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Publication Date

2026-08-20

Peer reviewed|Thesis/dissertation

UNIVERSITY OF CALIFORNIA,
IRVINE

Institutionalizing Rights: The Legal, Social, and Political Development of Transgender
and Non-Binary Rights in Latin America

DISSERTATION

submitted in partial satisfaction of the requirements
for the degree of

DOCTOR OF PHILOSOPHY

in Sociology

by

Andréa Linette García

Dissertation Committee:
Associate Professor Julia C. Lerch, Chair
Professor Ann Hironaka
Professor Wang Feng

2026

DEDICATION

To

my papi,

who never got the chance to shine as his true self.

May this work honor his memory and contribute, in some small way,
to a world where everyone can live with dignity, authenticity, and equal rights.

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ACKNOWLEDGMENTS

Completing this dissertation marks the culmination of a journey that has challenged, humbled, and transformed me in ways I could never have anticipated. While this dissertation bears my name, it would not exist without the countless people who believed in me, supported me, and reminded me of my purpose along the way.

First and foremost, I would like to express my deepest gratitude to my advisor and committee chair, Dr. Julia Lerch. Since the very beginning of my doctoral program, she has been an unwavering source of mentorship, encouragement, and inspiration. Her patience, generosity with her time, and unwavering belief in my abilities have shaped me not only as a scholar, but also as a teacher, researcher, and person. She consistently challenged me to think more critically, write more clearly, and approach research with both intellectual rigor and genuine curiosity. I am profoundly grateful for the countless hours she invested in my growth and for guiding me through every stage of this dissertation. I could not have asked for a better mentor, and I will carry the lessons she has taught me throughout my career.

I am also deeply grateful to my committee members, Dr. Ann Hironaka and Dr. Wang Feng. Their thoughtful feedback, insightful questions, and breadth of expertise strengthened this dissertation immeasurably. Their scholarship has influenced the way I think about sociology, and I feel incredibly fortunate to have had the opportunity to learn from each of them throughout my graduate training.

I would also like to express my sincere gratitude to the Department of Sociology at the University of California, Irvine. Throughout my doctoral studies, the department provided me with invaluable financial support, research opportunities, teaching experience, and professional

development that made this dissertation possible. I am deeply appreciative of the faculty, staff, and graduate community for fostering an intellectually challenging yet supportive environment where I was encouraged to grow as both a scholar and an educator. I am especially grateful for the opportunities to teach, conduct research, and engage with a community that continually challenged me to think critically, ask meaningful questions, and pursue sociology with both rigor and compassion.

To my papi, this dissertation belongs to you as much as it does to me. Your story has been the greatest source of inspiration in my life. At twenty-five years old, you left Guatemala for the United States as an undocumented immigrant with little more than hope and determination. Through extraordinary perseverance, you earned your bachelor's degree in biology, became a high school science teacher, obtained your teaching credential, and later completed your master's degree. You taught me that education is one of the greatest acts of resilience and that impossible dreams become possible through persistence, sacrifice, and hard work. Although you were taken from me far too soon, you continue to guide every step I take. Your strength lives in every achievement I accomplish, and every page of this dissertation carries your legacy. I hope I have made you proud.

To my mom, thank you for being my constant source of love and reassurance. No matter how overwhelming graduate school became, you never failed to check in on my progress, celebrate every milestone, or remind me that I was capable of finishing what I started. Your unwavering encouragement gave me strength during moments when I struggled to find it myself.

To my daughter, Presley, thank you for giving every sacrifice a purpose. Although life led us down different paths, you have never been absent from my heart or from the reasons I continue to strive for more. I hope this dissertation reminds you that no dream is ever too big and

that with perseverance, curiosity, and courage, you can accomplish anything you set your heart on. Everything I do is, and always will be, for you.

To my little brother, Ryan, thank you for believing in me long before I believed in myself. Thank you for sitting beside me through our many mutual existential crises. Knowing I never had to face life's uncertainties alone has meant more than you will ever know.

To my cousin Emileni and her husband, Steven, thank you for opening your home and your hearts to me time and time again. Your living room became my refuge during some of the most difficult periods of my life. It witnessed countless tears, sleepless nights, moments of self-doubt, and long hours spent writing papers, studying, and slowly piecing myself back together while working through trauma. You gave me a place where I always felt safe, loved, and supported. I will never be able to fully express what that has meant to me.

To my cousin Alberto España and my dear friend Alexander Orellana, thank you for continually inspiring me through your own ambition and accomplishments. Watching each of you pursue excellence—Alberto as a lawyer, and Alexander as both a businessman and physician—motivated me to keep pushing myself academically and professionally. At the same time, you both reminded me that success should never come at the expense of joy. Thank you for encouraging me to keep learning, keep striving, and, just as importantly, to occasionally step away from work, laugh, and enjoy the journey.

