*, 5, 969-985.
- Rowe, W. E. (2014). Positionality. In D. Coghlan, & M. Brydon-Miller, *The Sage*. London: Sage Publications.
- Rubin, A., & Babbie, E. (2009). *Research methods for social work*. Belmont: Brooks/Cole.
- Sallman, J. (2010). Living With Stigma: Women's Experiences of Prostitution and Substance Use. *Affilia*, 25(2), 146-159.
- Salmon, C. (2010). *The World's Oldest Profession: Evolutionary Insights into Prostitution*. *Evolutionary Forensic Psychology: Darwinian Foundations of Crime and Law*. doi:10.1093/acprof:oso/9780195325188.003.0007.
- Sanders, C., Edwards, Z., & Keegan, K. (2017). Exploring stakeholder experiences of interprofessional teamwork in sex development outpatient clinics. *Journal of interprofessional care*, 31(3), 376-385.
- Sanders, T. (2005). It's Just Acting: Sex Workers' Strategies for Capitalizing on Sexuality. *Gender, Work and Organization*, 12, 319-342.
- Sanders, T. (2005). *Sex work: A risky business*. Devon, UK: Willan Publishing.
- Sanders, T., & Campbell, R. (2014). Criminalization, protection and rights: Global tensions in the governance of commercial sex. *Criminology and Criminal Justice*, 14(5), 535-548.
- Savin-Baden, M., & Howell Major, C. (2013). *Qualitative Research: The Essential Guide to Theory and Practice*. Routledge.

- Schwartz, A., Yarbrough, E., McIntosh, C.A. (2020). Sex and Relationship Issues in Work With the LGBTQ Community. *Focus: The Journal of Lifelong Learning in Psychiatry*, 18(3), 277-284.
- Shannon, K., Strathdee, S. A., Goldenberg, S. M., Duff, P., Mwangi, P., Rusakova, M., Boileau, M. C. (2014). Global epidemiology of HIV among female sex workers: influence of structural determinants. *The Lancet*, 55-71.
- Shaver, F.M. (2005). Sex work research: Methodological and ethical challenges. *Journal of Interpersonal Violence*, 20(3), 296-319.
- Skillbrei. (2019). Assessing the Power of Prostitution Policies to Shift Markets, Attitudes, and Ideologies. *Annual review of criminology*, 2, 493-508.
- Smith, D. (1987). *The everyday world as problematic: a feminist sociology*. Toronto: University of Toronto Press.
- Smith, D. (2005). *Institutional ethnography: A sociology for people*. Walnut Creek: AltaMira Press.
- Spittal, P. M., Craib, K. J., Wood, E., Laliberté, N., Li, K., Tyndall, M. W., ... Schechter, M. T. (2002). Risk factors for elevated HIV incidence rates among female injection drug users in Vancouver. *CMAJ*, 166(7), 894-899.
- Sullivan, B. (2010). When some prostitution is legal: The impact of law reform on sex work in Australia. *Journal of Law and Society*, 37, 85-104.
- Sullivan, M. (2007). *Making Sex Work: A Failed Experiment with Legalized Prostitution*. Melbourne: Spinfex.
- UK Network of Sex Work Projects. (2008). *Keeping safe: safety advice for sex workers in the UK*. London: UK Network of Sex Work Projects.
- Vanwesenbeeck, I. (2017, June 5). Sex Work Criminalization Is Barking Up the Wrong Tree. Retrieved from Archives of Sexual Behavior: <https://link.springer.com/content/pdf/10.1007/s10508-017-1008-3.pdf>
- Weldon, J. (2010). Show me the Money: A sex worker reflects on research into the sex industry. In M. H. Dittmore, A. Levy, & A. Willman, *Sex Work Matters: Exploring money, power and intimacy in the sex industry* (pp. 147-154). London: Zed Books.
- Wengraf, T. (2001). *Qualitative research interviewing*. Middlesex: SAGE Publication Ltd.

- Widom, C. S., & Kuhns, J. B. (1996). Childhood victimization and subsequent risk for promiscuity, prostitution, and teenage pregnancy. *American Journal of Public Health*, 86, 1607-1612.
- Wiechelt, S. A., & Shdaimah, C. S. (2011). Trauma and Substance Abuse Among Women in Prostitution: Implications for a Specialized Diversion Program. *Journal of forensic social work*, 1, 159-184.
- Willig, C. (2008). *Introducing qualitative research in psychology*. Berkshire: Open University Press.
- Willman, A. (2009). What's money got to do with it? Risky behaviour in commercial sex work in Managua, Nicaragua. Berlin: VDM.
- Witt, E. (2020, November 19). What is the whorearchy and why it's wrong? Retrieved June 15, 2022, from An Injustice: <https://aninjusticemag.com/what-is-the-whorearchy-and-why-its-wrong-1efa654dcb22>
- Wood, E. A. (2000). Working in the fantasy factory: The attention hypothesis and the enacting of masculine power in strip clubs. *Journal of Contemporary Ethnography*, 29, 5-31.

# Gender self-identification: a legal necessity

Angeliki Pantzartzid

*PHD Candidate, Aristotle University of Thessaloniki*

Natali Kostara

*Student, National and Kapodistrian University of Athens*

**Angie Pantzartzidi** (she/her) is a lawyer and a doctoral candidate at the Faculty of Law of the Aristotle University of Thessaloniki. Her research interests focus on feminist bioethics, medical law, gender studies and feminist jurisprudence. She is a co-founder and academic research coordinator of the feminist students' union for gender and equality, PHYL.IS.AUTH.

**Natalie Kostara** (she/her) is a law and economics student at National and Kapodistrian University of Athens and the American College of Greece. She is the co-founder of the feminist students' union for gender and equality, PHYL.IS.AUTH. She has served as an Advisor to the Permanent Mission of Greece to the UN for social, humanitarian and cultural issues and was an Editor for International Law in the DeJure legal journal.

## Abstract

While discussions around “gender self-identification” laws currently overflow in many European countries, transgender and non- binary people are still faced with enormous difficulties in order to enjoy the right to be recognised by law and society as their gender. The law needs to assist them in this quest, aiming at their inclusion and protection. Therefore, legal frameworks on gender identity recognition must provide the necessary confidentiality and equal treatment guarantees. By introducing sociological and anthropological data, approaches of European Union law and ECHR case law, and experiential data, we aim to argue that legislations granting the right to recognition of gender identity under strict conditions, violate human rights regarding self-determination, non-discrimination, protection of privacy and equality.

## Introduction

In recent years, the fight for transgender rights has gained worldwide attention. The struggle for transgender people to have their gender identity recognised and respected has been continuous and laborious since they have been systematically denied their right to recognition of gender by society and the legal system. Despite the progress made in some countries, trans individuals still face significant barriers to having their gender recognised in official documents, leading to serious consequences in their daily lives. Transphobia, along with far right and hyper-conservative views, have been on the rise, with transgender individuals experiencing discrimination and violence. Most legislators are still preoccupied with the requirements and procedures for correcting one's gender on official documents, being unable to see the forest for the trees. This paper aims to argue that gender self-identification is a legal necessity, as it represents a crucial step towards ensuring the full recognition of transgender individuals and protecting their human rights.

## Sociological and anthropological approach

In the modern West, the gender binary has prevailed socially, giving the idea that gender identity is rigid and unquestionably related to anatomy. Interestingly, however, gender was not always seen as a binary. Indeed, in many older, and even some modern societies, there appear to be established gender categories that do not correspond to today's concepts of 'masculine' and 'feminine', especially in non-western cultures. The most characteristic example is perhaps that of two-spirit people, meaning members of Native American tribes that belong to other gender categories that do not correspond to the notions of 'male' or 'female' (Lang, 1988, p. 3-18). Other examples include, but are not limited to, the hijra people of South Asia (Humaira & Kamal, 2017, p. 63-67) and the bissu community of Indonesia (Zamfira, de Montlibert & Radu, 2018, p. 64-81).



It is also worth noting that, in other communities, there are certain cases of 'customary' gender transition, that usually rest on social or even religious reasons and are therefore seen as common and accepted by the rest of the community. The most prominent example of phenomena like this is the tradition of 'sworn virgins,' observed from the end of the 19th century until the beginning of the 20th century in the Balkans (Young, 1998, p. 59-75). The 'sworn virgins' were young girls who, either by choice or due to pressure from their family, assumed 'masculine' roles in family and social life, promising to never have sexual intercourse or marry.

Evidently, the gender binary was not always and in every society an axiom beyond doubt. In fact, the exact opposite was historically more often the case, seeing that the polyphony of gender expression was often perceived as something desirable and worthy of respect. Common gender roles also differ significantly between societies, highlighting that there is no correlation of gender and behaviours. Indeed, traits and behaviours currently attributed unquestionably to the one gender, in past societies either appeared as normal to exhibit for all genders or were typically assigned to another gender. A typical example of this is the use of makeup, which began as a male act, signifying a status quo of aristocratic origin, and later became stereotypically attributed to females (Corson, 1972). All these examples, and many more not included in this essay, signify that the gender binary and the immutability of gender identity are notions socially constructed, and their establishment has not always been, and is not even today, universal.

However, even the binary of sex seems to be wildly doubted. Sexual development is a multifactorial and complicated process, and in many cases, it is differentiated in ways that, according to scientists, make the person unable to fit into the binary categories of 'male' and 'female.' This guides a big part of the scientific community to support that even sex should not be regarded as binary. Notable here is the example of 'guevedoces,' children assigned female at birth, born in certain areas of

the Dominican Republic, whose lack of an enzyme that manipulates testosterone leads to the development of female sex characteristics (Gurram & Ashley, 2016, p. 526). During puberty, their body starts to produce the previously lacking enzyme, leading to the sudden development of male sex characteristics (eg muscle mass and hair growth). Despite being socialised as girls until their puberty, guevedoces end up growing up as men, with their community welcoming this phenomenon and treating it as an evolution and not a transition, due to its frequency in that part of the country.

Therefore, if we cannot rely on specific behaviours and concrete anatomical or physical characteristics to categorise a person into a sex or gender (whether we deny the notion of them existing as binaries or not), how can we define gender identity and regulate the legal procedures of gender identity recognition?

## **Comparative Law**

Most European countries already have legislation in place that allows transgender people to correct their gender identity in public documents. The only countries that do not recognise the right of transgender people to legally correct their gender are Hungary, Albania, Kosovo, and North Macedonia (Castro-Peraza et al., 2019, p. 978). Listed below are some of the main European state legislations concerning legal gender recognition.

### **United Kingdom**

The basis for granting the right to gender recognition in the United Kingdom is the Gender Recognition Act 2004 (GRA). The Act allows transgender people to legally correct their gender by acquiring a Gender Recognition Certificate (GRC). To obtain a GRC, a person has to be diagnosed with gender dysphoria and provide evidence that they have lived in their acquired gender for at least 2 years. The process also requires the application to be reviewed by a Gender Recognition Panel. However, it is not necessary for the applicant to have undergone

a medical procedure to change the biological characteristics of their sex (Sharpe, 2009, p. 241-245). If all the legal conditions are met, the applicant receives the GRC and can therefore move on to correcting their documents.

It should be noted that, in a progressive leap, the Scottish parliament passed the Gender Recognition Reform (Scotland) Bill (2021) in December 2022. The Bill amends the Gender Recognition Act 2004 for Scotland by simplifying the process of obtaining a GRC in the country and making it less intrusive. The new legislation does not require a medical diagnosis or proof that the applicant has been living in their acquired gender for at least two years. Instead, the Bill introduces a self-identification system, which allows transgender people to make a statutory declaration stating that they have been living in their acquired gender for at least three months before submitting the application and that they have the intention to live in their acquired gender until death. The new legislation also lowers the minimum age to apply for a certificate from 18 to 16 years and will not alter the process of obtaining a GRC outside Scotland.

Due to the progressive nature of the Scotland Bill, the Scottish Secretary invoked section 35 of the Scotland Act 1988<sup>1</sup>, thus “vetoing” and preventing the Gender Recognition Reform Bill from gaining full force. The main argument against the Scottish Bill is that it appertains to the reserved matter of equal opportunities under the Equality Act 2010<sup>2</sup>, thus indicating that the automatic validity of the Scottish GRCs

---

1 Section 35 grants the power to Scottish ministers to refer devolution issues to the UK Supreme Court for a ruling on their legality. A devolution issue can arise under the Scotland Act 1998 if there is a question about whether a purported or proposed exercise of a function by a Scottish public authority is within its legislative or executive competence, or about the interpretation or application of any provision of the Act.

2 The Equality Act 2010 was introduced in order to provide protection against discrimination in various areas of life on the basis of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

in the rest of the UK would be beyond the competence of the Scottish Parliament.

## **Malta**

Malta has perhaps the most progressive legislation in the world regarding legal gender recognition. On 1<sup>st</sup> April 2015 the Maltese Parliament adopted the Gender Identity, Gender Expression and Sex Characteristics Act (GIGESC, 2015), recognising the right to gender identity without requirements of medical interventions, in order to legally recognise one's acquired gender, as well as the possibility to update personal documents accordingly. Under this law, individuals can apply for a Gender Identity Certificate, which allows them to update their name and gender marker on official documents, to match their gender identity. The GIGESC Act also prohibits discrimination on the basis of gender identity, gender expression and sex characteristics. The mere statement of the applicant regarding their desire to correct their name and gender is sufficient, paving the way for the de-medicalisation of legal gender recognition.

Since September 2017, it is also possible for non-binary individuals to seek, with the same procedure of the GIGESC law, the inscription of the character "X" instead of the male or female gender in public documents (ILGA, 2022). Additionally, through the amendment of the GIGESC Act in 2016 Malta has depathologised trans identities and has solidified the position of trans people in society with the Marriage Equality Act (2017) and the Gender-Based Violence and Domestic Violence Act (2018) (legislations that adopt gender neutral terminology, by using terms like 'spouses' rather than 'husband' and 'wife'), by including protective clauses for transgender individuals against discrimination.

## **Greece**

Before the adoption of Law no. 4491/2017 in Greece, the procedure for gender reassignment required a judicial decision of the district court (Irinodikio) along with two jurisprudential requirements: gender reassignment surgery and psychiatric diagnosis with gender-dysphoria

(Athens Court of First Instance 6843/2007). The condition of having undergone a surgical operation was followed jurisprudentially until 2016.

The above legislative and jurisprudential choices put transgender people in the difficult position of having to undergo medical gender transition procedures and accept the stigma of mental illness. Law no. 4491/2017 recognised the need to protect gender identity, albeit purposely avoiding to recognise intersex people. Fortunately, Law no. 4491/2017 de-psychiatrises and de-medicalises transgenderism, as it does not require neither medical interventions nor a psychiatric diagnosis. On the contrary, the law explicitly states that only full active legal capacity and a nonmarital status are required for the validity of the application for correcting the gender written on one's identification documents (legal gender marker). The provision regarding the non-marital status of the applicant is of dubious constitutional legality and reflects the refusal of the Greek legislator to recognise marriage between persons of the same sex (even though there is no express legal prohibition to this effect, according to Article 1350 of the Greek Civil Code).

During the Covid-19 outbreak, the Joint Ministerial Decision stated that, during control procedures, a trans person's statement regarding their gender identity (including verbal confirmation) should be accepted even if there has been no submission of documents for a gender correction application (European Equality Law Network, 2022).

## **Hungary**

Hungary has taken a number of steps in recent years to diminish rights for LGBTIQ+ people, including those related to gender identity. On March 31, 2020, a day that has been designated as the International Transgender Day of Visibility (Maheshwari-Aplin, 2023), the Hungarian parliament voted on Bill T/9934. This law mandates the replacement of the term 'sex' with the term 'sex at birth' in all public documents, with the term "sex at birth" being defined as the biological sex that cannot be changed after being recorded in the national registry (Office of the United Nations High Commissioner for Human Rights, 2020). In 2021,

the Constitutional Court ruled that it is unconstitutional to implement this law in a retroactive manner (Háttér Society, 2021). The effect of this legislation is detrimental as it nullifies the legal and societal representation of trans individuals.

