Trans Migrants In Spain: An Interview with Daries about the Ley Trans and More

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This article sheds light on the reality of Daries[1], a migrant trans individual in Spain, while they navigate new laws, policies, and programs meant to aid the trans community as a whole. Similar to how indigenous gender studies distinguish between indigenous experiences with gender in different colonized countries, it is important to distinguish the experiences of trans individuals who are migrating from Latin America to Europe. By sharing Daries' story, this article demonstrates the importance of capturing the heterogeneity that exists among trans communities, especially as it relates to their experiences as migrants abroad. Spain has recently passed the *ley trans,* a law which asserts that all trans identities must be recognized and protected. However, the lived experiences of migrant trans individuals are not fully integrated within the *ley trans* because their stories are not being as extensively shared as those of non-migrant individuals. When trying to understand the experiences of migrant trans individuals, the politics of recognition reveal the limitations faced by trans migrants in having their identities fully recognized. For migrant trans individuals, their recognition from the state is based on their proximity to binary gender identities and citizenship status. Hence, I describe: (1) the exclusions that currently exist among migrants who are trans and living in Spain; (2) the lack of recognition and integration within the new national trans policies being implemented in Spain; and (3) existing citizenship policies that limit a migrant's individual trajectory when they settle in a host country.

KEY WORDS queer migration, trans subjectivities, Spain, transnationalism

> *...Entonces, en mi caso, yo no nací en España, yo nací en otro país, pero yo no puedo renunciar a ser española porque mi mamá es española.*
>
> ...Then, in my case, I was not born in Spain, I was born in another country, but I cannot give up being Spanish because my mother is Spanish[2].
>
> (Daries, 30 years old, Spanish and Salvadoran)

Introduction to Daries

Who is Daries and why is their Spanish citizenship through their mother highlighted in the quote above? Daries, who identifies as a gender fluid non-binary trans individual, was born and raised in El Salvador. At five, their mother moved them to Spain. As they grew older, Daries returned to El Salvador on occasion. They have the accessibility to return to El Salvador as they hold Spanish citizenship through their mother, who is a Spanish citizen. After living in places like El Salvador and Mexico, Daries believed their

life would be safer and more fruitful in Spain because of economic opportunities and broader gender acceptance in Spain, in contrast to El Salvador where they feared gender violence. Obtaining citizenship through their Spanish-born mother granted Daries many benefits that other newly arrived migrants in Spain do not receive automatically, such as the inability to obtain a work permit or asylum status as soon as they arrive. In addition to the work opportunities and permissibility to stay in the country, their citizenship also gave Daries an opportunity to benefit from, although with some limitations, a new national trans law introduced in 2021 and finalized in December 2022 that promises to extend protection to the trans community at large. Such protections notably include the right to change documentation based on gender self-determination (Álvarez 2021b). Self-determination is the process of using one's perspective of gender identity as the basis for affirmation rather than using a structural basis, like having your gender classified by a medical professional.

By drawing on Daries' story, the following research will explain: (1) the current exclusions that migrant trans individuals living in Spain have to endure; (2) how these exclusions are prevalent in the new national trans policies being implemented in Spain; and (3) how migrant individuals are limited by existing citizenship policies in Spain. These observations can help establish the variability of trans communities and the need to provide more comprehensive descriptions of the heterogeneity that exists within trans communities, especially when writing and establishing laws, policies, and programs that address these communities.

Spain's Immigration System and Trans Communities in Spain

In this section, I will demonstrate how Daries was able to adjust their status in Spain due to their mom's citizenship status. In Spain, a child's citizenship is obtained through their parents' citizenship (Carvalho 2019). This process is called *jus sanguinis*, which has been the primary path for migrants to obtain citizenship in Spain since 1982 (Carvalho 2019). Immigrants who do not have a Spanish citizen parent must follow a different and longer process to become citizens. For example, first-generation immigrants in Spain can only apply for citizenship after:

> a) legal residence for a period of 10 years if candidates originated in countries excluded from the Ibero- American community, b) legal residence for a period of 5 years if candidates hold refugee status, c) legal residence for a period of 2 years if candidates originated in member-states of the Ibero- American community. (Carvalho 2019)

Within these parameters, migrant individuals who are part of the LGBTI+[3] community are left in a limbo state, waiting to become fully recognized as Spanish citizens, which is limited by their documentation status. Daries can be recognized by the State of Spain through the extent of their citizenship, but where does this leave other migrant trans individuals living in circumstances similar or different to those of Daries when their citizenship status varies?