Finally, I would like to thank everyone—family, friends, mentors, colleagues, and students—who has been part of this chapter of my life. Every conversation, every word of encouragement, every shared meal, every late-night phone call, and every act of kindness helped carry me to this moment. This dissertation represents far more than years of research; it represents a community of people whose belief in me made this achievement possible.

To everyone who has walked beside me throughout this journey, thank you. I hope to honor your generosity throughout my career by mentoring others with the same patience, compassion, and encouragement that you have shown me.

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ABSTRACT OF THE DISSERTATION

Institutionalizing Rights: The Legal, Social, and Political Development of Transgender
and Non-Binary Rights in Latin America

by

Andréa Linette García

Doctor of Philosophy in Sociology

University of California, Irvine, 2026

Associate Professor Julia C. Lerch, Chair

Transgender and non-binary rights have emerged as one of the most rapidly evolving and politically contested areas of contemporary human rights, yet they remain comparatively understudied and are frequently subsumed within broader LGBTQ+ scholarship. Unlike many rights claims centered on equal access to existing institutions, transgender rights require states to reconsider the administrative and legal systems through which citizenship, identity, and personhood are recognized, making them a distinctive lens for examining institutional change. Latin America provides a particularly important setting for this analysis, having experienced some of the world's most significant advances in legal gender recognition alongside persistent violence, uneven public support, and growing political contestation. This dissertation examines how transgender and non-binary rights become institutionalized across legal, social, and political domains in Latin America. I argue that rights institutionalization is fundamentally multidimensional, unfolding through distinct yet interconnected processes of legal institutionalization, social institutionalization, and political institutionalization. Understanding transgender and non-binary rights therefore requires moving beyond legal adoption to examine how rights become socially legitimate, politically salient, and institutionally embedded.

The dissertation employs a multi-method research design. Chapter 1 uses longitudinal data from the Trans Rights Indicator Project (TRIP) to examine the expansion of transgender legal protections across nineteen Latin American countries between 2000 and 2021. The findings

demonstrate substantial regional expansion characterized by uneven diffusion, institutional layering, and persistent cross-national divergence. Chapter 2 analyzes individual-level support for transgender and non-binary rights using the 2023 AmericasBarometer (LAPOP) survey across thirteen countries. The analysis finds that education, religious affiliation, socioeconomic status, and age emerged as the strongest predictors, while conventional left-right political ideology plays a comparatively limited role. Chapter 3 draws on the illustrative cases of Brazil and Bolivia to examine how movement visibility, political cleavages, and issue salience shape the political trajectories of transgender rights following legal reform. The analysis shows that comparable legal advances can generate markedly different political outcomes depending on how rights become publicly visible and politically salient.

Together, the findings demonstrate that legal protections, public attitudes, and political contestation do not develop uniformly. Rather, transgender and non-binary rights evolve through uneven and interconnected processes that extend beyond formal legal recognition. By conceptualizing rights institutionalization as a multidimensional process, this dissertation advances scholarship on transgender and non-binary rights in three ways: it provides one of the first longitudinal comparative analyses of transgender-specific legal protections across Latin America; identifies the social foundations of public support for transgender and non-binary rights across thirteen countries; and demonstrates how political salience shapes the divergent trajectories of rights expansion following legal reform. More broadly, it integrates legal development, public opinion, and political contestation within a single theoretical framework, contributing to sociological understandings of human rights institutionalization, democratic inclusion, and institutional change.

INTRODUCTION

Rights Expansion Beyond Legal Adoption

Over the past several decades, the global expansion of human rights has fundamentally transformed the relationship between states, citizenship, and marginalized populations. Across diverse political systems, governments have increasingly adopted legal protections recognizing groups that were historically excluded from full civic participation, including women, Indigenous peoples, racial and ethnic minorities, people with disabilities, and lesbian, gay, bisexual, transgender, and queer (LGBTQ+) communities. International organizations, transnational advocacy networks, constitutional courts, and domestic social movements have collectively contributed to the diffusion of legal norms emphasizing equality, dignity, and non-discrimination, producing an unprecedented expansion of formal rights across much of the world (Finnemore & Sikkink, 1998; Keck & Sikkink, 1998; Meyer et al., 1997; Simmons, 2009). Within this broader transformation, the recognition of gender identity has emerged as one of the newest and most rapidly evolving frontiers of contemporary human rights.