## **ECHR case law**

### **Goodwin v. UK (2002)**

In this landmark case, the ECHR established that the right to respect for private and family life (Article 8 of the European Convention on Human Rights) encompasses the right to legal recognition of gender identity and held that the UK's failure to provide legal gender to a trans woman violated that right. The Goodwin judgement has been cited in subsequent cases as a key precedent establishing the right to legal recognition of gender identity under international human rights law and ignited the creation of the GRC application process in the UK (ECHR, Goodwin v. UK, 2002).

### **A.D. and Others v. Georgia (2023)**

In one of the most recent cases, finalised on March 1<sup>st</sup> 2023, the ECHR examined a case where the applicants, transgender men, complained that they were not able to obtain legal gender recognition due to the fact that they had not undergone gender affirmation surgery (ECHR, A.D. and others v. Georgia, 2023). The Court held that Article 8 had been violated and that the lack of a clear legal framework granted domestic authorities excessive discretionary rights, thus resulting in a de facto unavailability of legal gender recognition (ECHR case law, 2022).

## **Methodology and data analysis**

In order to reshape society in a way that guarantees the respect of each of its members' rights, policies and legislations should be shaped after taking into account the lived reality of those directly concerned and affected by them. This is the reason why it is beneficial to highlight their experiences. The data mentioned below, collected as a part of A.

Pantzartzidi's dissertation entitled "The modern social, medical and legal notion of gender identity in view of law 4491/2017" (Pantzartzidi, 2021), aims to insert an experiential dimension of gender transition, in order to determine how legislators should approach policy making regarding gender recognition in identification documents. The data is a product of individual semi-structured interviews of 10 transgender people. 5 out of 10 research participants had initiated or completed the procedures of the correction of the gender written in their public documents, as defined by the Greek law (4491/2017). The rest of them intended to proceed with these procedures in the immediate future.

All 10 research participants agreed that gender identity may refer to corporeal elements, but it certainly transcends them, and expands into the lived embodiment of the self in its totality. As I.O., declared, as a trans woman, "After much thought, I realised that I am a woman, and it's not just that I want to be a woman, nor that I want to look like a woman, but I am a woman." (Pantzartzidi, 2021, p. 128). Therefore, gender identity is not only related to an internal feeling of the individual (A.G., when asked what it means for her to be a woman: "...some... I can't say exactly feelings, but yes... which I believe... make me what I am so far, a woman.") (Pantzartzidi, 2021, p. 118), but it also extends to their lived experiences of embodiment, meaning to the way they experience reality and face the incongruence between the sex that was assigned to them at birth and their gender identity (K.S.: "Because... I have always lived my life as a man [despite being born with female reproductive organs]."), (Pantzartzidi, 2021, p. 135). Consecutively, it is evident that gender identity extends well beyond anatomy and physical characteristics. This undoubtedly proves that any legislation granting the right to gender recognition only if the person has undergone hormone therapy or gender affirmation surgery is not only discriminatory, since this requirement is in effect only for a particular group of people, but also demeaning of what gender identity really is, for cisgender and transgender people as well. In addition, seeing that many transgender people cannot afford, or are not able due to other health issues, or even may not wish to undergo

these medical procedures, all research subjects agreed that complete demedicalisation of the legal process of gender identity recognition is the only choice legislators can make to assure the protection of their rights.

It is important to note the chronicity of gender identity, since many European legislators require either that the person is an adult or that they identify as the gender they wish to appear in their identification documents for many years, in order to grant them the right to gender identity recognition, despite it being a human right whose protection is automatically granted for cisgender people, without any further requirements. The formation of gender identity does not follow a linear chronological order that is common for everyone. Rather, it is a process that develops at an individualised pace, taking into account the person's family environment, their socialisation and their experiences. Most of the research participants realised the incongruence between the sex assigned to them at birth and their gender during their childhood (T.T.: "... that is, from an early age, I wasn't the stereotypical little girl and I didn't like neither the same things little girls liked, nor the ones boys liked"; A.G.: "At 13, mainly when I was looking at the mirror, or at my outfit in general, I could see... that it doesn't correspond at all with what I feel and what I want to be seen as, generally socially and psychologically") (Pantzartzidi, 2021, p. 118 and 140). Some participants however needed more time to realise this incongruence, mostly due to the fact that issues regarding gender identity are mostly unheard of in conservative societies. Indeed, some people's journey regarding their identity begins after they get in touch with other LGBTQ people (N.L.: "I'd say... first I had to find the name of this thing, so... it happened when I got close to the LGBT world and the activist space, when I was 23.") (Pantzartzidi, 2021, p.122). Therefore, legislators should understand the complexity of the process of forming, as well as realising, one's gender identity. This complexity deems it necessary to repeal strict time requirements that oblige trans people to spend many years in invisibility.



## Conclusions

The recognition of gender identity is granted for cisgender people, meaning that, for most people, its importance goes unnoticed, albeit making such a huge difference in the lives of transgender people. The continued marginalisation of the transgender community highlights the need for protective measures. In order for these measures to be as effective as possible, they have to be drawn after careful consideration of what gender identity is and how transgender people experience gender incongruence. In this context, every retreat of the legislator aiming to pander to the conservative part of society, endangers the rights of transgender people, preventing them from exercising freedoms that are given unlimited and self-evidently to cisgender people.

Gender identity formation does not follow rules or collective patterns. On the contrary, it is a never-ending, highly individualised process, that echoes each person's inner feelings of self-embodiment and their experiences. This undoubtedly leads to the conclusion that a rejection of deterministic and essentialist approaches to gender is necessary, in a societal, political, as well as legal context. Therefore, a legal process of correcting identification documents that actually respects the rights of transgender people, can only be one of self-identification, that detaches gender identity from requirements of undergoing medical interventions, remaining unmarried or spending years in invisibility.

## References

- ACT No. LVI - AN ACT to amend the Gender Identity, Gender Expression and Sex Characteristics Act. (2016). <https://legislation.mt/eli/act/2016/56/eng/pdf>.
- A.D. and others v. Georgia. (2023). ECHR. HUDOC. , [hudoc.echr.coe.int/fre#{%22itemid%22:\[%22001-221237%22\]}](https://hudoc.echr.coe.int/fre#{%22itemid%22:[%22001-221237%22]}).
- Case no. 6843/2007, Athens Court of First Instance.(2007). NOMOS legal database, <https://lawdb.intrasoftnet.com/>.
- Castro-Peraza, M.E., García-Acosta, J.M., Delgado, N., Perdomo-Hernández, A.M., Sosa-Alvarez, M.I., Llabrés-Solé, R. & Lorenzo-Rocha, N.D. (2019). Gender Identity: The Human Right of Depathologization. *International Journal of Environmental Research and Public Health*, 16(6), 978. <https://doi.org/10.3390/ijerph16060978>.
- Christine Goodwin v. the United Kingdom. ECHR. HUDOC. [hudoc.echr.coe.int/eng-press#{%22itemid%22:\[%22003-585597-589247%22\]}](https://hudoc.echr.coe.int/eng-press#{%22itemid%22:[%22003-585597-589247%22]}).
- Corson, R. (1972). *Fashions in makeup: From ancient to modern times*. Peter Owen Limited.
- ECHRCaseLaw, (2022). Imprecision of Domestic Legislation for Gender Changes in Civil-Status Records in Georgia. [www.echrcaselaw.com/en/echr-decisions/imprecision-of-domestic-legislation-for-gender-changes-in-civil-status-records-in-georgia/](http://www.echrcaselaw.com/en/echr-decisions/imprecision-of-domestic-legislation-for-gender-changes-in-civil-status-records-in-georgia/).
- Equality Act. (2010). <https://www.legislation.gov.uk/ukpga/2010/15/contents>.
- European Equality Law Network. (2022). <https://www.equalitylaw.eu/downloads/5626-greece-new-directives-on-the-identification-of-trans-persons-in-the-framework-of-the-covid-19-emergency-control-measures-105-kb>.
- Gender Identity, Gender Expression and Sex Characteristics Act. (2015) [meae.gov.mt/en/public\\_consultations/msdc/pages/consultations/gigesc.aspx](http://meae.gov.mt/en/public_consultations/msdc/pages/consultations/gigesc.aspx).
- Gender Recognition Act UK. (2004). <http://www.legislation.gov.uk/ukpga/2004/7/section/3>
- Gender Recognition Reform (Scotland) Bill – Bills (Proposed Laws) – Scottish Parliament. (2023). [www.parliament.scot/bills-and-laws/bills/gender-recognition-reform-scotland-bill](http://www.parliament.scot/bills-and-laws/bills/gender-recognition-reform-scotland-bill).

- Greek Civil Code. (1984). <https://www.lawspot.gr/nomikes-plirofories/nomothesia/astikos-kodikas>
- Gurram, S. & Ashley, R. (2016). From Girls To Boys To Older Men, The Interesting Tale Of The Guevedoces And 5-Alpha Reductase Inhibitors. *The Journal of Urology*, 195 (4S).
- Háttér Society. (2021). Hungarian Constitutional Court: Retroactive Prohibition of Legal Gender Recognition Unconstitutional. [en.hatter.hu/news/annuled-provision](http://en.hatter.hu/news/annuled-provision).
- ILGA. (2022). Non-Binary Gender Registration Models in Europe: ILGA-Europe. [ilga-europe.org/report/non-binary-gender-registration-models-in-europe/](http://ilga-europe.org/report/non-binary-gender-registration-models-in-europe/).
- Jami, H. & Anila, K. (2017). Myths about hijras (male-to-female transgender of hijra community)& role of gender and commonly held belief about them. *Foundation University Journal of Psychology*, 1(1).
- Lang, S. (1988). *Men as women, women as men: Changing gender in Native American cultures*. University of Texas Press.
- Law 4491/2017 - ΦΕΚ Α 152/13.10.2017. (2017). [www.kodiko.gr/nomothesia/document/304143/nomos-4491-2017](http://www.kodiko.gr/nomothesia/document/304143/nomos-4491-2017).
- Maheshwari-Aplin, P. (2023). *Trans Day of Visibility: A Global Perspective*. Stonewall. [www.stonewall.org.uk/about-us/blog/trans-day-visibility-global-perspective](http://www.stonewall.org.uk/about-us/blog/trans-day-visibility-global-perspective).
- Office of the United Nations High Commissioner for Human Rights. (2023). *Mandate*. [spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=25172](http://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gld=25172).
- Pantartzidi A. (2021). The modern social, medical and legal notion of gender identity in view of law 4491/2017. <http://kee.lib.auth.gr/record/331074>.
- Scottish Government. (2022). *Gender Recognition Reform (Scotland) Bill: More Information*. [www.gov.scot/publications/gender-recognition-reform-scotland-bill-more-information/](http://www.gov.scot/publications/gender-recognition-reform-scotland-bill-more-information/).
- Scottish Government. (2022). *Gender Recognition Reform Bill Passed*. [www.gov.scot/news/gender-recognition-reform-bill-passed/](http://www.gov.scot/news/gender-recognition-reform-bill-passed/).
- Sharpe, A. (2009). Gender Recognition in the UK: A Great Leap Forward. *Social & Legal Studies*, 18(2), <https://doi.org/10.1177/0964663909103626>.

UK Parliament. (2023). The Secretary of State's Veto and the Gender Recognition Reform. [commonslibrary.parliament.uk/research-briefings/cbp-9705/](https://commonslibrary.parliament.uk/research-briefings/cbp-9705/).

Young, A. (1988). "Sworn Virgins": Cases of Socially Accepted Gender Change. *Anthropology of East Europe Review*, 16(1).

Zamfira, A., de Montlibert C. & Radu D. (2018). *Gender in focus: Identities, codes, stereotypes and politics*. Verlag Barbara Budrich.



# Conflict mapping, active governance, and policy reform: two case-studies for Malta

Mina Jack Tolu

*Master of Conflict Analysis and Resolution, George Mason University*

**Mina Jack Tolu** (he/they) is a committee member of the European Green Party and of ADPD - The Green Party in Malta. They have been active in Green politics since 2017 and as an LGBTQI activist since 2010. Mina Jack holds a Bachelor of Communications, a Masters in Conflict Resolution and Mediterranean Security from the University of Malta, and a Masters in Conflict Analysis and Resolution from George Mason University (USA). They are self-employed and work as a trainer on gender, feminism, communications and campaigns to LGBTQI and youth NGOs, and also as a sensitivity reader and character consultant on trans and non-binary inclusive storylines for Italian TV series, and international digital games. Mina Jack's interests include human rights, mental health, foreign policy, arts, cultural, and sports policy.

## Abstract

This presentation shows how the Nested Model of Conflict (based on Dugan, 1996) and Narrative Analysis Map (based on Cobb, 2013) research methods can be applied during policy reform processes to find openings for evolution of meaning within social conflicts and offer new pathways for active governance in practice. The respective models are applied to two case-studies in Malta. The first, on the impact of the lack of legal name change for non-binary people in Malta. The second on political discourse about sex work policy reform in Malta. This is informed by: Designing a conflict map analysis to inform the policy reform on sex work in Malta. My master's dissertation submitted as requirement for the completion of the Dual Masters, M.SC. Conflict Analysis and Resolution and M.A Conflict Resolution and Mediterranean Security.

# Introduction

During my graduate studies in conflict analysis and resolution I experienced directly the way conflict maps and conflict mapping can help make sense of data, facilitate conversations, avoid bias, and inform ideas for interventions. As I applied several maps and frameworks to different in class discussions and course assignments, I became increasingly familiar with a tool that many people resort to without realising: mind-mapping. When done consciously, mind-mapping can help transform conversations and find pathways through which to explore points of contention on difficult or contentious issues. When done consciously, mind-mapping in fact becomes conflict mapping, which I wrote about in depth in my 2020 dissertation research ‘Designing a conflict map analysis to inform the policy reform on sex work in Malta’. It was through this research that I could ascertain that conflict maps and conflict mapping could help a legal reform become more participatory, inclusive, and therefore transformative.

This chapter explores the application of two such conflict maps to two distinct topics. The first, on the impact of the lack of legal name change for non-binary people in Malta. The second, the very topic of my dissertation, sex work policy reform, but more specifically on the conflict narratives surrounding the reform.

By defining conflict mapping and presenting these two case studies I show how we can move from complexity to policy, or complexity to clear campaign goals. There are many analytical tools at our disposal as LGBTQI researchers, and for those, like me who work in multiple fields - From policy, to campaigning, to research, to informing the narratives of our LGBTQI stories in television and digital games - it is important to harness them in order to be more efficient and effective in our work.

## Defining Conflict Mapping

With no clear definition to resort to during my dissertation research, the act of defining conflict mapping became my own. How could a term, so



easily thrown around in class, not have a clear definition in any literature, academic resource, or grey text? However, the process of mapping itself was defined to a certain degree by

Shye and Elizur in 1994. They consider mapping “so fundamental that often we do not even notice that we do it”. In my task to define ‘conflict mapping’ as a distinct tool to ‘mapping’ in my dissertation research I looked towards similar research methods. These included facet theory, situational analysis, and concept mapping. Through an analysis of what elements these methods had in common, and what distinguished them from others I was able to create a list of constraints, which could be considered as some of the defining features of conflict mapping, as a distinct method for qualitative analysis.

The constraints which I observed were as follows:

1. Flexibility, transferability, scalability;
2. The process - mapping - is transformational;
3. That the output - map - is a visual representation;
4. That multiple maps may be used together within a process to help understand the broader picture of a conflict; and
5. That the experience of using the map can become a part of data analysis.