Currently, there are few accurate or comprehensive accounts of migrant trans communities in Spain because of the limited research and ethnographies of their lives. A recent article by Rondón García and Romero (2016) found that there was a consensus on the approximate number of transexual[4] people in Spain, which ranges from 7,000 to 9,000 individuals. This research also found that among the range of transexual individuals "2,826 were immigrants (38.1% of the total population), of whom 84% were living in Madrid and Barcelona and came mainly from Latin America (Equator, Brazil, Colombia, Argentina, Venezuela, Peru, Costa Rica, Mexico, Panama, and the Dominican Republic), although there were also people from Egypt, Nigeria, and Kuwait, which are the most oppressive countries with transsexual people," (Rondón García and Romero 2016, 5).

Although these figures are essential to get an idea of the types of trans communities in Spain, it is important to note that these figures are not exhaustive and they do not fully depict all trans individuals who reside in Spain. Therefore, it is critical to collaborate with the diverse trans communities that exist within trans collectives to get a more accurate description and account of their everyday lives. I use the plural form of *collective* to denote the variability of different trans collectives that reside in home and host countries.

Methods

Daries' experience is one of the many that forms the diverse tapestry of a vibrant trans community in Spain. Daries' experience is critical because it demonstrates the accessibility and recognition that a trans individual may obtain based on their citizenship status. Daries was one of five trans research participants that I interviewed in Spain during July 2021 for my dissertation pilot study. I was fortunate enough to get to interview Daries with the help of a local LGBTI+ organization, which helped me in seeking interviews for my pilot study.

I planned to interview 10 trans individuals during my pilot study, but due to the COVID-19 pandemic, limited accessibility, and the short time there (one month), I was only able to conduct five semi-structured interviews with two trans women, two trans men, and one trans gender fluid non-binary individual. Although all five individuals were currently living in Spain, Daries was the only one who had been born outside of Spain. Although Daries has the privilege of Spanish citizenship, their reflection on the limited rights granted to migrants in Spain speaks of a larger issue that is currently occurring among trans migrants, who experience limited accessibility to the rights and resources granted to trans citizens. I also want to note that the translation of Spanish/Castilian documents into English was conducted by the author.

Out of my interviews, Daries was the only person who identified as a gender fluid non-binary trans individual and was a migrant. A non-binary trans individual can include individuals who are trans because they do not conform to their assigned gender at birth, but identify as non-binary because they may not necessarily conform to the gender binary of a feminine or masculine experience. Because of Daries' unique social location and positionality, this article focuses on their story to help contextualize Spain as an integral site to study the complex lives of trans individuals.

Narrative-based Story Telling

I have chosen to utilize a narrative-based type of storytelling that focuses on the perspective of Daries, in light of the richness of the interview information. Although I only conducted five interviews, the fact that I was able to interview a research participant who belongs to migrant trans communities is key, as these communities are not as easily accessible. In particular, Götsch and Palmberger (2022) share how anthropologists have an interest in narratives because they wish to understand how people "make sense of experience" (2) in their lives and imaginaries through this modality. Similarly, I have implemented narrative-based storytelling to allow Daries to speak on their experiences of embodying their gender while connecting with the trans community in Spain as a citizen. Moreover, my choice to employ narrative storytelling is closely correlated to the work being done to use narratives for more integrative and collaborative research, which incorporates the research participants' efforts and words in a fashion similar to the work carried out by Marianne Horsdal (2012) within education research. It is critical that I as a researcher "aim to be, confidence-inspiring, attentive, and responsive co-constructers of meaning" (76), as Horsdal proposes in their analysis and use of narratives while conducting research.

Through the story of Daries, I will analyze: the existing system of migration in Spain and how this affects migrant individuals whose parents do not hold Spanish citizenship, the binaries implicit in homogenizing policies that do not properly recognize migrant trans individuals, the *ley trans* as a key example of these policies, the harms of homogenization and how to overcome them from an indigenous studies perspective, and the heterogeneity that exists among trans communities. Combined, these analyses will prove that more ethnographic work is needed.