Yet the expansion of formal rights has also exposed a fundamental sociological puzzle. The adoption of legal protections is frequently treated as evidence of successful inclusion, implying that once rights become institutionalized within law, marginalized populations move progressively toward equality. However, legal recognition alone reveals remarkably little about whether those rights become socially accepted, consistently implemented, or politically secure. Across many policy domains, formal legal protections coexist with persistent discrimination, uneven enforcement, contested legitimacy, and organized political resistance (McCann, 1994; Meyer et al., 1997; Rosenberg, 1991; Spade, 2011). Rights may exist on paper while remaining only partially realized in everyday life. Consequently, understanding the expansion of rights

requires moving beyond questions of legal adoption toward a broader examination of how rights become institutionalized across multiple dimensions of society.

This dissertation argues that transgender rights provide a particularly revealing lens through which to examine this broader process of institutionalization. Unlike many other categories of rights, transgender rights directly challenge the classificatory authority of the modern state. They require governments to reconsider how individuals are legally recognized, how identities are documented, how public institutions define personhood, and how citizenship is administered through bureaucratic systems such as civil registries, healthcare, education, employment, and anti-discrimination law (Currah & Moore, 2009; Spade, 2011). Questions surrounding legal gender recognition therefore extend beyond debates over minority protection alone; they engage fundamental questions concerning the relationship between identity, state authority, and democratic inclusion. As a result, transgender rights occupy a distinctive position within contemporary human rights politics, simultaneously functioning as legal reforms, cultural claims, and symbols within broader political conflicts.

These dynamics are particularly visible in Latin America. During the first two decades of the twenty-first century, the region experienced one of the world's most significant periods of transgender rights expansion. Countries such as Argentina, Uruguay, Bolivia, Brazil, Chile, Colombia, Costa Rica, and Ecuador adopted increasingly comprehensive legal protections governing legal gender recognition and anti-discrimination, positioning Latin America as an important global leader in the institutionalization of transgender rights (Corrales, 2022; Encarnación, 2016; Malta et al., 2019; Smith & Boas, 2024). At the same time, this legal transformation unfolded alongside extraordinary variation in implementation, public support, political mobilization, and violence. Some countries became international models of legal

recognition, while others adopted only modest reforms or remained largely stagnant. Even among countries with comparable legal protections, transgender rights occupied strikingly different positions within national political life, ranging from relatively low-profile institutional reforms to highly visible and intensely contested political issues.

This coexistence of legal progress and persistent contestation illustrates a broader theoretical problem. Rights expansion should not be understood as a singular or linear process in which legal reform naturally produces social acceptance and political stability. Instead, inclusion unfolds through multiple, partially independent processes that may reinforce—or diverge from—one another. Legal protections may expand while public opinion remains divided. Public support may increase without corresponding institutional implementation. Rights may become firmly embedded within legal systems while simultaneously emerging as focal points of ideological conflict and organized backlash. These trajectories suggest that the institutionalization of rights is multidimensional rather than unitary, involving distinct but interconnected processes operating within legal institutions, social attitudes, and political arenas.

Accordingly, this dissertation advances a central argument: transgender rights expansion is best understood as a multidimensional process of institutionalization rather than a singular process of legal change. Specifically, I argue that the expansion of transgender rights occurs through at least three analytically distinct dimensions. The first is legal institutionalization, referring to the incorporation of rights into constitutions, legislation, judicial decisions, and administrative procedures. The second is social institutionalization, referring to the extent to which citizens recognize transgender and non-binary people as legitimate rights-bearing members of society. The third is political institutionalization, referring to the degree to which transgender rights become incorporated into public discourse, electoral competition, social

movement activity, and broader ideological conflict. Although these dimensions are closely related, they do not necessarily develop together. Legal protections may precede widespread social acceptance; public support may fail to produce durable institutional reform; and legal recognition itself may increase the political visibility of transgender rights in ways that simultaneously facilitate inclusion and generate organized opposition. It is the relationship among these three dimensions—not any single one in isolation—that forms the central object of this dissertation.

Rather than asking only why transgender rights expand, this dissertation asks a broader set of questions. How do globally diffused human rights norms become incorporated into domestic legal systems? Under what conditions do those norms become socially accepted, negotiated, or resisted by ordinary citizens? Why do similar legal reforms produce markedly different political trajectories across countries? And how do legal recognition, public opinion, and political contestation interact to shape the long-term durability of rights? By addressing these questions, the dissertation shifts attention from the adoption of rights alone toward the broader political and social processes through which rights become meaningful, legitimate, contested, and sustained.