The first constraint, ‘flexibility, transferability, scalability’ indicates that a conflict map should be able to be moulded and adapted in response to a research question and hypothesis. This is for example what is carried out in this chapter, where Dugan’s nested model (1996) which was developed to respond to a question of tackling racism in U.S. schools, was adapted to a contemporary analysis of the failings of a Maltese law on gender identity.

The second and fifth constraint centres the process of mapping and points to the fact that processes, whether as a group or individual, can

be useful not only to forego bias but to mediate difficult conversations. This might take place when each person in a structured meeting is given their own copy of a framework to fill in. They might jot down notes as the meeting takes place which they can then contribute to the group process. This structured way of note taking can lead to new ideas, and transform the conversation. On an individual level, in research, mapping can become a tool for autoethnography, or to stimulate new ideas.

The third constraint limits conflict mapping to those processes which result in a map - an outcome - which is visual in some way. This map can serve different means, including contributing to further analysis, or more maps, as in the fourth constraint, or it can be simply an illustration in a research report.

## **Nested Model of Conflict: “Non-Binary” Case Study**

The Nested Model of Conflict adapted from Marie Dugan’s work (1996) is a conflict map which allows for the analysis of a conflict at four different levels which are interrelated, 1) issue-specific level, most often the place where an interpersonal conflict might manifest itself, 2) relational level, 3) structural, sub-system level, and 4) structural, system level. See Figure 1 below.

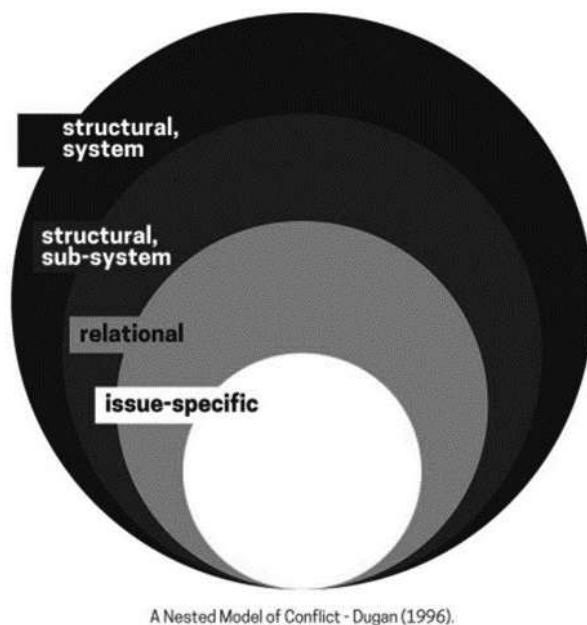


Figure 1: A Nested Model of Conflict, Framework

I applied this model to the case study of non-binary legal name change in Malta, where the conflict being explored is an issue-specific conflict of relevance to myself in this case, as a non-binary trans person who until now does not have full access to legal gender recognition. However, the following analysis should take into consideration that I have been active in LGBTQI activism in Malta since 2010, and internationally since 2014. Therefore, my experiences in political activism spaces, including as a member of the LGBTQI Consultative Council to the Government of Malta, informs my judgement and analysis. I do not need to look far to access system level issues that might have an impact on my issue-specific conflict, as I am familiar with them. However, the process of application of this model in the spirit of active governance would require it to be facilitated, with ease of access to information on the broader level issues.

Back to this analysis which all starts with a conflict I faced as a non-binary student graduating in 2020, where I was informed that my legal name

and not my chosen name would be listed on the university transcript. Naming is an important part of a trans person's social transition process, whereby in many cases a legal name is considered a 'dead-name,' and the use of this 'dead-name' can trigger and cause a lot of stress to an individual. In my case, my legal name, and as of writing it remains the same, is a nuisance, a reminder of someone I am not. On a personal and relational level, with friends and family, chosen or otherwise, and with colleagues, I have identified as "Mina" for a long time. Being asked to strip this part of my identity in a professional (educational) setting because my documents said otherwise was infuriating.

While exploring this issue-specific conflict through the application of the Nested Model of Conflict (see figure 2) I had to explore it beyond the issue-specific level which limited it to a conflict between myself and the University registrar. This departure from the self to the relational level is important. In building processes for active governance, this can help to bridge conversations of individual ailments to a level that can be useful for policy making. A person who is used to systems analysis would find this jump easy, however others might need a facilitated mapping space to take these steps to analysis.

On the second level, the relational level, the communication about this issue-specific conflict and the stress it was causing me as a non-binary trans person, was impacted by the expected and normative modes of communication and inherent power structure between a student and the University. It felt like asking to have my chosen name respected was asking for too much, and also that what I wanted to set as my chosen name was just seen as a fickle preference by the University. It could be possible to resolve a conflict at this level, however, exploring all levels of Dugan's Nested Model of Conflict can be helpful in order to create a more complete picture.

On the third level, the sub-system level. I considered how non-binary identities are often not seen or recognised as valid in society and at the University. This might affect the urgency or seriousness with which

complaints in this regard are taken. Here again the legitimacy of making my claim was explored. Any equality policies, or similar that exist within an institutional structure could be useful to investigate here. Is there a way to bring these into a facilitation space that allows access to this information for all involved?

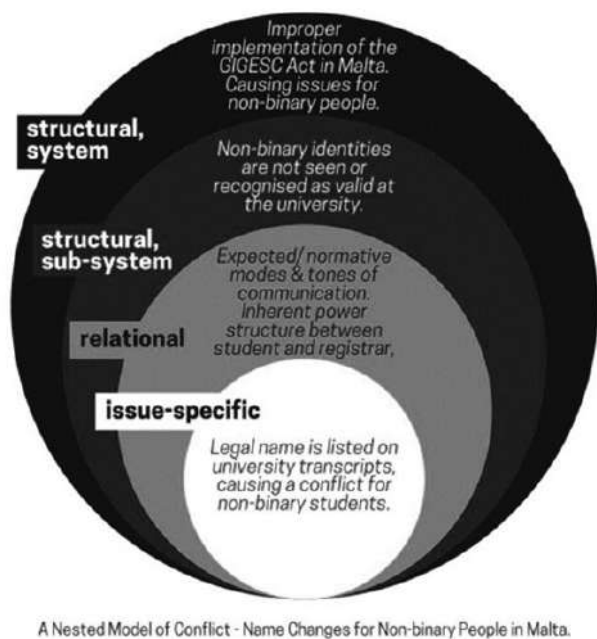


Figure 2: A Nested Model of Conflict in action

On the fourth level, the system level, I considered the improper implementation of the Gender Identity Gender Expression and Sex Characteristics Act (GIGESCO). This Act claims to recognise that multiple genders exist in society. The act allows for legal gender recognition that is quick, transparent, and accessible. The recognition of trans persons therefore is based on self-determination, which is about who has the power to make a decision on their sex/gender marker, and in Malta's case their name. This is about legal authority, and the recognition of genders other than male/female is done through the 'X' gender marker. The marker can be considered a mask for the sex listed in the birth

certificate which can only be changed from male to female, or female to male. While, so far, the X marker is only available on an ID card or a passport. In the process of updating, one's birth certificate from male to female or female to male it has been allowed to also update one's name. However, name change in Malta through any other means is practically impossible. This last level can be the one that feels harder to effect change in, as it is farthest away from the individual level.

Therefore, considering all these levels from legal authority to the issue-specific conflict, I could choose to apply resolution to any of the levels. A solution at the fourth level - the system level, would likely result in changes at all other levels, however, might be the hardest to enact if I am acting on my own. A change at the sub-system level, regarding the University's own processes could be possible should the University have availability of resources for students to utilise, like an LGBTQI Youth Organisation (which was dormant at the time of my reflection), or an Equality body.

If the use of this model was a facilitated process undertaken by the University with Non-Binary students, solutions might emerge. In my own analysis, the main conclusion of this analysis is that of advocating for universities to go over and beyond national legislation, by considering national legislation (which does not allow name change) as the minimum standards that universities need to adhere to.

When legislating on social policy which impacts people directly, it could be useful to encourage stakeholders at the individual level who are facing an issue to create their own Nested Model of an issue-specific conflict they deal with. This process however necessitates facilitation, and consent from all participants. This might first require a series of trust building exercises, or creating a mediated space with a third-party that oversees the process. Then, through this process, the stories of impact that emerge from this exercise could help create a dialogue and connect to the system levels and inform policy change from the bottom up.

# Conflict Narrative Mapping: Sex Work Policy Reform Case Study

The main purpose of my dissertation research in 2020 was to create a policy reform process based on conflict mapping, keeping in mind the constraints of the method, including the importance of process and outcome of mapping and maps. The second case study - Conflict Narrative Mapping: Sex Work Policy Reform - in this chapter relates to this, in showing the only map I was able to ‘test’ for purpose, a conflict narrative map (see figure 3) based on Sara Cobb’s theories on conflict narratives (2013).

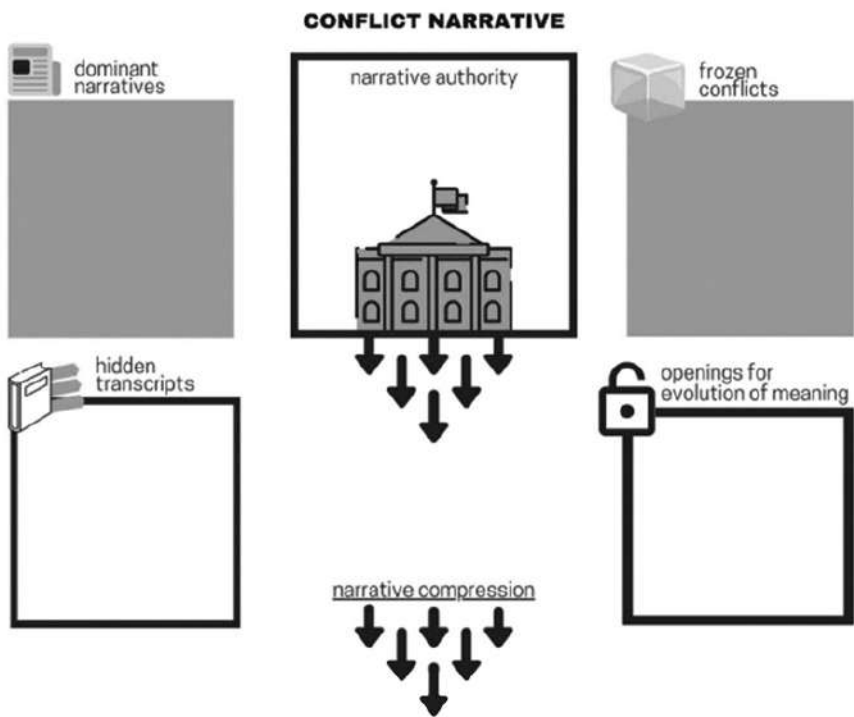


Figure 3: A Conflict Narrative Framework

Considering Cobb's theory on conflict narratives, I selected some of the core tenants to set up an analysis framework that could be used to facilitate conversations around conflicts. This work was first explored in class with one of my fellow students, was it possible to have an interesting and actionable result from a mapped-out facilitation?

Even here, the concept of flexibility when it comes to conflict mapping was important, and I diverged from earlier exercises in conflict narrative mapping done in class environments to select some core tenants of Cobb's theory to use specifically for the analysis of the conflicting narratives around sex work policy reforms.

The core of Cobb's theory on conflict narratives (2013) that I selected for this conflict map were the following, as presented in my dissertation research (2020):

- Dominant narratives, the public discourse and accepted norms, beliefs, and value systems around a conflict;
- Hidden transcripts, the discourses which critique the dominant narrative in a way that subverts the power dynamics which propagate dominant discourses. Hidden transcripts counter narrative violence. For example, gossip, narratives of resistance, and sometimes even laughter, intentional silence or expressions of discomfort, can be mirror reflections of hidden transcripts in practice;
- Narrative authority, a term which reflects that some groups have the power to tell stories that reinscribe dominant narratives. This contributes to narrative compression and narrative violence, i.e. a form of socio-structural violence where some voices that could contribute to a nuanced discussion are oppressed and systematically silenced. For example, all stakeholders who have a platform to publish their proposals as well as discuss them in the media, have narrative authority. By highlighting narrative authority within the map, transparency of authority is provided and accountability of those with the privilege of voice is reflected.



- Narrative compression, 'the condition in which [...] the dominant narrative in a given location/community consolidates and compacts itself, compressing nuanced differences or variations that could otherwise provide an opening for inquiry, thus leading to destabilization' (Cobb, 2013, p. 267-268). Through narrative compression, the dominant narrative controls the narrative field and harnesses stories to its own advantage. Identifying spaces of narrative compression will illuminate what nuances are missing in the debate and what narratives are being perpetuated or exploited for the maintenance of power.
- Frozen conflicts indicate which 'conflicts are protracted, "frozen" in time, because there is no evolution of meaning. Narratives must be told if they are to evolve; however, telling the narrative is no guarantee that it will evolve - its evolution depends on the conditions under which it is told' (Cobb, 2013, p. 24). Hidden transcripts are one mechanism that can challenge the perpetuation of frozen conflict narratives and start to make way for openings for evolution of meaning.
- Openings for evolution of meaning are opportunities for actors at Level 2 to deepen their engagement with narratives of sex work, and see how dominant narratives, hidden transcripts, narrative authority & compression, and frozen conflicts may hinder or support conflict transformation (Cobb, 2013).

As with the previous case study, I must mention and clarify my own role in the conflict. As a member of the executive of the Green Party in Malta I had drafted and presented the party's position regarding the sex work policy reform which was published in 2019. I also attended the 31st Meeting of the Social Affairs Parliamentary Committee of the Parliament of Malta, held in March 2020, the transcript and audio I later used to apply this framework during my dissertation. While other methodologies for my dissertation research had been proposed, due to

the COVID-19 pandemic, they could not be implemented. In many ways, this was a plan B.

To test the purposes of this conflict narrative map, were it to be used during the structured facilitation of a group process, I chose to analyse the audio recording of the 31st Meeting of the Social Affairs Parliamentary Committee of the Parliament of Malta, held in March 2020. A summary of these results is presented in Table 1.

There were many limitations to this application, the Parliamentary Committee Meeting was not set-up for this purpose, the minutes and transcript provided, as well as the audio-file, with everything as was said in the room allow for the researcher, myself in this case, to make my own meanings. However, aspects that would be important to minute, including giggles or laughter in a room, body language, and whispers could not be caught.

This case study shows that conflict mapping can serve as both a qualitative research methodology and inform a policy reform. The ways in which this narrative map informs the reform are two-fold, first it offers up considerations for the process of a policy reform and how to make public consultation more participatory and inclusive, and second it points to key areas for the opening of evolution of meaning. A discussion on these openings for evolution of meaning can be crucial in managing conflict between stakeholders at various levels, but also in guiding the creation of more nuanced policy recommendations.

Dominant Narratives	“Hemm zewg realtajiet differenti” (There are two different realities).	By exploring this level, we can clarify the biases and loyalties that should be challenged in a policy reform. Unsurprisingly, and as confirmed through a literature review - there were two main proposals on the table.
Hidden Transcripts	“I’ll behave”	Listing instances where hidden transcripts are laid bare helps to challenge hierarchical processes of decision making. A joke, like “I’ll behave” in the context of a discussion on sex work has many layers, as it implies that the topic to be discussed is sex itself.
Narrative Authority	“You have the power...”	As one participant in the meeting reminded the Members of Parliament, they had the power. However, every individual in that room was using their access to power, including the ability to speak the language required in a parliamentary committee to pass judgement in favour or against a policy.

Narrative Compression	“T-traffikar tal-persuni u l-prostituzzjoni”	An analytical framework that asks you to look out for narrative compression will have you list a number of elements. In this case, the title of the reform document itself. “Human Trafficking and Prostitution” which compressed the conversation to focus on both issues together, making clear the most dominant narrative on the table.
Frozen Conflict	“The institutional framework is currently missing”	Listing the moments during a meeting when it is the participants themselves who point towards the protracted aspect of the conflict. What’s the purpose of the discussion if the framework is non-existent?
Openings for Evolution of Meaning	“We need to go beyond getting stuck under the legal models”	This participant pushed the meeting to go beyond the frozen conflict. What happens if we allow ourselves to be unstuck? This can start to lead a way towards conflict transformation.