Misrecognizing and Misdefining Trans Migrants by the State

The acceptance and treatment of trans individuals vary depending on their location in the Global North or South, their positionality and subjective experience, and their conformity to binary gender norms. In addition to these factors, a trans individual's social experience varies as it pertains to their legal status. Luibhéid (2020) describes the marginalization and limitations that migrants who are trans and/or queer are subjugated to by the receiving state's migration policies, which have not been created to appropriately recognize and integrate LGBTI+ migrant individuals. Furthermore, as migrants work through the bureaucratic immigration systems they are confronted with more limitations by the receiving country's gendered and colonial regulations (Luibhéid 2020). According to Luibhéid, Sima Shakhsari concludes that:

> Seeking state recognition as an asylum seeker or refugee requires making oneself legible within specific legal and social norms of sexuality and gender that have been set by powerful others, and that reproduce colonial, racial, and class logics. As a result, many migrants become systemically and violently "stripped of rights" through a process that claims to uphold their rights. (20)

In other words, for a migrant trans individual or other LGBTI+ migrant to be admitted into a host country, they must fit into normative and hegemonic Western standards and parameters of what it means to embody certain LGBTI+ identities and experiences. For example, if a trans woman seeks refuge and she does not conform to the historically pathologized expectation that all trans individuals want to pursue medical interventions, like wanting gender-affirming surgery or procedures, their trans identity might be questioned and invalidated.

Daries describes some of the limitations that come from being unrecognizable when living outside the binary gendered dynamics of Spanish society. For example, when discussing their gender identity, they discuss how if they had to identify themselves in binary terms they would identify "… as a trans man. But I am not a trans man," as they would identify better with the term "*marica*." Marica or *maricón* are typically understood in both Latin America and Spain as derogatory and offensive terms that can loosely translate to queer or f*g, although it varies by country and has been reclaimed by members of the LGBTI+ community. When I asked Daries what their preferred identity term is, they shared that they identify better with the term marica "Because even though my gender path tends to go towards trans masculinity… my vital experience gets closer to the feminine aspect." They further elaborate that "It is what in this country [Spain], since immemorial time, has been called *maricón … Mari Carmen*, " which entails being "…in a masculinity that is not a man… because at first one has to claim their masculine identity and then at the same time, one has to reclaim the possibility of performing or living in a feminine spectrum…" Hence, Daries' description of processing their gender identity demonstrates the difficulties in trying to be recognized by the state when laws and regulations, like the *ley trans*, have a limited description and definition of what it means to be trans, especially when a person's identity has intersecting ethnic, racial, and migratory experiences that are understood with non-popularized terms, like the one that Daries identifies with.

The *ley trans,* which became a law on February 16th, 2023, currently requests identity records from trans migrants that are not easy to obtain. Although in the finalized version of the *ley trans*, they added a stipulation in Article 50 section 1 that explains:

> *Las personas extranjeras que acrediten la imposibilidad legal o de hecho de llevar a efecto la rectificación registral relativa al sexo y, en su caso, al nombre en su país de origen, siempre que cumplan los requisitos de legitimación previstos en esta ley, excepto el de estar en posesión de la nacionalidad española, podrán interesar la rectificación de la mención del sexo y el cambio del nombre en los documentos que se les expidan, ante la autoridad competente para ello. A estos efectos, la autoridad competente instará al Ministerio de Asuntos Exteriores, Unión Europea y Cooperación a que recabe la información disponible en la representación exterior de España que corresponda sobre si en el país de origen existen impedimentos legales o de hecho para llevar a cabo dicha rectificación registral. Dicho Ministerio comunicará la información disponible a la autoridad solicitante en el plazo máximo de un mes.*

> Foreign persons who prove the legal or factual impossibility of carrying out the registration rectification concerning sex and, where appropriate, the name in their country of origin, provided that they comply with the requirements of legitimation provided for in this law, except that of being in possession of the Spanish nationality, would like the rectification of the mention of sex and the change of the name in the documents issued to them, before the competent authority for it. For these purposes, the competent authority shall urge the Ministry of Foreign Affairs, European Union and Cooperation to collect the information available from the corresponding foreign representation of Spain on whether there are legal or de facto impediments in the country of origin to carry out such registration rectification. The Ministry shall communicate the available information to the requesting authority within a maximum period of one month.
>
> (Gobierno de España 2023)