In 2023, the Sex Work Policy Reform promised by the Labour Government in 2017 remains as stuck as before. The absence of sex workers’ voices in the whole reform is striking.

Through participating in the start of the reform process, and through my in-depth reflections as part of my dissertation submitted in 2020, I learned that the current social policy reform processes in Malta leave much to be desired. The current approach is top-down, with Members

of Parliaments in committees listening to contributions from the floor. There is no space for debate or dialogue. If facilitated properly, rather than being a box-ticking exercise, policy reform can become transformative. This includes the use of a number of mapping tools which emerged through my research in 2020 (see figure 4). It is only by engaging with, and not just hearing, all stakeholders involved, that this transformation can happen.

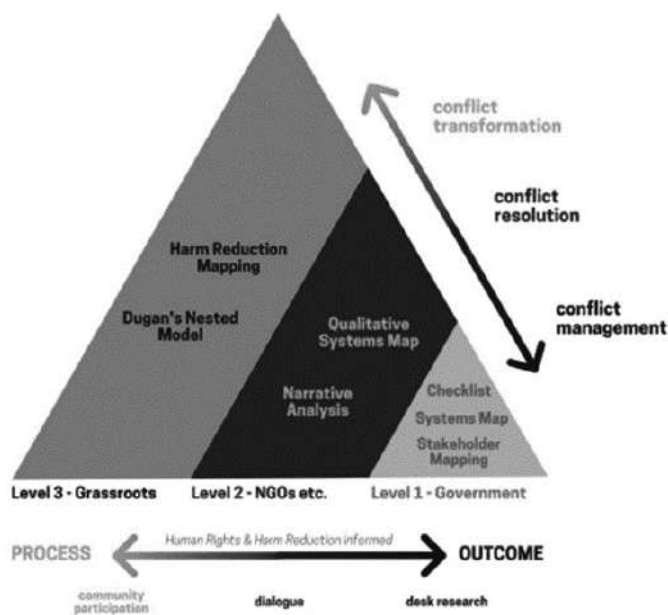


Figure 4: From conflict management to conflict transformation, participatory tools for decision makers.

## Conclusion: From Complexity to Policy

LGBTQI policy making requires bottom-up approaches, where the grassroots are involved in participatory decision-making processes. Conflict mapping as a tool within structured dialogue processes, which would be mediated or facilitated, could offer up “openings of evolution for meaning” in social conflicts. From individual, “issue-specific” conflicts

like non-binary name changes, to broader and more complex political questions, transformative reform can only be gained from transformative processes.

# References

- Clarke, A. E. (2005). *Situational analysis*. Thousand Oaks, CA: SAGE Publications, Inc. doi: 10.4135/9781412985833
- Cobb, S. (2013). *Speaking of Violence: The Politics and Poetics of Narrative in Conflict Resolution (Explorations in Narrative Psychology)* (1st ed.). Oxford University Press.
- Cooper, B., Hord, O., & Tolu, M. (2020). *Taxonomizing Transitional Tightness in Cultures: Health Norms of the Porn Industry*. SCR 5218: Conflict, Representation and Cultural Politics. Centre for the Study and Practice of Conflict Resolution. University of Malta: unpublished essay
- Dugan, M. A. (1996). *A Nested Theory of Conflict*. *A Leadership Journal: Women in Leadership - Sharing the Vision*, 1. Retrieved from [https://emu.edu/cjp/docs/Dugan\\_Maire\\_Nested-Model-Original.pdf](https://emu.edu/cjp/docs/Dugan_Maire_Nested-Model-Original.pdf)
- Fisher, S., Abdi, D. I., Ludin, J., Smith, R., Williams, S., & Williams, S. (2000). *Working with Conflict: Skills and Strategies for Action*. Zed Books.
- Grech, O. (2010). *Human rights and the conflict cycle : a synopsis*. In O. Grech, & M. Wohlfeld (Eds.), *Human rights and the conflict cycle* (pp.33-57). Msida: Mediterranean Academy of Diplomatic Studies. Retrieved from <https://www.um.edu.mt/library/oar/bitstream/123456789/21871/1/2.%20Human%20Rights%20and%20the%20Conflict%20Cycle.pdf>
- Kamra tad-Deputati, (2020). *Kumitat Permanenti Dwar L-Affarijiet Soċjali: Laqgħa Nru 31, L-Erbgħa, 4 ta' Marzu 2020*. Official transcript.
- Kane, M., & Trochim, W. M. (2013). *Concept Mapping for Applied Social Research*. In L. Bickman & D.J.Rog (Eds.), *The SAGE Handbook of Applied Social Research Methods* (pp. 435–474). SAGE Publications. <https://doi.org/10.4135/9781483348858>
- Lederach, J. P. (1997). *Building peace: sustainable reconciliation in divided societies*. United States Institute of Peace Press. Lederach, J.P. (2003). *Little Book of Conflict Transformation: Clear Articulation Of The Guiding Principles By A Pioneer In The Field (The Little Books of Justice and Peacebuilding Series)*. Intercourse, United States.: Good Books.
- Liebovitch, L. S., Coleman, P. T., & Fisher, J. (2020). *Approaches to Understanding Sustainable Peace: Qualitative Causal Loop Diagrams and Quantitative Mathematical*

Models. *American Behavioral Scientist*, 64(2), 123-144. Retrieved from <https://doi.org/10.1177/0002764219859618>

Shye, S., & Elizur, D. (1994). *Applied Social Research Methods: Introduction to facet theory*. Thousand Oaks, CA: SAGE Publications, Inc. doi: 10.4135/9781412984645

Tolu, M. & Cooper, B. (2019). Narrative Analysis Map. CONF 600: Foundations of Conflict Analysis and Resolution. S-CAR. George Mason University. unpublished presentation & ELA.

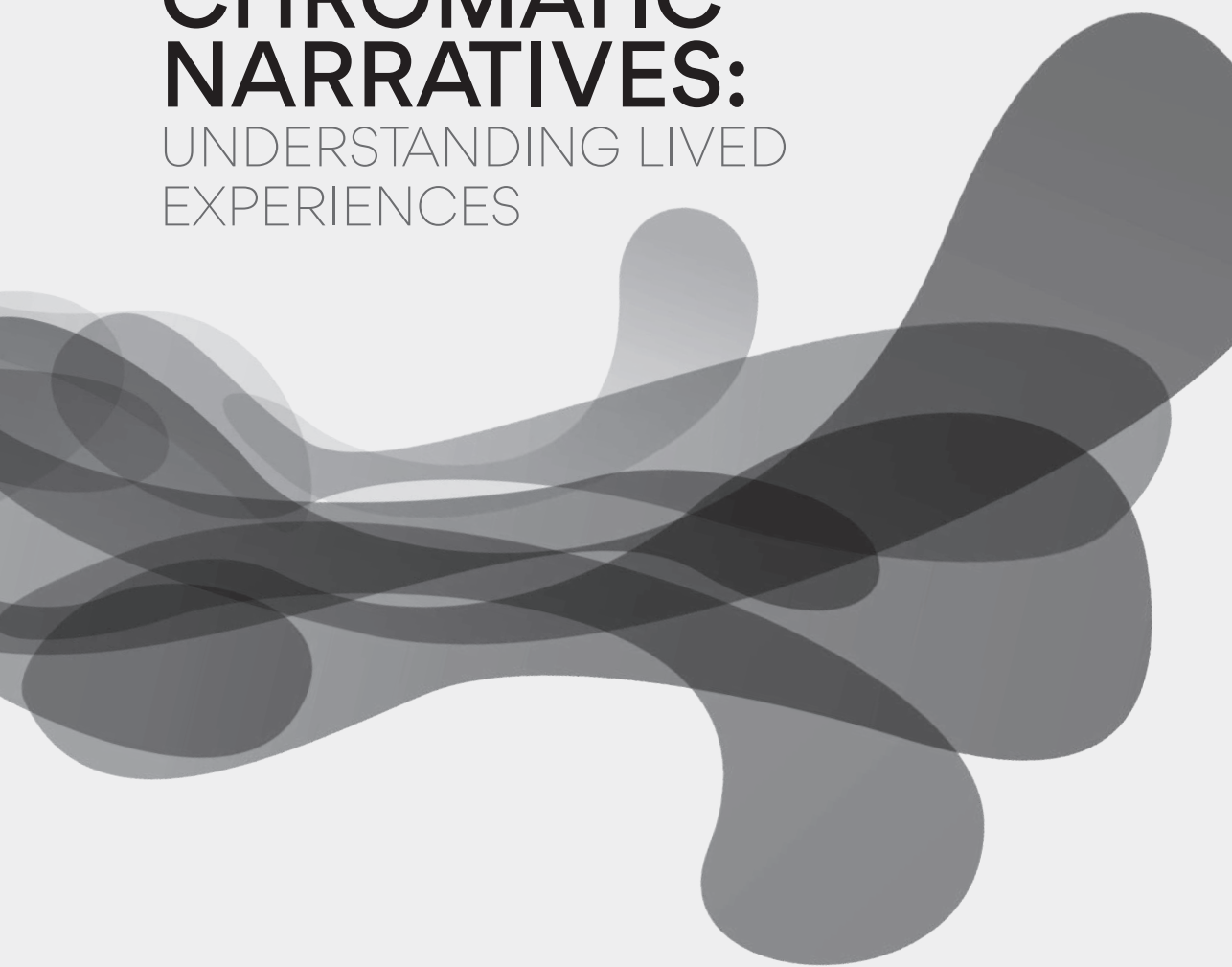
Tolu, M. (2020). Designing a conflict map analysis to inform the policy reform on sex work in Malta (Master's dissertation). <https://www.um.edu.mt/library/oar/handle/123456789/64675?mode=full>





# CHROMATIC NARRATIVES:

UNDERSTANDING LIVED  
EXPERIENCES





# The passing privilege: studying the concept of passing and its effects on the quality of life of Transgender Women

Brenda Fenech

*Master of Gender Studies, University of Malta*

**Brenda Fenech** (she/her) is currently reading for a Master's in Counselling at the University of Malta after graduating with a Bachelor in Psychology and a Master in Gender Studies at the same University. Brenda holds the value of diversity central to her personal and professional life. Through her research, she aims to bring more awareness to social and cultural acceptance, providing an enabling and empowering society for all individuals.

## **Abstract**

Passing is often described as the gold standard of the transgender identity and while it is not specific to the transgender identity, transgender individuals are often expected to pass and fit in with the rest of society. This research seeks to investigate how the concept of passing is experienced amongst Maltese transgender women and the effects that this experience has on the quality of life. Data was gathered through in-depth virtual interviews and analysed using Interpretative Phenomenological Analysis. The key findings of this research study suggested that the experience of passing usually amongst transgender women usually stems from their common wish to fit in. This is further explored in societal and familial settings, dating and romantic relationships, employment as well as within the trans community.

# Introduction

This research aims to explore the experience of passing among Maltese trans women and investigate its impact on their quality of life. The concept of passing refers to the ability of a transgender individual to be perceived and accepted in accordance with their gender identity by others in society. The study seeks to fill the gap in research on the lived experiences of trans women in the Maltese context, particularly in relation to passing.

The Maltese context is considered progressive in providing a safe space for LGBTIQ+ identities, especially after enacting the Gender Identity, Gender Expression and Sex Characteristics Act (GIGESCA) in 2015. Despite these legislative advancements, there is still a lack of understanding and discomfort towards the transgender identity in society. The research aims to increase awareness and education about LGBTIQ+ identities, particularly the transgender identity, which remains a minority within the LGBTIQ+ community. By exploring the impact of passing on the quality of life of trans women, the study seeks to advocate for greater support and empowerment of transgender individuals within the broader societal context.

# Methodology

## **Theoretical Framework: Phenomenology**

Phenomenology aims to understand the human lived experience (Langdrige, 2007), challenging the view of separating consciousness and the body. Edmund Husserl's phenomenological approach sought to rebuild this relationship and give voice to the lived experience (Lavery, 2003). Hermeneutic phenomenology, pioneered by Heidegger, acknowledges the influence of personal reality on the research process. While critics argue that hermeneutics may prioritise the experiences of the dominant over the marginalised, Heidegger argued that researchers cannot eliminate biases or their powerful positions but can acknowledge their situated context (Willig, 2001). By teasing out

interpretations, researchers can embody marginalised standpoints and raise awareness of diverse lived experiences, leading to emancipation. Feminism criticised traditional phenomenology due to its social essentialism, which marginalised women's experiences and knowledge (Sheets-Johnstone, 1994). The emergence of feminist phenomenology recognised the importance of women's experiences and challenged patriarchal assumptions. By studying women's embodied experiences within cultural and historical contexts, feminist phenomenology sought to unveil oppression and marginalisation while emphasising agency and providing a platform for women to express their lived experiences (Alcoff, 2000). Adopting this framework allowed for a more inclusive and empathetic study of transgender women's experiences, promoting visibility, and understanding.

### **Aim of Study**

Driven by feminist principles, this research focuses on understanding the concept of passing among Maltese transwomen and its effect on their quality of life. This study focuses on individual experiences, gathering first-hand accounts through individual interviews. Adopting a standpoint epistemology, the research prioritised the unique experiences of the participants, contributing to a strengths-based discourse and advocating for social change to support transgender individuals.

### **Research Design**

This qualitative research employed in-depth interviews to explore the experiences of transgender individuals in more detail (Stake, 1995; Yin, 2003). This method was chosen to provide rich, first-hand data. Given the in-depth nature of the interview process, I aimed to recruit between eight to ten participants. At first, eight participants were recruited, however, due to dropouts, five interviews were carried out.

Amalgamated with the phenomenological framework, this research valued the participants' experiences as their situated truth. Its qualitative properties allowed for flexibility and spontaneity, uncovering

unexpected insights into the participants' beliefs and values (Mack, 2005). Furthermore, in-depth interviews were particularly suitable for understanding the personal perspectives and experiences of the participants, contributing to a comprehensive exploration of the research question. This was done through open-ended questions, which also allowed for building a better rapport with the participants thus facilitating open and honest responses (Ramsbotham, 2019).

Due to the Covid-19 pandemic, the interviews were conducted online, offering a less formal and more comfortable environment for participants. However, some challenges, such as the need for a private, safe space and stable internet access arose. The information letter and consent form ensured voluntary participation and protected participants' identities through pseudonyms. Interviews were limited to an hour to avoid burdening participants, and support services were offered if needed. Complementing the underlying phenomenological framework, Interpretative Phenomenological Analysis (IPA) was used to analyse the data gathered (Svedlund et al., 2001).

### **Strengths and Limitations**

This study's strength lies in its unique approach, giving voice to participants' experiences and challenging cisfeminine norms and discomfort with androgyny (Palaganas et al., 2017; Misgav, 2016). As stated above, the COVID-19 pandemic posed challenges, leading to virtual interviews, and affecting participant recruitment. Online interviews raised privacy concerns, leading to measures like using encrypted platforms and separate contact information. The COVID-19 pandemic added stress for some participants, requiring sensitivity and boundaries during interviews in what was a lonely time. Interpretative phenomenological analysis was employed, acknowledging the researcher's interpretation as both a strength and limitation. The study's focus on Maltese transgender women may limit generalisation to other transgender individuals' experiences. Another strength lies in the rights-based approach adopted which made sure that the participants' human rights were respected throughout the process. As the researcher,



I maintained self-reflexivity and explained my role and interest as an ally in the study, establishing rapport with participants.

## Key Findings and Discussion

Through the five interviews carried out, data was collected and analysed through IPA. Main themes and subthemes were identified as gathered in this table below.

Main Theme	Subtheme
The Multifaceted Meaning of Passing	
Acceptance and Belongingness	Societal Acceptance
	The Primary Social Unit: Familial Acceptance
	Friendships
	The Trans Women Community
	Acceptance Online
Accomplishment and Failure	Pride and Satisfaction
	Confidence and Self- Acceptance
Navigating Dating and Relationships	Dating and Intimate Relationships
	Online Dating
	Romance/Lust
Multiple Oppressions	Experiencing Trans Misogyny

	Hyperfemininity and Overcompensation
	Cissexism and Employment
	Internalised Misogyny in the Trans Community
Social Survival	Identity Disclosure/Management
	Authenticity and Deception
	Safety and Discrimination

### **The Multifaceted Meaning of Passing**

When asked what the word passing meant to them, the participants gave a range of answers, which differences can be attributed to the different backgrounds and life experiences that the participants have. Passing, as in Arayasirikul (2016), does not provide trans women with a clear checklist of what one should do to pass, hence it is said to vary. Participant Amber described passing as a “mix and match”, highlighting the individualistic nature of this concept. In this light, Gamble (2004) and Butler (2003) stated that all women’s experiences of oppression were different, and one should be careful not to generalise.

Keeping in mind the distinctiveness of the experiences of passing, Fairchild (2018), describes passing as an experience based on transwomen’s common wish to blend in with the rest of the ‘privileged’ society and not be ‘othered’. Corroborating this literature, Amber says:

Everybody wants to pass, but not everyone is trying to pass in the same manner. It’s really obviously individuals, in the end, you know?

This common wish to blend in and fit in with the cisgender community suggests that power is retained by the cisgender community, which often expresses discomfort with ambiguity (O’Shea, 2019). This discomfort is numbed through rigid categorisation, where anything which is different

from the gender binary is viewed as abnormal (Ingraham, 1994). During the interviews, Carmen talked about this perspective.

How would you define norm... There is no normal or abnormal. Unfortunately, in society, we are living by labelling people as normal and that is not normal. What makes me better than others? What makes me a better person than you, or what makes you better than me?

The concept of passing in terms of gender identity is a very distinctive and personal experience yet participants frequently commented on the social aspect of this experience. Indeed, for Amber, passing was not “how you feel about yourself” but the “perception of society”. Similarly, Rose said that passing is what “society expects from your desired gender”. Amber and Rose’s comments illustrate that passing is a social experience based on others’ recognition of oneself. Arayasirikul (2016), characterised passing as a social experience by highlighting passing’s ability to change in different social contexts. In contrast to this social perspective, another participant stated that any changes she made were irrespective of what others think of her, thus reflecting her personal agency making passing a personal experience.

Furthermore, passing was referred to as a continuous process rather than a one-time experience, experienced every time that trans women are in society. Every person they meet, becomes a test whether they are passing or not.

I think this is like a double-edged sword where, yes, it does [help] but at the same time, I guess, there would be a bit of that, like, you know, stress caused because you don’t come out once in your life...you almost come out at least once a week to somebody, like you know, ‘I’m transgender and...’, you know, we’ve heard of cases where like, trans women who pass

and for example, they are pre-op...sadly they either end up getting killed or badly injured you know, hence why I'm saying it's a double-edged sword it's not...guaranteed you know.

## **Acceptance and Belongingness**

### **Societal Acceptance**

Human beings naturally form a part of a social system, in which relationships with others help shape their identity (van Anders et al., 2017). The development of identities through interpersonal relationships demonstrates the relationship between passing and acceptance.

Looking good, particularly in the eyes of others, and passing may facilitate establishment of relationships. Butler (2004) suggests that humans have the need to be recognised because it is through this recognition, that humans are viewed as “socially viable beings” (Butler 2004, p.2). To be recognised, people around you need to understand you, hence why relationships are so important when a transgender woman is developing her identity.

Consequently, the concept of passing can make it easier for the transgender woman to be accepted in society. As Carmen comments, the burdening stigma associated with the Trans identity as well as society's difficulty to accept identities beyond cisnormativity, may make it more difficult for trans women to be accepted and recognised as women in society. Another participant suggested that “society generally works on conformity and when you conform, obviously, you get less hassle from the general public” and “life gets easier”. When “you look good, people are interested in you, people want to get to know you. People want to talk to you”.

### **Familial Acceptance and Friendships**

Cooley (1922), as cited in Franks and Gecas (1992), suggests that the more significant our relationship with someone, the weightier their acceptance of our identity is. For most of the participants, being accepted as women by their friends and families is more important than

being accepted by people they do not know. For Rose, being accepted by people important in her life is what the whole experience of passing is all about.

Those people weren't seeing me as a woman, it kind of affects you but again depends on how you deal with it like, again these people I don't know them, so I don't really care about their opinion too much so it didn't really bring me down, but if it's someone maybe who is closer to you who would treat you in that way, umm.. their words would have much bigger effect.

In the Maltese context, the family unit is of great importance (Azzopardi Lane et al., 2019); hence having the support of the family is reported to reduce psychosocial distress (Mercieca, 2017). Moreover, in research conducted by Eurostat, Maltese persons tend to live with their parents until they are 30.7 years old. This makes coming out more difficult as rejection would be detrimental, especially if shelter becomes threatened.

Similarly, friendships are vital in trans women's lives. The link between support and an improved wellbeing was indicated in Verbeek et al. (2020), where the presence of peers suggested stronger resilience and improved wellbeing. Amber comments on her friends in whom she has found great support. Amber adds that her friends do not associate her female identity with the expectation of looking feminine all the time and although sometimes Amber does not put much effort into looking feminine, her friends "don't use my dead name".

In contrast, Jade and Carmen reported that their friendships were affected after coming out. Galupo et al. (2014) note that the dynamics of friendships between transgender individuals and cisgender individuals are subject to change over identity disclosure, a change possibly

influenced by the stigma associated with the identity as well as limited knowledge. Despite feeling supported by her cisgender friends, Rose adds that:

I do feel a bit uncomfortable, maybe not uncomfortable... but a bit awkward around other female friends because I feel that I'm different. Not that I'm not good enough but I know that I'm different and like, even if they do accept me...in my mind, it still feels like, you know, I can never really be one of them and I don't know if this will ever change as more time passes, I don't know or whether I'm always going to have this sort of perspective.

This situational discomfort experienced, may be linked to a long-standing frame of discourse where trans women are seen as crossing a boundary into an 'other' identity. Rose's comments of never being able to be one of her cisgender friends, mimic Janice Raymond's idea as cited in Hines (2019) "that one cannot become a woman, since the characteristics of womanhood are fixed at birth and strengthened by life experience" (p.146).

Despite having good relationships with her cisgender friends, Jade comments on her lack of transgender friends. As reported in Galupo et al. (2014), friendships between trans women may be beneficial as they can share experiences and understand one another when discussing trans-specific experiences. In relation to this, participants commented about the "fragmented" trans women community in Malta. Rose noted that within the Maltese transgender women community, "If you want to make friends you have to [pass]" as passing represents a status. Participants suggested that passing may improve one's acceptance, even within the trans women community, which focuses on looks rather than empowerment. Viewing one another as competition creates

a hostile environment often hosting microaggressions resulting from internalised misogyny.

### Self-Acceptance

Acceptance is also experienced within the trans woman towards herself, as the feeling of belongingness and being positively received and acknowledged by others tends to result in confidence and acceptance of oneself. Austin and Goodman (2017) observed that members of gender minority groups are more affected by lower levels of self-esteem. Keeping in mind the stressors that the transgender community faces, trans women's self-esteem is often threatened. Austin and Goodman suggest that it is important that "researchers explore the factors that potentially enhance or undermine self-esteem among transgender individuals" (p.830). One factor which might improve self-esteem in trans women is passing. In this case, passing allows trans women to internalise society's acknowledgment, facilitating trans women in a holistic way, even in areas not directly related to their identity. This suggests that the more self-confidence the trans woman experiences, the more positive her subjective wellbeing is, and a better quality of life is maintained.

### Dating and Relationships

It is worthy to note that when researching transgender women and intimate relationships, the research available was rather restricted. Instead, more attention was given to the objectification of the trans identity as an exotic object of sex, albeit a hypersexualised woman, a fetish in the eyes of others or a sex worker (Buggs et al., 2019). Other studies investigated promiscuous behaviour, HIV and domestic violence. These results reflect on the dominant negative discourse often depicting trans women as either dangerous or victims. Corroborating this, participants commented on their experiences of being fetishised and being approached by "chasers", described by Noack-Lundberg et al. (2019) as people who are usually cisgender men who 'chase' after trans women solely for sexual relationships. Participants commented

that concealing their identity through passing helps with avoiding becoming targeted and sexualised.

When asked whether the experience of passing has affected the participants in dating, the responses were once again varied. For Jade, passing simplified dating cis men publicly. This might stem from the fact that trans women are not viewed as 'real' women which might imply that they do not belong with cis men.

You can date eh; you can date straight men in public.

Similarly, Carmen speaks about passing as facilitating the process of dating, making it easier to get attention, thus making it easier to date.

First thing is the attraction, the looks. Unfortunately, that's how relationships sort of start ... If you're just meeting someone out in Paceville, for example, then the first thing you're going to see is the looks so, if you pass obviously that is helping you.

As understood in Bischoff (2011), for Carmen and Jade, passing helps set a first impression, which portrays the aesthetic of an attractive female. Successful dating, particularly with cisgender men, can provide further validation to the heterosexual trans women's identities as women. Jade commented on the satisfaction of being referred to as a "sex pod" by a cis man who she was seeing. This comment might suggest that the objectification of trans women as sex objects is internalised by trans women, leading them to believe that they are indeed sexual objects. Binard, (2017), as cited in Hines, (2020) explains that this misogyny is also experienced by cis women which similarity in experience might



provide trans women further affirmation as ‘real’ women. Butler, as cited in Margaroni (2019), describes this as a symbiotic relationship where the man has an opportunity to affirm his power while the trans woman receives validation. This retains the conventional belief that women are subordinate to men, hence justifying the patriarchal authority suggested by Kellogg (2017). In this regard, Carmen comments on some men’s perspective that trans women should feel ‘lucky’ when a cisgender male pursues her.

It’s like, you know, you’re lucky that I’m even willing to be with you and I think that’s the perception.

### **Discrimination and Safety**

Participants spoke about different experiences of oppression and discrimination which occur in different forms, including minority stress. Transgender individuals are often described as a ‘minority within a minority’ in society (Fenech, 2018). Identifying with a minority group can cause distress due to the discrimination, prejudice and stigma associated with the identity. Further distress can be caused through experiences of transmisogyny. Transmisogyny can be described as the negative attitudes towards trans women based on the devaluation of femaleness in society (Fredrickson et al., 1997). Carmen commented that she feels “torn between transgender world and woman world, and in both worlds, I am [she is] discriminated”. This reflects on transmisogyny as a unique sexist marginalisation, which stems from the intersectional oppressions faced by trans women. Similarly, Carmen comments that, “women will always face more challenges and I think trans women will always face more than the [cis] women.” These intersectional expectations surrounding the trans woman’s identity, as well as the discrimination, stigma, invisibility, and misrepresentation of the identity, put trans women at an increasingly marginalised position in society.

Participants also mentioned stereotypes which they encounter, including sexual, deceitful, promiscuity, discourse used (eg. “Normal woman”), hyperfemininity, not woman enough. As Bazargan et al., (2012) suggest, these are experienced in the individual’s daily life such as at the workplace, in dating and intimate relationships, and in the general community and are visible through various outlets, such as discourse, mass media and social media. Carmen stated that because she passes, life for her has been easier. Despite not having experienced such discrimination herself, Carmen recalls an episode, which her friend experienced. Carmen explains:

I remember a friend of mine; they had some issue. This guy had accused her of stealing his wallet and from what I understand; police did not handle it at all well. They had taken her to the police station at St. Julian’s and they were like ‘Minn isfel, int x’ghandek?’ (What do you have down there) because they wanted to see whether a male or female officer would be checking her.

Similarly, Violet recalled an experience at her place of work, when she was forced to change into uniform in the men’s bathroom and asked for her identification card. The theme of discrimination was extended to safety and security, where participants associated passing with feeling more safe and secure. For Carmen, passing meant feeling secure in “the ability to walk down the street without having anyone look, stare, point, comment or judge.” “When you pass”, Carmen adds, “life is easier...it’s easier to not feel fear when you’re maybe walking home from Paceville after a night out, in finding help”. Issues of safety have been reported by Carmen, Jade and Rose. Rose says that these issues include people “staring at you”, commenting and insulting trans women. Rose’s comment corroborates with Noack-Lundberg et al. (2019) where passing relieves

transwomen of the constant attention given to their identity, which can be invasive and can lead to harassment and violence.

## **Recommendations and Concluding Thoughts**

The research study aimed to explore the concept of “passing” among Maltese trans women, which refers to the ability of transgender individuals to hide their stigmatised identity and blend in with the cisgender society. Passing is seen as a goal for many trans women to achieve acceptance and belongingness. The study also sought to investigate the effects of passing on trans women’s subjective wellbeing and quality of life. Transgender individuals, including trans women, often face discrimination, stigma, and prejudice, leading to distress and a vulnerable position within society. Passing is a strategy employed by trans women to avoid scrutiny and judgement, and it can positively impact their self-confidence and acceptance.

The research study highlighted that passing is not universally sought after by all trans women, and personal agency is essential in their gender identity development. While passing may lead to an improved quality of life for some, it should not be the sole focus of the trans identity. Other important issues raised by the participants included the need for a stronger trans community that offers support, role models, and education for younger generations. Stereotypes and prejudices continue to affect trans women’s experiences, emphasising the importance of viewing each other as human beings and celebrating diverse identities in a progressive society.

Based on the importance that society was given in this research study, further public education about diverse gender identities would be beneficial. It is important that education about the transgender identity is provided from a younger age to foster a more accepting culture and greater understanding in regards to this identity. Related to education is the importance of visibility. While the visibility of trans women has

been increasing, it is necessary that visibility is representative of all trans women as they face issues other than those related to their identity.

Acknowledging the limited research available about the trans identity, particularly within the local context, more research is always beneficial. Based on the time constraints and limitations of this study, only five Maltese trans women were interviewed. Thus, I would envisage a recreation of this study, which would be open to the lived experiences of a more diverse pool of trans identities as well as foreign transgender individuals.