Hence, the authority figure overseeing the case of a migrant individual will rely on the knowledge of the Ministry of Foreign Affairs, the European Union, and those serving as the correspondent foreign representative of Spain, to stipulate and explain within a month if there are current limitations in the law of the corresponding country of origin to make any changes to the name or sex on the documents. These types of records are typical in other circumstances. However, for trans communities, these requirements are sometimes impossible to obtain or the process is not as straightforward as it may seem. According to the article "Manifesto on the Draft Bill for the Real and Effective Equality of Transgender People and for the Guarantee of the Rights of LGBTI People Law in Spain," Kif-Kif, a local NGO serving the Moroccan LGBTQ community in Spain, describe how in an earlier draft of the *ley trans,* "Article 44 of the proposed bill requires trans migrants to prove that they have initiated administrative procedures to change their gender identity in their countries of origin," (Kifkif 2022). Yet, this required step is not feasible for many migrants who have not been able to obtain assistance or recognition from their home country. In addition to not being able to get the proper documentation, many migrants who are trans discuss the misgendering that occurs when attempting to obtain proper legal documentation or when detained by immigration authorities during their arrival to host countries (Villeda 2020).

For many migrants, proving their self-determined identity is difficult because the only documentation they have might only show their assigned sex at birth (Cerezo et al. 2014, 176). Thus, the required documentation and process of recognition already sets barriers for many migrants who are trans, leaving them without legal protection. Although it is important to recognize that the *ley trans* is helping the needs of some Spanish trans individuals, it is important to also understand that the new law is not addressing the needs of all trans individuals in a comprehensive and intersectional manner. For instance, the needs of migrant trans individuals are not being fully addressed because their cultural, migratory, and socioeconomic perspectives are not being considered, which is evident when Spain demands documentation from their country of origin. Typically, what is considered and acknowledged globally when it comes to trans communities are stipulations derived from Western countries' norms of

who makes up the LGBTQ+[5] community. As this is the case, countries in the Global North have a massive influence on the strategies being used to recognize, address, and integrate trans communities.

Although Daries did not share their experience of trying to obtain documentation, other research participants shared how they had difficulties with changing their national documentation. Kai[6], a trans woman research participant, shared that although she had been given a local identification card from the autonomous community of Valencia, which was an identification that was available in the community for trans individuals, she sometimes had difficulty making legal changes because her DNI still had her assigned gender and name, as she still did not qualify to get them changed in the national registry.

What is the Ley Trans?

The *ley trans* has been praised for its inclusive changes made for the trans community, like granting individuals over the age of 16 the ability to legally change their name and gender in their identity documents based on self-determination rather than medical interventions (like hormone therapy). Another positive aspect of the *ley trans* is not having to be medically classified as having gender dysphoria, which was a previous requirement for attaining change in the gender identity classification of their DNI (Álvarez 2021a). I recently conducted a data analysis on three article summaries of the *ley trans* based on summaries published before the *ley trans* was passed (June 1st, 2021), the day when the draft of the law was passed (June 29th, 2021), and a day after the *ley trans* passed (June 30th, 2021). I analyzed and coded the top three summaries of the Google search using the Spanish version of Google search (www.google.es). The three sources are from *Onda Cero* (a radio station), *Diario Sur* (a local newspaper from Málaga, Spain), and *La Vanguardia* (A Catalonian newspaper). Although all three sources discussed the legal, medical, and political stakeholders involved in the summaries of the *ley trans*, there is no mention of its effects on migrant trans populations, with the implication that the community being discussed is non-migrant trans individuals. Although I have not followed up on this research, I plan to continue this analysis during my post-dissertation work.

The absence of nationality or legal status when discussing the law is very much indicative of how the experiences of migrant trans individuals in Spain are not part of the public discussion. Instead, the summaries focused on the medical procedures required to change a gender identity on DNIs, the specific non-migrant trans individuals that would get services (minors and adults), the legal overview of the draft of the law, and which political stakeholders and organizations were for and against the law. The analysis and coding of the summaries also brought forth the importance of the bureaucratic results that the new ley trans would provide for non-migrant trans minors and adults, like the process of obtaining documentation, waiting periods for legal procedures, and seeking medical services and support.

Access to medical services can be essential to many trans individuals' gender identity affirmation. Yet similar to how the new *ley trans* overlooks migrants and non-binary individuals in the new draft, existing policies on laws for obtaining medical services are also restrictive. As Daries explains:

> *Porque el entorno médico en España principalmente solo entiende en binarismo...Quiero decir, si yo quiero entrar a una terapia de reemplazo hormonal, yo tengo que fingir ante el sistema que yo soy un hombre trans. Si no, no puedo acceder a ese sistema de reemplazo hormonal por el sistema público de salud.... Yo no puedo acceder si no me someto a el proceso por fases dictaminado por la ley.*
>
> Because the medical environment in Spain mainly only understands in binarism... I mean, if I want to go into hormone replacement therapy, I have to pretend before the system that I am a trans man. If not, I cannot access that hormone replacement system through the public health system.... I cannot access it if I do not submit to the process in phases dictated by the law.

Hence, for Daries to receive GAC, they would need to claim to be a trans man and not share their true identity of being a gender fluid non-binary trans individual. This is because this type of gender identity has not been extensively researched, described, or depicted within the medical and government sectors or academic research. Thus, it is not easily recognized or acknowledged as that of a binary trans identity. Daries explains during their interview that one way that they try to confuse the systems and norms in place is by choosing a name that does not have a specific masculine or feminine connotation.

Intersecting Factors of Exclusion

Daries' interview brought to my attention the importance of how a trans individual's migration status can substantially affect their access to national resources. This observation of limited rights was very much the reality for many migrant trans individuals after the new draft of the *ley trans* was introduced in Spain. An article published by Equipo Editorial right after the draft approval of the *ley trans* details how two asylees from Morocco and Colombia living in Spain were disappointed with the *ley trans* as it did not "contemplate its application in the migrant population in Spain or to non-binary people" (2021). This exclusion is disappointing considering that Spain is commonly viewed as a safe haven for trans communities. For instance, Daries shared how they decided to move back to Spain and not return to El Salvador or Mexico (where they had resided) because they believed "Spain was a safe environment." Therefore, it is important to emphasize that even though a country may present itself as inclusive,

welcoming, and protective of trans communities, this does not mean that all members of the country are being protected and addressed. It is imperative to understand that even though this law is meant to include and provide more rights, services, and recognition to trans individuals, it refuses to address the needs of migrant trans individuals who need access to medical services, paths to occupations, and legal recognition of their self-determined gender identity. It should be noted that in the latest September 2022 revision of the *ley trans*, migrants are mentioned. However, the protocol regarding how the communities should be addressed is not fully clear, besides the description of Article 50 previously mentioned.

Moreover, during the past couple of years, there has been a rise of trans exclusionary rhetoric from some sectors of feminist movements, which have been referred to as TERFs (Trans Exclusionary Radical Feminists)[8], and various political New Right groups within the Global North that have exacerbated the situation for trans communities by trying to delegitimize the experiences of trans individuals (Lewis 2019). This rise reflects the ongoing hegemonic colonial power of states in the Global North who continue to try to erase certain queer communities in the pursuit of what Velasco considers to be the continuity of "State violence" (2020, 244). However, this rise of anti-trans rhetoric seems contradictory to the prevalence of new trans laws being recognized, presented, and passed within the Global North and South (Platero 2020; Corrales and Pecheny 2010). Nevertheless, the various political movements actively trying to delegitimize the experiences of trans individuals are evident (Obst et al. 2020; Pearce et al. 2020). Thus, it is important to understand how trans individuals' varied experiences and positionalities, especially that of migrant trans individuals, should be understood, described, and addressed with the implementation of new trans inclusionary laws and policies in countries which aim to be known for their inclusive and integrative approach of trying to help the trans communities, like Spain. This becomes particularly important when anti-trans movements are becoming more prevalent in Spain, despite the passing of trans friendly legislation. For instance, Daries shares how "...Since a few years back, you are seeing the rise of fascist parties, etc. I do feel much more tension, social conflict." This conflict and tension are indicators of the underlying limitations that exist when trans identities are homogenized in binary terms without emphasizing the heterogeneity of trans identities and ethnic communities that make up various trans collectives in Spain.