## References

- Alcoff, L. M. (2000). Phenomenology, post-structuralism, and feminist theory on the concept of experience. In Fisher L., Embree L. (Eds.), *Feminist phenomenology* 40, pp. 39-56). Springer. Dordrecht. [https://doi.org/10.1007/978-94-015-9488-2\\_3](https://doi.org/10.1007/978-94-015-9488-2_3)
- Arayasirikul, S. (2016). By Sean Arayasirikul.
- Azzopardi Lane, C. L., Cambridge, P., & Murphy, G. (2019). Muted voices: the unexplored sexuality of young persons with learning disability in Malta. *British Journal of Learning Disabilities*, 47(3), 156-164.
- Bischoff, A. (2011). Passing the Test: The Transgender Self, Society and Femininity. Independent Study Project (ISP) Collection. 1155. [https://digitalcollections.sit.edu/isp\\_collection/1155](https://digitalcollections.sit.edu/isp_collection/1155)
- Butler, J. (2004). Gender trouble. In Cahill, A. J., & Hansen, J. (Eds.) *Continental feminism reader*, pp. 29-56. Rowman & Littlefield Publishers.
- Fairchild, P. (2018). We Need To Talk About The Myth of "Passing" In The Trans Community. Medium. <https://phaylen.medium.com/we-need-to-talk-about-the-myth-of-passing-in-the-trans-community-e1bedaf32ebb>.
- Fenech, B. (2018). "Transparency": A professional viewpoint on the holistic metamorphosis of a transgender individual [Bachelor's, University of Malta].
- Franks, D. D., & Gecas, V. (1992). Autonomy and Conformity in Cooley's Self-Theory: The Looking-Glass Self and Beyond. *Symbolic Interaction*, 15(1), 49-68. <https://doi.org/10.1525/si.1992.15.1.49>
- Fredrickson, B. L., & Roberts, T. (1997). Objectification theory: Toward understanding women's lived experiences and mental health risks. *Psychology of Women Quarterly*, 21(2), 173-206 <https://doi.org/10.1111/j.1471-6402.1997.tb00108.x>
- Galupo, M. P., Krum, T. E., Hagen, D. B., Gonzalez, K. A., & Bauerband, L. A. (2014). Disclosure of transgender identity and status in the context of friendship. *Journal of LGBT Issues in Counseling*, 8(1), 25-42.
- Gamble, S. (2004). *The Routledge companion to feminism and postfeminism*. Routledge.
- Hines, S. (2019). The feminist frontier: On Trans and feminism. *Journal of Gender Studies*, 28(2), 145-157. <https://doi.org/10.1080/09589236.2017.1411791>

- Howlett, M. (2021). Looking at the 'field' through a Zoom lens: Methodological reflections on conducting online research during a global pandemic. *Qualitative Research*, <https://doi.org/10.1177%2F1468794120985691>
- Ingraham, C. (1994). The heterosexual imaginary: Feminist sociology and theories of gender. *Sociological Theory*, 2(2), 203-219. Doi: 10.2307/201865
- Kellogg, C. (2017). 'You be my body for me' Dispossession in two valences. *Philosophy & Social Criticism*, 43(1), 83-95. <https://doi.org/10.1177%2F0191453716651667>.
- Langdridge, D. (2007). *Phenomenological psychology: Theory, research and method* Pearson education.
- Laverty, S. M. (2003). Hermeneutic phenomenology and phenomenology: A comparison of historical and methodological considerations. *International Journal of Qualitative Methods*, 2(3), 21-35. <https://doi.org/10.1177%2F160940690300200303>
- Mack, N. (2005). *Qualitative research methods: A data collector's field guide*. Family Health International. ISBN: 0-939704-98-6
- Margaroni, M. (2019). *Body. The Bloomsbury Handbook of Twenty-First Century Feminist Theory*. London: Bloomsbury.
- Mercieca, Miguel. (2017). *Parents of LGBT Young Adults: A Qualitative Analysis of Experience*. <https://www.um.edu.mt/library/oar/handle/123456789/30260>
- Misgav, C. (2016). Some spatial politics of queer-feminist research: Personal reflections from the field. *Journal of Homosexuality*, 63(5), 719-739. <https://doi.org/10.1080/00918369.2015.111219>
- Noack-Lundberg, K., Liamputtong, P., Marjadi, B., Ussher, J., Perz, J., Schmied, V., & Brook, E. (2019). Sexual violence and safety: the narratives of transwomen in online forums. *Culture, health & sexuality*, 22(6), 646-659. <https://doi.org/10.1080/13691058.2019.1627420>
- O'Shea, S. C. (2019). I am not that Caitlin: a critique of both the transphobic media reaction to Caitlyn Jenner's Vanity Fair cover shoot and of passing. *Culture and Organization*, 25(3), 202-216. <https://doi.org/10.1080/14759551.2016.1230856>
- Palaganas, E. C., Sanchez, M. C., Molintas, V. P., & Caricativo, R. D. (2017). Reflexivity in qualitative research: A journey of learning. *Qualitative Report*, 22(2).

- Ramsbotham, O. (2019). Hans-Georg Gadamer's Truth and Method Revisited: On the Very Idea of a Fusion of Horizons in Intense, Asymmetric, and Intractable Conflicts. *Journal of Dialogue Studies*, 7, pp. 7.
- Sheets-Johnstone, M. (1994). *The roots of power: Animate form and gendered bodies*. Open Court Publishing.
- Stake, R. E. (1995). *The nature of qualitative research. The Art of Case Study Research*, SAGE.
- Svedlund, M., Danielson, E., & Norberg, A. (2001). Women's narratives during the acute phase of their myocardial infarction. *Journal of Advanced Nursing*, 35(2), 197-205. <https://doi.org/10.1046/j.1365-2648.2001.01837.x>
- Van Anders, S. M., Schudson, Z. C., Abed, E. C., Beischel, W. J., Dibble, E. R., Gunther, O. D., Kutchko, V. J., & Silver, E. R. (2017). Biological sex, gender, and public policy. *Policy Insights from the Behavioral and Brain Sciences*, 4(2), 194-201. <https://doi.org/10.1177%2F2372732217720700>
- Verbeek, M. J., Hommes, M. A., Stutterheim, S. E., van Lankveld, J. J., & Bos, A. E. (2020). Experiences with stigmatization among transgender individuals after transition: A qualitative study in the Netherlands. *International Journal of Transgender Health*, 21(2), 220-233. <https://doi.org/10.1080/26895269.2020.1750529>
- Willig, C. (2001). Interpretative phenomenology. *Introducing Qualitative Research in Psychology: Adventures in Theory and Method*, 50-69.
- Yin, R. K. (2003). Designing case studies. *Qualitative Research Methods*, 5, 359-386.

# A study of challenges that transgender athletes face in sports

Maria Fenech

*Bachelor of Science (Honours) in Sports, Exercise, and Health, Malta  
College of Arts, Science and Technology*

**Maria Fenech** (she/her) is a recent graduate from the Malta College of Arts, Science and Technology, where she obtained a Bachelor of Science (Honours) in Sports, Exercise, and Health in 2022. During her degree, she discovered her passion for exploring the relationship between physical activity and the LGBTIQ+ community, igniting her passion in advocacy for social change. Currently, she is reading for a Bachelor of Arts (Honours) in Social Policy at the University of Malta. Her goal is to combine her studies with her passion for activism to tackle issues related to inequality and discrimination within the LGBTIQ+ community. Throughout Fenech's academic career, she has developed a passion for activism, which led her to join the youth subcommittee of the Malta LGBTIQ Rights Movement, coordinating and participating in various events and projects promoting social justice and advocate for equality and inclusivity.



## Abstract

Sports have always been segregated by a traditional gender and sex binary and reinforced where all competitive sports are divided into male and female categories. While a few openly transgender athletes have garnered notoriety and challenged gender identity stereotypes in sports, they face discrimination, judgements, online shaming, and transphobia. The main objective of this research is to provide a platform for transgender athletes to discuss their involvement in sports and share their experiences in the industry, as well as for respondents that work in different sports organisations to address their views on transgender athletes' participation in sports. Data was collected using a qualitative approach utilising open-ended interviews with two trans athletes and two sports respondents.

# Introduction

Transgender individuals have struggled for their rights for many years, a struggle that has included much debate about how to protect those rights in the context of sports. This study delves into the lived challenges that transgender athletes encounter while practising both recreational and competitive sports in Malta. According to research by Hargie et al. (2017), sociocultural variables in sports may cause transgender athletes to not participate in sports. Moreover, the study seeks to shed light on the perspectives of representatives holding managerial roles in private sports companies to compare different perspectives on such a debate. The controversy arises from focusing on physical benefits with little mention of human rights, such as the right to privacy in changing rooms.

## Literature Review

### **Transgender Athletes in Sports**

Transgender people have been portrayed as controversial and sensationalised personalities in the western media since the 1950s. The Sports Performance Assessment (SPA) and grassroots sports conducted studies that found that a lack of education, awareness, discrimination, binary gender classification, and sex segregation can lead to transgender people experiencing harassment, stigmatisation, isolation, and body dissatisfaction. The matter might result in athletes choosing not to participate in activities or choosing to participate solely in individual sports to avoid body exposure and achieve less social recognition (Jones et al. 2017).

### **Changing Facilities**

According to research by Hargie et al. (2017), sociocultural variables in sports may cause transgender athletes to not participate in sports. The primary and most prominent element affecting social isolation in this area are issues with changing facilities. Some individuals might not be comfortable with their bodies before undergoing gender-conforming

surgery/ies, and others who do not intend to undertake such surgeries worry about how their presence in the changing room will affect, or be perceived by, others.

A study done by Hargie et al. (2017) showed that around half of the transgender individuals interviewed in their study refrained from using recreational facilities because of rejection from their peers and social concerns. Moreover, the study further details how, when it comes to using changing rooms, transgender individuals were forced to abandon their gender identity and conform to the sex they were assigned at birth, putting them in danger of harassment and abuse.

### **Athletic Clothing**

Transgender athletes may have difficulty obtaining clothes that fit societal gender roles and are comfortable to wear; many transgender female athletes have claimed that the clothes are either uncomfortable or overly exposing in a way that makes them uncomfortable (Jones et al. 2017). According to Reilly et al. (2019), transgender people go through varied stages of development while undergoing gender-confirming interventions, and clothing options designed for typical cisgender sizes and body types may not provide an adequate fit. Certain sports, such as gymnastics, in which female athletes must wear leotards, may be very uncomfortable for trans female athletes, especially before undergoing gender conforming surgery/ies, and for those who do not want to undergo such surgeries.

### **Policies in Malta**

In May 2015, the Maltese government enacted the Gender Identity, Gender Expression and Sex Characteristic Act which gives Maltese citizens the right to have their gender identity recognised and to freely develop their person according to their gender identity. This law gave the right to all transgender athletes to compete in the gender category that they have assigned on their ID card.

When it comes to sports in Malta, the Sports Act, 2002, Chapter 455, Article 3, states “The State recognises that no discrimination should be permitted on the grounds of sex, race, colour, religion or political opinion or residence within different localities of Malta in the access to sports facilities or sports activities.” However, whether this law applies to transgender athletes in sports is debatable as only sex is mentioned in the act. When it comes to Maltese organisations, no regulations have yet been issued, nor has it been determined whether transgender athletes would be allowed to compete. In Malta, as of yet, no sports organisations have publicly posted any regulations that include trans athletes.

## Methodology

This study employed qualitative methodology, gathering data through semi-structured interviews. Four participants took part in the study: two transgender athletes who participated in individual sports and two representatives from private local sports industry occupying managerial occupations. Three of the participants were recruited using the process of snowball sampling, whilst one other participant volunteered after learning about the study on social media.

The sport affiliates were asked to reflect their own perceptions rather than those of the organisation for which they work. Transgender participants had to be former athletes or must have previously competed or taken part in sports. Transgender participants were given the pseudonyms of Participant One and Participant Two, and the administrators were given the pseudonyms of Participant Three and Participant Four.

Participants were asked open-ended questions to encourage detailed insights, going beyond simple yes or no responses. The interview progressed from general icebreaker questions to delve into topics like bullying, changing rooms, sport facilities, and positive experiences. To compare perspectives on the subject, sports organisations’ representatives were interviewed in a similar format.

For data analysis, thematic analysis was used to identify, analyse, and report repeated patterns in the data. Following the completion of all interviews, the responses were sorted into several themes and all the responses for each of the research findings were compared. This method was chosen to compare and analyse the answers of trans athletes and administrators to a particular subject and, additionally, to observe their thoughts, opinions, and ideas.

## Results and Discussion

### **Transgender Participation in Sports**

All participants - both the transgender athletes and sports organisation representatives—agreed that transgender athletes should be competing in sports; however, they all stated that it must be done under certain regulations, such as controlling the level of the individuals' hormones. One of the representatives stated that transgender athletes should only compete in sports where their advantage would not make a difference. When discussing the participation of Lauren Hubbard, both representatives stated that they thought that she had an advantage over the other athletes. Participant Four stated:

Look, in weightlifting you need strength...The fact she was male ... I think her strength is still a big part that she was a male before

In this scenario, both administrators failed to take into consideration the effect of hormone therapy and even implied that there would always be a difference between trans females and cis females when it comes to strength.

When discussing with Participant One about the athletic advantage of trans athletes, they stated:

I have been transitioning since 2015 and the strength I had before and the strength I have now is completely, totally different to what I had you know... adding I did the orchidectomy hormones so... even for example to participate in events I have to have a full blood count where testosterone has to be till this level. If you skip this level, you won't be able to compete.

Despite the fact that Lauren Hubbard did not do well at the Olympics, both administrators, contrary to what her results have shown, still felt that she had an advantage over the other competitors. Clearly, if Lauren Hubbard had won a gold medal in weightlifting, her result would have been linked to people's interpretations of the sex assigned at her birth rather than her abilities.

Viewing the advantage of trans athletes from a perspective of gender rather than abilities when it comes to sports shows that transphobia in sports is about sexism. When it comes to female trans athletes, being perceived as too strong or too well built is considered as unfair to the cis females; nevertheless, when it comes to male sports, these genetic disparities are cherished, such as Michael Phelps' abnormally large wingspan, which is praised rather than condemned (Hesse 2019). Trans athletes are being perceived as not looking feminine enough or looking too masculine as compared to cis female athletes; they are judged by their appearance, which is why society is judging trans athletes primarily on their gender rather than their abilities.

To date, no one in Malta has publicly stated that they are trans and that they are participating in a team sport. This could be due to a variety of factors, including the island's demographics, where the population of citizens is very low, and having a trans athlete in a team sport would be even more highlighted. Participant One stated:

I think it's probably because since Malta is like small everyone like knows everyone and you can be more of a target for hate and harassment.

When asked if they think there should be a separate category for transgender athletes to participate in, both trans athletes disagreed. Participant Two stated:

Because that is not inclusive for transgender, I guess ... you're like telling them you're not male and you're not female, you're transgender and it's not like identity as a male or female.

Both administrators took the transgender category in sports into consideration, but they stated that in Malta this would not be possible due to lack of athletes. Participant four stated:

Look this is like having the Special Olympics...

In this scenario, Participant Four compared transgender athletes with a movement whose purpose is to provide training and competition opportunities for people with intellectual disabilities that guarantees a fair competitive environment. This suggests that individuals are still pathologising trans people and people with disability in viewing them as not able to achieve the same results under the same conditions.

### **Changing Facilities**

Both transgender athletes in the study agreed that changing rooms could be one of the reasons why in Malta we do not have any

transgender athletes participating in team sport yet. Indeed, Participant One stated that the issues surrounding changing facilities are not only for transgender athletes but an issue for everyone that is uncomfortable changing and showering in front of others. Most of Malta's present changing facilities lack privacy, leaving athletes to shower and change their sportswear in front of one another. In the study, both transgender athletes admitted that neither one of them uses changing facilities and avoid doing so. Transgender Participant Two stated:

I try not to go too much to the changing room... So, I keep everything like with me and mostly like I never shower in changing rooms or change... If I need to use the toilet, I try to avoid using the toilet, you know.

However, when discussing this with Participant Three, they did not agree that changing facilities may be a reason trans athletes do not participate in team sports. Instead, the participant suggested that there are other options, such as changing in the car, not taking into consideration the risks of doing so, and other negative circumstances and safety concerns that changing in a car could result in such as increasing the risk of being outed and assaulted.

The second representative, did not agree with having athletes in the locker room who had not had or would not have, gender-conforming surgery, claiming that such a situation was inappropriate:

No, imagine, you are in a changing room full of female athletes, and there is a trans with their male part there with them.... For me it's a question... I don't think it's suitable.



The findings raise the question of whether Malta's sports facilities are inclusive enough for transgender athletes or, for that matter, any athlete participating in sports. When the participants were asked about gender-neutral changing rooms, both administrators agreed that they believe the architects designing these facilities are unaware of the option or that they may be viewed as unnecessary costs. Both transgender athletes in the study support gender-neutral changing rooms, finding them beneficial and expressing comfort in using them. They believe that these facilities would also promote greater participation of trans athletes in sports.

### **Maltese Policy**

In Malta, the Gender Identity, Gender Expression and Sex Characteristics Act (2015) gave all transgender athletes the right to compete in sports in the gender that they have assigned on their ID card. However, the Sport Act's (2002) Chapter 455, Article 3 states:

The State recognises that no discrimination should be permitted on the grounds of sex, race, colour, religion or political opinion or residence within different localities of Malta in the access to sport facilities or to sport activities.