Learning From Other Homogenized Groups

It has been imperative to describe trans communities in the plural form in this article to depict trans communities as varied by positionalities of race, gender, class, and ethnicity, and to portray trans gender identities as varied within the trans umbrella term. Therefore, it is important to note that trans communities are neither homogenous in a global nor local sense because there are intersecting variables that distinguish each person's experience. The ways in which this heterogeneity is overshadowed by homogenized notions, labels, and descriptions placed upon groups,

especially those of Black, Indigenous, and people of color (BIPOC) communities, are similar to how indigenous communities' identities in the United States are depicted as a singular experience, when this is not the case. For instance, Baldy (2018) and McKegney (2014) describe variances in how indigenous identities are embodied and enacted, especially the indigenous femininities and masculinities that exist within and across indigenous groups. In addition to there being variances among these groups, these femininities and masculinities differ from Western hegemonic gender identities that exist within traditional feminist discourse.

Similar to how Vicenti (2021), an indigenous studies scholar, describes how the term transgender excludes some indigenous identities, it can be argued that in the *ley trans*, the homogenization of the trans community as one collective group that struggles with the same barriers, limitations, and processes, causes gaps in understanding the needs of trans individuals who have migrated to Spain. Therefore, identity formation and solidification, like in the trans community, comes with limitations. For instance, Danielson (2009) discusses the complexity that arises from identity formation, especially as it pertains to the experience of queer Latina writers, performers, and artists. This complexity is applicable to the former discussion of the limits created when identities become recognizable, especially under the law. When definitions "...emerge from a union of language and ideology," there are some individuals who are excluded (Danielson 2009, 11). Danielson brings up the double-edged sword created when identity labels are "invoked" or "abandoned" (ibid). When an identity is invoked, limitations are enacted, but when labels are abandoned, "communities and subjectivities" are also lost, along with the "justice" that is needed and sought, especially among people of color (ibid). This leads to the question of how to address the bind created when identity is recognized but also restricted.

This terminological bind also raises questions on authenticity. Danielson (2009) discusses the struggle with authenticity that Michelle Serros expresses in her book, Chicana Falsa [Fake Chicana], as her "authenticity and authority as a Chicana is perceived as damaged by her inability to wield the language inextricably tied to this identity by the Latinos who criticize her" (ibid, 174). Serros' experience is reminiscent of the constant subjugations trans individuals go through when their identity expressions are denied and invalidated because they are constantly being asked to prove themselves. Proving themselves entails fitting into the boxes, descriptions, and rules that are placed by society to validate and encapsulate their experience (ibid). Although legal validation is meant to provide a path to public recognition, in the end, trans individuals' realities must be understood through their various words, experiences, and expressions that exist within heterogeneous trans communities. This seems to be the best path to understanding, embracing, and validating their lived realities. I think Daries said it best when sharing that in addition to implementing bureaucratic systems, access to services in these bureaucratic systems must also be implemented because "the problem is that the trans population, by definition, is precarious, it has no access to work like the rest of the people, it has no access. Then there are many documents that you need to justify a name change, for example..."

Call for More Ethnographic Work

Similar to how Vicenti (2021) encourages "...the study of first-person narratives as the best way to comprehend the multiple terms used to express the diverse and sometimes contradictory identities an individual can embody" (427), I believe it is of equal importance to describe and distinguish the experiences of migrant trans individuals and how they navigate bureaucratic systems and limitations to that of non-migrants.

Additionally, transferring the authority for describing the experiences of trans individuals from the anthropologist to the community allows them to add to their stories and provide a more comprehensive account of their lives. This can be done through the distribution and sharing of anecdotes and ethnographies that depict the lived realities and experiences of migrant trans communities directly from the community members, as they are the experts on their embodied experiences. In a recent issue of the journal, *Transgender Studies Quarterly*, Emmertt Harsin Drager and Lucas Platero (2021) discuss the need to bring back the terms transsexual and transvestite as they, along with *travesti*, cross-dresser, and other "idiomatic iterations," have historically been "... understood (especially in mainstream and cisgender contexts) as not fully actualized transgender. They are imagined to be stalled, trapped in the wrong time or the wrong place, oppressed by cultural conventions..." (418), by the hegemonic proliferation of the term transgender and its attachment to experiences of individuals of the Western and Global North . What Drager and Platero seem to be indicating is the need to bring nonnormative trans terms back to reflect the existence of varied gender identities that do not neatly fit the universal use of the term, trans. For example, they allude to this in their conclusion when they state:

> ...we hope to inspire the desire to toss aside the "umbrella" of trans and transgender, instead encouraging trans studies to pivot toward more specific (historically, geographically, linguistically) identities and categories. In doing so, we want to contest the imposition of a proper and correct way to enunciate ourselves, encouraging the act of listening and learning from those that often are not at the center of trans studies. Being able to talk about what is materially and symbolically different about being transsexual or transvestite versus transgender or nonbinary allows us to more fully account for a heterogeneity of gender experiences. There is a lot to be gained from having an abundance of terms to differentiate between specific trans positionalities and embodiments.
>
> (Drager and Platero 2021, 423)

Refocusing trans identities and experiences to include a more culturally relativistic and situational approach is in line with work currently being done within indigenous gender studies (Thomas 2005; Wilson 1996), immigrant activism research (Escudero 2020; Zepeda- Millán 2016), and decolonial literature (Pihama 2020; Poupart 2010). I seek to apply this to my own research by focusing on the diversity of trans experiences in Spain by differentiating migrant trans individuals and their experiences from those of non-migrant trans individuals.

Concluding Thoughts

It is important for migrant trans individuals' epistemologies and experiences to be understood within their own parameters in order to differentiate them from Western trans identities that are more easily recognized and acknowledged. Highlighting these distinctions allows the stories, experiences, and lived realities of individuals like Daries and other migrant trans individuals with intersecting identities, to come through so that their voices are included in the creation of national, state, and local trans policies meant to address the needs of trans communities. For instance, within the *ley trans* and other policies or programs attempting to serve trans communities, it is critical to stipulate the specific steps and processes needed to assist these communities. The ways in which the current *ley trans* is written does not suffice in addressing the needs of migrant trans members, as the current phrasing of the law only indicates that there will be a committee to investigate the case of migrants by inquiring into the bureacratic processes in home countries rather than the bureacractic processes in Spain. A more appropriate law could entail, for example, specifying what the investigation process will require and the documentations that Spain will find and collect to help migrant individuals, along with alternatives if the government of Spain does not attain said information.

The existing exclusions of migrant trans individuals residing in Spain depend on (1) the restrictive citizenship laws that limit their access to Spanish citizenship (2) the minimal description of their experiences in the *ley trans* and (3) the expectation of a homogeneous and singular trans community by the state of Spain. As the field of indigenous gender studies has already highlighted and established the positive impacts of distinguishing non-normative gender identities, it would be best for the field of anthropology to also follow suit in implementing this type of distinction to better understand migrant trans identities.

In order to provide a broader and more comprehensive understanding of how these migrant trans individuals are handling red tape that begins in their homeland and continues as they migrate to outside countries, it is imperative that more ethnographic work is conducted. This would entail obtaining more first-hand accounts of how various migrant trans individuals are experiencing, handling, and working through exclusive laws in Spain. Understanding this maneuvering could add to the current work being done in trans and queer migration studies, like the work by Luibhéid (2020) who discusses how migrant trans individuals attempt to maneuver heteronormative Western borders, law enforcement, and international policies and systems.

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Notes

1. This alias was assigned to protect the identity of the research participant.
2. The author completed the English translation for the interview quotes which were originally in Spanish/Castilian.
3. I chose to use the acronym that I've seen utilized most recently and frequently in academic literature that addresses the LGBTI+ collective in Spain as it is more culturally relativistic. When I use other acronyms, like LGBTQ+, it is because I am using terms that are utilized within that specific literature. There are other variations that exist, among the literature published to describe the experience of similar communities in the U.S., like LGBTQ+ (Lesbian, Gay, Bisexual, Transgender, Queer and other identities), LGBTQIA (Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, Asexual, and more), and LGBTIQQA (Lesbian, Gay, Bisexual, Transgender, Intersex, Queer, Questioning, and Allies). Please see Stryker (2017) for a discussion of the variability of terms.
4. Please see Platero (2011) for more clarification on the use of the term in Spain.
5. LGBTQ+ acronym was used here to refer to the popular acronym used by the U.S.
6. This alias was assigned to protect the identity of the research participant.
7. This alias was assigned to protect the identity of the research participant
8. The term TERF has been claimed as a slur by many anti-trans feminists and some prefer to be called "gender critical," but radical feminist who wanted to differentiate themselves from this feminist sector (which was anti- trans) coined the term around 1970s to distinguish them from the rest of the radical feminist communities (Burns 2019).

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