This leaves in doubt whether this act is inclusive of transgender athletes since gender identity is not mentioned as a ground for non-discrimination. Both trans athletes stated that they do not believe it includes transgender athletes and that they are unaware of any regulations in sports that mention transgender athletes.

Both athletes remarked that the Sports Act (2002) is insufficient and that it should be revised to incorporate provisions that specifically reference transgender athletes.

Participant Four indicated that the legislation only applies to males and females, whereas Participant Three stated:

You have to keep in mind that this law it was written in the 90s at the time, maybe it needs to be updated but at that time, the word sex was used but it's only purely because the gist, the understanding, the spirit of the law is that there is no discrimination on [the basis of] gender.

Even if the legislation does not mention trans athletes, the substance of it, according to Participant Four, is that there is no discrimination; nonetheless, if the participant had not been informed that the interview was about trans athletes, would the participant even have considered trans athletes in the act? All participants agreed that the legislation needs to be amended or that new acts need to be developed.

### **Athletic Clothing**

When the participants were asked about sportswear, their responses were mixed, with some believing it is a problem and others believing it is not. Participant Three stated that this is merely a circumstance until it is accepted by society and sportswear should not be an issue that stops transgender athletes from participating in sports. Participant Three demonstrated a limited knowledge of trans athletes and neglected to consider what trans female athletes must do to avoid being outed.

When discussing sportswear with transgender Participant Two, the swimming scenario was used as an example; would a trans male athlete who has not had, or does not want to have, a subcutaneous mastectomy be accepted in the male swimming sports, and how would other athletes react to him wearing different sportswear? Regarding this particular issue, Participant Two stated that this might be an issue for

a trans athlete which could result in trans athletes not participating in sports such as swimming.

### **Coaches**

Participants One and Two acknowledged that coaches in Malta are inclusive to a certain extent. They underlined that they are not informed/educated enough about issues which transgender athletes might face as well as about correct terminology amongst other aspects. Participant Two stated that they had previously had to explain what terms should be used or how they should be addressed. These incidents highlight the fact that information and education need to be provided to eliminate such scenarios, and that, also, as Participant One highlighted:

I think Maltese culture is like not inclusive in its own like way, for example how the coaches talk if a player for example does a mistake, they use slur words... they don't mean it in a harmful such way ... I think it's more of the culture and how we got brought up.

### **Personal Experience**

Both trans athletes had positive personal experiences in the sports sector, with no mention of challenges from coaches or teammates. However, Participant One stated they had previously met athletes who made negative comments:

He was against transgender... according to him, once you are born a man you remain a man.

During the interview, the administrators were asked about their experiences with transgender athletes in the sports industry, Participant Four stated:

No, no... we never had cases.

The participant referred to having transgender athletes in sports as 'cases'; this suggests that the administrator does not have enough information or knowledge about how to address transgender athletes, leaving in doubt the success of the outcome if the participant does meet a transgender athlete at the facility.

## **The Way Forward**

The fact that, as of yet, no sports organisation in Malta has established a set of regulations or mentioned trans athletes in sports shows that trans athletes may be seen as having no importance in Malta. This underlines the need to educate everyone in the sports sector, including coaches, players, and administrators. In Malta, a coaching education plan on LGBTIQ+ inclusion should be developed to provide coaches with guiding principles for creating an inclusive environment, practices, and regulations in their sports organisations.

Every sports organisation in Malta should officially adopt a transgender-inclusive policy to ensure that trans athletes are not barred from participating in sports and that no barriers are imposed but ensure fair competition for all. As Participant Two stated, trans athletes in Malta are still considered a taboo, where no one talks about the subject or still considers trans athletes as "different" from the rest of society, this matter needs to be addressed by starting to introduce and educate children about LGBTIQ+ as this will teach children the value of empathy and respect for others.

In Malta we do not have any gender-neutral changing rooms with private spaces. Having these would be not only beneficial for trans athletes, but for every individual who feels uncomfortable changing or showering in front of others providing privacy and reducing harassment. In such a situation it is suggested that every new sports facility in Malta should be obliged to build a neutral changing room with private spaces where it guarantees safety for everyone.

Another suggestion is to revise the Maltese Sport Act (2002) which still only specifies no discrimination based on sex. It is recommended that gender identity is added alongside 'sex' so that trans athletes are better protected in this act. It is suggested that further research is needed in the future on transphobia and homophobia in sports in the local context. This would help trans athletes avoid having to choose between who they are and the sports they love.

## References

- Hargie, O, Mitchell, D. and Somerville, I. 2017. 'People have a knack of making you feel excluded if they catch on to your difference: Transgender experiences of exclusion in sport', *International Review for the Sociology of Sport*, 52(2), 223-239.
- Hesse, M. 2019. 'We celebrated Michael Phelps's genetic differences. Why punish Caster Semenya for hers?'. *The Washington Post*. 2 May. Available at: [https://www.washingtonpost.com/lifestyle/style/we-celebrated-michael-phelpss-genetic-differences-why-punish-caster-semenya-for-hers/2019/05/02/93d08c8c-6c2b-11e9-be3a-33217240a539\\_story.html](https://www.washingtonpost.com/lifestyle/style/we-celebrated-michael-phelpss-genetic-differences-why-punish-caster-semenya-for-hers/2019/05/02/93d08c8c-6c2b-11e9-be3a-33217240a539_story.html) (accessed 7 September 2022).
- Jones, B.A.Arcelus, J. Bouman, P.W. & Haycraft, E. 2017. 'Sport and Transgender People: A Systematic Review of the Literature Relating to Sport Participation and Competitive Sport Policies', *Sports Medicine*, 47(4), 701-716.
- Reilly, A., Catalpa, J. M., & McGuire, J. K. (2019). Clothing Fit Issues for Trans People. *Fashion Studies*, 1(2), 1-21. <https://doi.org/10.38055/fs010201>
- Sports, *Ramifications*, 1(1)5, 701-716.



# A pedagogy of coming out

Jean Karl Grech

*Master of Arts in Comparative Euro-Mediterranean Education  
Studies, University of Malta*

**Jean Karl Grech's** (he/him) experiences as a gay student in the 2000s and later as a teacher have fuelled his interest in queer studies. Incidents of bullying during his time as a student in local schools and society motivated him to examine the homogenised system that didn't cater to diverse individuals like him. During his studies to become a teacher from 2013 to 2017, Malta recognised constitutional rights for the LGBTIQ+ community, but his experiences left him concerned about schools and social institutions' readiness for such changes. His bachelor's dissertation focused on ensuring the safety of the now more visible LGBTIQ+ community in schools. Teaching at a local primary school for six years allowed Jean to assess changes in the education system and embrace his true self in class. He witnessed how different stakeholders in schools responded to his openness and became interested in understanding Malta's societal stance. Pursuing a master's degree in 2020 provided the opportunity to conduct extensive research, culminating in his thesis, 'A Pedagogy of Coming Out.'



## Abstract

Almost a decade after Malta recognised numerous LGBTIQ+ rights, this research examines their impact, along with other policy reforms, on local schools. The study was divided into two stages. The first stage gathered experiences from LGBTIQ+ students who recently finished school and current LGBTIQ+ teachers, presented through data analysis and a 35-minute documentary. A Pedagogy of Coming Out was designed using these experiences and literature to address the invisibility of LGBTIQ+ lives in local schools, built with the LGBTIQ+ participants. In the second stage, the Pedagogy of Coming Out and documentary were presented to School Management Teams (SMTs) to understand factors affecting the introduction of such teaching practices in schools. The data revealed that while LGBTIQ+ topics are more present in schools, they often receive minimal attention, confined to specific spaces like PSCE or guidance rooms. Episodes of queerphobic bullying still persist. The research emphasises the need for proactive strategies and a common guideline for schools to ensure positive queer spaces and inclusive environments. While improvements have been made, education can do much more to embrace these laws and promote daily practices that foster acceptance and understanding.

# Introduction

This research documented the experiences of LGBTIQ+ teachers and LGBTIQ+ Recent School Leavers (RSLs) from various schools around Malta and Gozo. This was done in order to compare these experiences and investigate the successes and challenges these participants have met during a decade in which Malta has recognised various rights pertaining to one's own sexuality, gender identity and sex. These experiences were then also used to design a practical pedagogy document which proposes queer-inclusive teaching strategies that can be implemented in local schools. The document shares the same title of the research and also includes other sections which will be explained in the coming sections.

Once the document was completed a second stage of the research followed suit. During this stage the experiences of the first group of participants and the pedagogy document were presented to several members of School Management Teams (SMTs) from around the country. Their reactions and insight on the implementation of such a policy were recorded and analysed through a thematic approach which is presented as part and parcel with the data analysed from the participants of the first stage. The analysis chapter establishes four prevalent themes which attempt to provide a clear picture of where our country currently stands with teaching and addressing the subject of sex, gender, and sexuality in schools.

The research considered the following five questions to guide its process:

1. Do LGBTIQ+ teachers find it safe and comfortable to come out and use their own experiences as an opportunity to teach on the subject?
2. What kind of struggles or help are LGBTIQ+ teachers finding in their school community as they work with students and other staff members?

3. Has life become safer and easier for current students to reflect and talk about sex, sexuality, and gender?
4. What kind of new stressors are LGBTIQ+ students experiencing and how can these be improved through concrete strategies?
5. As gatekeepers of schools, what do SMT members think of a practical policy which ensures the visibility of LGBTIQ+ topics in the classroom?

## The Literature

The research is based on three leading academic books together with other research and data published locally on the subject. The first book is that of Judith Butler (1999) titled, 'Gender Trouble' which located the research in the field of queer studies. The second and quite pivotal of all is that of 'History of Sexuality' by Michel Foucault. In this book, three repressive hypotheses are used by Foucault to theorise how medicine and science institutionalised the homosexual being and thus legitimised institutional control over the human's experience of sexuality (Foucault, 1978). These hypotheses were reworded in this research and applied specifically to the local education system, to examine how, over the years, the discourse in policies and in schools has evolved on the subject. Subsequently, this section of the Literature chapter provides an in-depth analysis of the political discourse of parliamentary sessions which led to the recognition of various LGBTIQ+ rights. Works such as that of Borg (2020) who carried out a similar study on the decriminalisation of homosexuality in Malta are included.

The final section of the literature uses Paulo Freire's book, titled 'Pedagogy of the Oppressed' to stress on the important role that praxis, meaning action and reflection, play in pursuing liberation. Therefore, this section investigates the important role that education plays in ensuring that these laws are truly welcomed and understood by the society for which they are intended to serve (Freire, 1970, p.79). Besides these three main books, the literature section also analyses current educational policies

that are in place, mainly the 'Respect for All Framework' enacted in 2014, recent published data such as that of Levy-Pizmony (2017), Schembri (2020) and previous publications of 'Mapping the Rainbow'. It does so to probe into whether the last decade has been truly effective in attaining liberation from a hetero-dominant school culture and in ensuring that the visibility of various minorities reflects the emancipatory laws that have been recognised.

## The Methodology

The data was gathered in two successive stages through one-to-one, open-ended qualitative interviews over the course of four months. In the first stage the experiences of four LGBTIQ+ RSLs and six LGBTIQ+ teachers were recorded. The term RSL in this research is referring to students who have just finished their formal years of schooling and thus have experienced recent teaching strategies taking place in local schools. On the other hand, the six teachers recruited for this stage spoke about their experiences working in their respective schools as LGBTIQ+ individuals and on queer inclusive teaching strategies they have used or witnessed taking place in their schools. All participants of this stage came from different types of schools from around Malta and Gozo.

In the early stages of planning this research, it was decided that the experiences of the participants mentioned above would be presented in the form of a short documentary. This was done to ensure that the SMT members listening to these stories would do so in a stimulating way which is effective where people may not share similar cultural knowledge (Stone Mac-Donald & Stone, 2013). In total there were thirteen hours of footage recorded with the participants of the first stage which were edited into a 35-minute documentary. Together with the video, a document depicting inclusive teaching strategies was also designed and presented to the participants of the second stage. This shall be explained next.

In total there were five heads of different schools recruited for the research who once again individually took part in one-to-one semi-structured interviews. The reactions and feedback gathered from the participants was audio recorded, transcribed, and then presented in the research finding and analysis through a thematic approach. Research such as this being conducted in a small country like Malta came with several ethical implications which needed to be guaranteed. For example, to ensure the safety of the participants sharing their own experiences in schools in a documentary, it was decided that the SMT members would come from different schools. Moreover, the participants were given the chance to see the documentary before this was finalised to ensure that their comments have been edited in a way that they deem valid and fair.

## **The Documentary: the findings of the first stage**

This section explains the five different segments which the documentary is divided into and then it elaborates on the experiences shared by the participants through several themes. Figure 1 in the appendix depicts the thumbnail of each of the segments the documentary is divided into.

The documentary first presents the experiences of all the participants as young students in their respective schools. Given that the ages of the participants were purposively chosen, the documentary depicts experiences dating from as back as 1986 to as recent as 2021. Hence, the viewer is given the chance to see how school life, education and the discourse on the subject have gradually evolved through time. The participants then elaborate on various practices they have delivered as current teachers or received as recent students in schools. This segment is finally followed by the participants suggesting a way forward for the inclusion of the LGBTIQ+ community in schools. The following paragraph elaborates on the findings from this first stage.

Recent school leavers noted that the visibility of the subject has increased especially in the later years of secondary. However, most of the participants felt that the subject was often rushed and remained stuck to a set of points presented in a presentation focusing on acronyms, sexually transmitted infections, and stereotyping. The students felt as if this reduces such a diverse and long history and experiences of the LGBTIQ+ community to a set of medicalised and informative-based lessons. Three of the four RSL participants explained how students felt comfortable and safe to come out at school to their friends irrespective of the school type or village the school was set in. This is because inclusive practices and discourse witnessed by the LGBTIQ+ students encouraged students to come out. Unfortunately, two of the participants from this category elaborate on instances where teachers expressed queerphobic messages in class. Overall, the experiences of these participants suggest that there is a gradual normalisation of the topic however the teaching strategies used need to improve and be better embedded throughout a wider range of the formal years of schooling.

In the teachers' segment, the participants first talk about their own past experiences in schools as young students and how these inspired their presence at school as teachers, mainly through teaching strategies they use. Most of the participants explained how they feel safe coming out to staff. Only one participant expressed fear of coming out due to instances of homophobic discrimination being experienced at the school. Five of participating teachers have used their own coming out with students, as an opportunity to reflect and talk about sexuality, gender, and sex in their respective subjects. These subjects included drama, literature, and even educational outings. Such strategies are in the research referred to as organic since an LGBTIQ+ individual is using their own experiences as a critical and reflective tool in a context which requires it. Only one participant expressed hesitancy in using their own coming out as a learning opportunity because of potential backlash from parents. This was something they had already witnessed in the same school.

## The Pedagogy Document

Despite all these positive comments and learning opportunities, the participants identified several areas which require improvement. These include teacher training, increasing awareness and normalisation, assisting students from different cultural backgrounds, and finally a clear, cohesive departure from retaining the subject to PSCD and therefore having more inclusive syllabi across other subjects.

These suggestions were extensively discussed with the participants and included in a document which provides clear strategies as to how these can be implemented in schools (See Figure 2 in Appendix section). But how is this different from policies that are in place?

While current implemented policies such as the 'Respect for All Framework' recognise the need to safeguard the LGBTQ+ community in schools, they fail to address the needs just identified by the participants above. As Goldstein, Russell & Daley (2007) explain, this is because policies such as the 'Respect for All Framework' try to neutralise the school into an environment where everyone can feel safe but often at the 'expense of homogenising queer youth [or any other minority] into a "hopeless, different other," category which simply needs to be respected' (p.184-185). Thus, it fails to critically acknowledge and talk about the element of sexuality, gender and sex that resides in every member of society. Moreover, it reinforces the institutional and cultural notions of the, "us and them." Therefore, the strategies designed in this research, try to address these shortcomings through inclusive teaching strategies which can be incorporated into different subjects such as languages, social studies and much more. Together with these practical strategies, the document includes a legal framework which reassures schools implementing it that they are not going against legally established codes of teaching practices such as the National Curriculum Framework. On the contrary, these schools would be fulfilling the desired outcomes established in these same documents. Moreover,

it includes implementation guidelines that different stakeholders would be required to fulfil to ensure that schools are successful in their implementation of this pedagogy.

## **The Second Stage: Presenting the documentary and document to SMT members**

During the second stage, the documentary and the document explained above were presented to six members of different school management teams (SMTs) from across the country. This stage was included to record the reaction and comments of the participants on these two media. The participants first saw the documentary and then they were presented with the policy document and looked into whether such a pedagogy could be implemented in their respective schools. As gatekeepers of the school communities and all its stakeholders, SMT members provide useful information on what could encourage or limit their ability to implement such inclusive strategies in their schools. The next paragraph elaborates on the comments gathered from these participants.

The documentary evoked the viewers to comment and share other stories involving LGBTIQ+ students and teachers they have witnessed in their own schools. Hence this provided the research with not only more experiences but also insight into how these are perceived from the eyes of heads of schools and how they address them. All SMT participants reported instances of resistance from parents to teach on the subject and even at times accepting their own children as LGBTIQ+. The latter was mostly impactful when children coming from rainbow families attended these same schools and because of this resistance their own family could not be represented and truly embraced in the classroom. Similar experiences have also been documented elsewhere by Schembri (2020).

When asked about current policies and practices that are in place, none of the SMT members said they currently have strategies, such as those



described in the pedagogy document above. In fact, all the participants explained how the subject is usually addressed in PSCD or through an intervention if a case of bullying arises. This is when counsellors, guidance teachers or other services are brought in to address the matter. Therefore, the strategies that are currently in place are reactive to episodes of queerphobic bullying in schools. The participants have indicated that episodes of such bullying have overall decreased but do not dismiss that this could be taking place more discretely or elsewhere, mainly through social media. Overall, the participants reacted positively to the document especially since it provides a legal framework which legitimises its work in schools and has clear strategies of implementation for different members of the school community. However, almost all participants said they would be willing to implement such practices if this was initiated on a national level, thus alleviating some of the direct backlashes that may arise towards a school for implementing it. The next section provides an overall analysis of the data gathered through several themes.

## **Data Analysis**

The comments of all the participants involved in this research were thematically analysed to provide a summary of where schools currently stand on the subject. From the data it can be concluded that most schools currently adopt reactive strategies on the subject rather than proactive ones. This sees the topic being addressed once it is deemed needed to do so or otherwise briefly mentioned in the last two years of formal schooling. Whilst these strategies are beneficial and useful, they indicate that the objectives established in the Respect for All framework are not being met and as a result, LGBTIQ+ members in school are still likely to experience some form of queerphobic bullying or sentiment. Consequently, this has a higher likelihood of retaining segregation between what is socially considered as the normal, and the other because it 'fails to disturb and deconstruct power structures, to explore

new forms of knowledge and to challenge assumptions about how we should behave' (Pereyra, 2020, p.52).

Moreover, as the participants expressed, discussions on the topic provide little opportunity for critical reflection and often constrain themselves to explaining acronyms. In the research, this is termed as a superficial glimpse. On the other hand, a select few of the participants talked about how some schools have taken a more proactive approach on the matter. The activities organised by their schools included attending exhibitions, inviting NGOs and other guests for talks with the school community, and using drama and literature lessons as learning opportunities. Such an effort must be applauded. However, since the decision to be proactive falls on the SMT members, not all schools are adopting a similar approach. Therefore, this is resulting in a phenomenon referred to in the research as unequal access to queer-positive spaces in schools across the country. It highlights the need for a more inclusive pedagogy being present on a national level. But why is it that a country which currently tops the ILGA charts and has seen incredible legislative progress on the matter, lags in adopting such practices which reflect these same laws?

The final section of the analysis chapter reflects on this question by referring to this current time as the in-between. This period of in-between is investigated through one final analytical theme titled, 'fear'. Although the term fear was chosen as the emotion to represent this analysis, it is to be said that there are other emotions at play here that are also considered, such as shame. As shown in Figure 3 in the appendix, Bronfenbrenner's Ecological System Model is in this section used together with the data to depict different ways of how these emotions take a hold of different stakeholders in society's understanding and perspectives on the subjects of sex, gender, and sexuality. It then uses these instances to suggest that this is why institutions such as education, are not yet reflective of the legislative progress that has taken place in the last decade.

The section first uses the work of Marzetti (2018) to show how ILGA's previous leading country for LGBTIQ+ rights, Scotland, had similarly failed to ensure that queer communities are fully welcomed and represented through various institutions once several rights were recognised. This consequently led Scotland to experience challenges in schools such as those shared by the participants of this research. Therefore, through this comparison with Scotland, this section exemplifies how values, norms and social practices do not so easily adapt to laws, especially if the history of these ecosystems is embedded in the demonisation of the different sexual other and the homogenisation and regularisation of the experience of sex, gender, and sexuality, through religion, politics, education, and other strata of society (Borg 2020). After focusing on this broad cultural system, the section progresses into how these emotions can potentially transgress and impact the stakeholders identified in the model. The following is a summarised list of the emotions identified and explained in the research. They are here marked according to the colour of the ecosystem they form part of.

1. The fear of sexualising the often assumed cis-hetero, sexually naïve student being taught about sexuality, sex and gender. [yellow]
2. The fear of encouraging sexual and identity exploration through discourse on the subject. [yellow]
3. The fear of political ramifications if such strategies are endorsed by a government. [yellow]
4. The fear of backlash from parents, organisations, and political movements if this is addressed in schools. [blue]
5. The fear of teachers experiencing repercussions for bringing up the subject in class and therefore resorting to silence. [green]
6. The fear of feeling unprepared and untrained to address such topics in the classroom. [green]
7. The fear/shame an LGBTIQ+ individual experiences as they come out to their family members, friends and also coworkers. [red]

8. The fear of the challenges an individual faces as they operate in a society which may provide further systematic hurdles through elements of intersectionality such as ethnicity, religion, disability, etc. [red]
9. The fear, stigma, and shame of the self towards the self for being LGBTIQ+ through internalised queerphobia. [red]
10. The fear of not belonging to an established system and therefore a community. [red]

By focusing on these different forms of emotions which captivate the subject of sex, gender and sexuality, the final section attempts to suggest different reasons why the current strategies in place do not only ensure safety and respect for all, but also celebrate and ensure that all experiences including those of minorities are recognised and are visible across learning environments, especially in schools.

## **Conclusion: A way forward**

In conclusion, this research indicates that there are various challenges pertaining to gender, sex and sexuality which yet need to be addressed in local schools. While the country has accomplished great feats in recognising numerous LGBTIQ+ rights, society's institutions have failed to gradually absorb and help the Maltese community with understanding the significance and meaning of these rights. Although the political discourse of those in power urged for local education institutions to be an integral part of this emancipatory process, what has been put in place so far, is a simmered-down framework which provides little focus on the inclusive teaching strategies needed to attain this emancipation. This is why, as suggested by the students, teachers and SMT members participating in this research, a pedagogy such as the one proposed here needs to gradually be implemented across all schools.

Naturally while this research has successfully designed such a pedagogy, it never had the space to test it. Moreover, elements of intersectionality

could not be properly considered because of the inability to access such participants for the research. Therefore, it would be instrumental to generate further insight on different practices which can contribute to such a coming out pedagogy. It would also be beneficial to test these practices in different schools and assess the impact and results they leave.

## References

- Borg, E. (2020). What were the prevailing social and political attitudes to homosexuality in 1972 and how did these bear on the decriminalisation of homosexuality? (Bachelor's Degree).
- Butler, J. (1999). *Gender trouble, feminism, and the subversion of identity*. (2nd ed.). NY: Routledge.
- Foucault, M. (1978). *The history of sexuality, volume 1: An introduction [Histoire de la sexualité: La Volonté de savoir.]* (R. Hurley Trans.). NY: Pantheon Books.
- Freire, P. (1970). *Pedagogy of the oppressed* (M. Ramos Bergman Trans.). (30th ed.). UK: Bloomsbury.
- Goldstein, T., Russell, V., & Daley, A. (2007). Safe, positive and queering moments in teaching education and schooling: A conceptual framework. *Teaching Education*, 18(3), 183-199.
- Levy-Pizmony, O. (2017). The 2017 Malta national school climate survey report. (No. 1). Malta: MGRM.
- Marzetti, H. (2018). Proudly proactive: Celebrating and supporting LGBT+ students in Scotland. *Teaching in Higher Education*, 23(6), 701-717.
- Ministry of Education and Employment. (2012). *A national curriculum framework for all*. (No. 1). Malta: Salesian Press.
- Ministry of Education and Employment. (2014). *Respect for all Framework*. (No. 1). Ministry of Education and Employment.
- Pereyra, M. L. (2020). Queering Freire's pedagogies: Resistance, empowerment, and Transgression in Teacher training. In M. Pérez, & G. Trujillo-Barbadillo (Eds.), *Queer epistemologies in education. queer studies and education* (pp. 51-64). Cham: Palgrave Macmillan.
- Schembri, N. (2020). *LGBTQ supportive climate: The inclusion of LGBTQ families in Maltese primary schools*. (Master's Degree).
- Stone, R. M., & Stone-MacDonald, A. (2013). The feedback interview and Video Recording in African research settings. *Africa Today*, 59(4), 3-22.

Appendix



Figure 1: Thumbnails from documentary & QR Code to watch it.

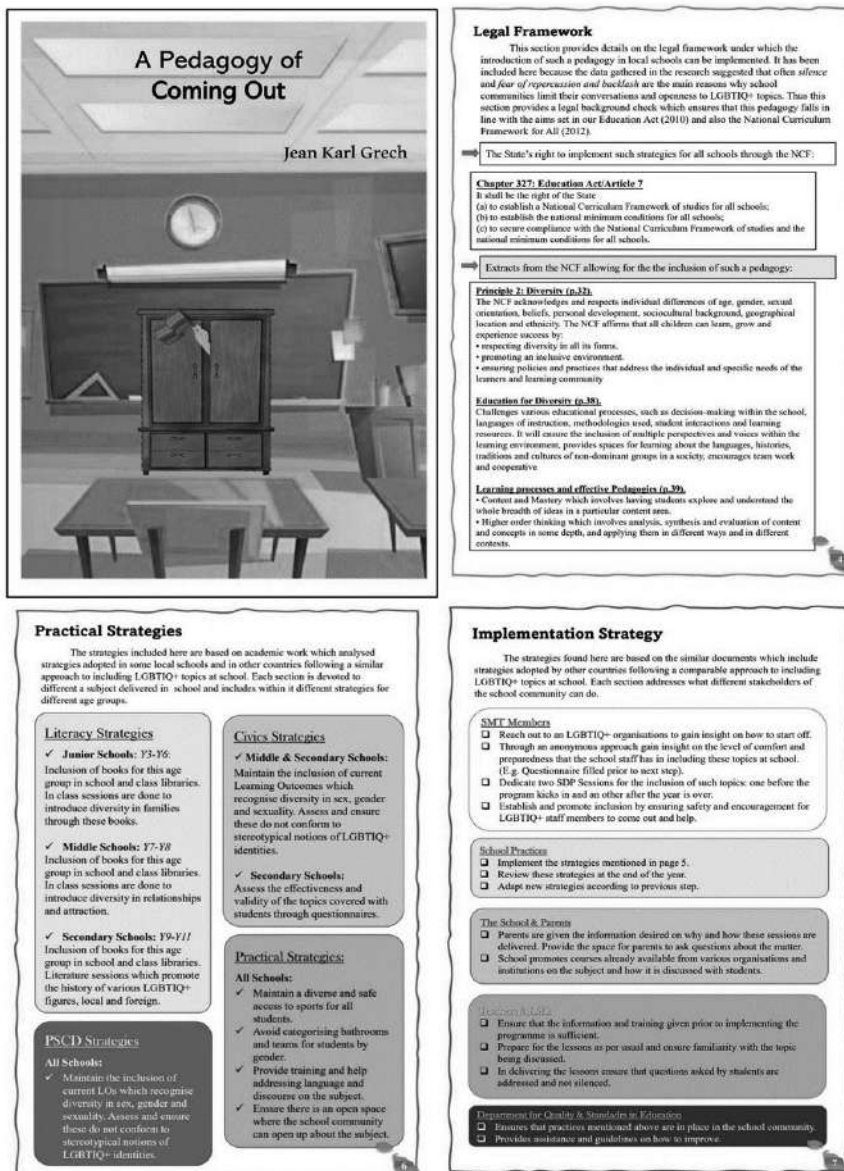


Figure 2: Sample from the pedagogy document.



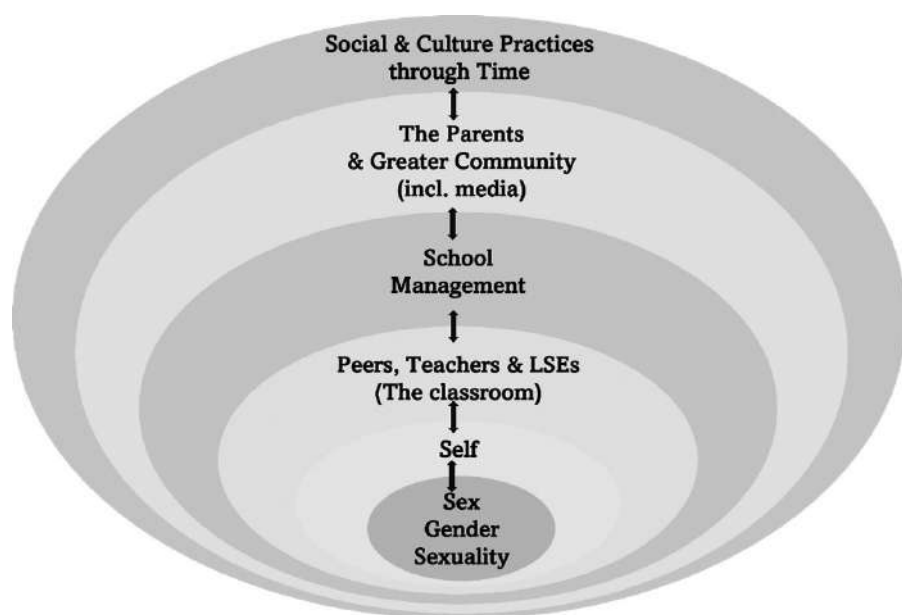


Figure 3: The fear model.

This publication features research papers conducted by academics, undergraduate, masters and doctoral students which primarily focus on LGBTIQ+ related topics. This publication together with its previous volumes, continues to build on the body of knowledge that is available to better educate political development and mainstreaming efforts.

The nine research papers published cover a broad range of themes, and together constitute the proceedings of an LGBTIQ+ Research Symposium held in May 2023.

This project has been made possible through the collaboration between the Department of Gender and Sexualities within the Faculty for Social Wellbeing and the Institute for European Studies of the University of Malta, the Malta LGBTIQ Rights Movement and the Human Rights Directorate within the Parliamentary Secretariat for Reforms and Equality, Ministry for Home Affairs, Security, Reforms and Equality.



GOVERNMENT OF MALTA  
PARLIAMENTARY SECRETARIAT  
FOR REFORMS AND EQUALITY



L-Università  
ta' Malta  
DEPARTMENT OF GENDER  
& SEXUALITIES



L-Università ta' Malta  
Institute for European Studies

**HUMAN  
RIGHTS**  
DIRECTORATE



The Malta  
LGBTIQ Rights  
Movement