Theoretical Framework: The Multidimensional Institutionalization of Rights

The expansion of transgender rights in Latin America is part of a broader transformation in global understandings of citizenship, equality, and democratic inclusion. Over the past several decades, international organizations, transnational advocacy networks, constitutional courts, and domestic social movements have increasingly framed gender identity as a legitimate subject of human rights protection, contributing to the rapid diffusion of legal norms recognizing transgender and non-binary individuals as rights-bearing members of society (Ayoub, 2016;

Corrales, 2022; Finnemore & Sikkink, 1998; Gonsalves, 2025; Keck & Sikkink, 1998; Meyer et al., 1997; O'Flaherty & Fisher, 2008; Simmons, 2009; Symons & Altman, 2015). Yet while scholarship has made considerable progress in explaining why rights expand across countries, comparatively less attention has been devoted to understanding how those rights become institutionalized after their adoption. Too often, legal recognition is treated as the endpoint of inclusion rather than the beginning of a broader social and political process.

This dissertation builds on and extends these literatures by arguing that rights institutionalization is fundamentally multidimensional. Rather than conceptualizing rights expansion as a singular process measured by the adoption of legal protections alone, I argue that institutionalization unfolds across three analytically distinct but interconnected dimensions: legal institutionalization, social institutionalization, and political institutionalization. Legal institutionalization refers to the incorporation of rights into constitutions, legislation, judicial decisions, and administrative procedures. Social institutionalization refers to the extent to which rights acquire legitimacy among citizens and become embedded within broader societal norms and attitudes. Political institutionalization refers to the degree to which rights become incorporated into public discourse, electoral competition, social movement activity, and broader ideological conflict. Although these dimensions interact, they do not necessarily develop simultaneously or reinforce one another. Legal protections may diffuse rapidly without corresponding changes in public opinion; favorable public attitudes may fail to produce durable legal reform; and increasing political visibility may simultaneously facilitate recognition and generate organized opposition. Understanding transgender rights therefore requires examining not only whether rights expand, but how they become embedded—or fail to become embedded—across multiple institutional arenas.

This framework draws upon several complementary theoretical traditions within sociology and political science. First, scholarship on international norm diffusion and World Society theory explains how globally institutionalized understandings of equality shape domestic legal reforms. Constructivist approaches emphasize that international organizations, advocacy networks, and norm entrepreneurs promote new standards of legitimate state behavior through processes of persuasion, emulation, and socialization (Finnemore & Sikkink, 1998). Similarly, World Society theorists argue that globally circulating cultural models encourage states to adopt increasingly standardized legal frameworks recognizing marginalized populations as legitimate rights-bearing subjects (Meyer et al., 1997; Meyer, 2010). From this perspective, the rapid expansion of transgender rights across many countries reflects not simply domestic political change, but the diffusion of internationally legitimate understandings of citizenship, equality, and human rights. For transgender and non-binary rights specifically, this perspective helps explain why legal recognition has expanded across diverse national contexts while levels of social and political institutionalization continue to vary considerably. This perspective suggests that the global diffusion of transgender rights norms has produced increasingly similar legal frameworks without generating equally similar patterns of social legitimacy or political incorporation.

However, diffusion alone cannot explain why countries experiencing similar international pressures frequently exhibit strikingly different outcomes. While global norms create opportunities for reform, they do not determine how those reforms are interpreted, implemented, or politically contested within domestic contexts. Internationally diffused legal frameworks encounter preexisting institutional arrangements, cultural traditions, religious beliefs, and political conflicts that shape the trajectory of rights after their adoption. Consequently, the

diffusion of legal norms should be understood as the beginning of institutional change rather than its completion.

Historical institutionalism provides an important complement to diffusion theory by emphasizing that institutional development is rarely linear or uniform. Rather than replacing existing structures outright, new institutions are frequently layered onto older arrangements, producing uneven and sometimes contradictory patterns of change (Mahoney & Thelen, 2010; Pierson, 2000; Thelen, 2004). This perspective helps explain why different dimensions of transgender rights often develop at different rates. Legal gender recognition, for example, may advance more rapidly than comprehensive anti-discrimination protections, while implementation frequently lags behind formal legal reform. Rights expansion therefore reflects an ongoing process of institutional layering rather than a single transformative moment.

At the same time, formal institutions alone cannot explain whether rights become socially legitimate. Individuals interpret rights through multiple institutional and cultural frameworks that frequently reinforce or compete with one another. Institutional logics scholarship argues that individuals simultaneously navigate the norms and expectations of the state, religion, family, education, and civil society, producing competing understandings of legitimate social order (Friedland & Alford, 1991; Velitchkova, 2015). While educational institutions and transnational media may diffuse global norms emphasizing equality and individual autonomy (Charles, 2020; Meyer et al., 1997; Swindle, 2023), religious institutions and conservative political organizations often advance alternative moral frameworks rooted in traditional understandings of gender, family, and social authority (Biroli, 2020; Corrêa et al., 2018; Inglehart & Norris, 2019; Vaggione, 2017). Public attitudes toward transgender rights therefore emerge through the

interaction of globally diffused human rights norms and locally embedded systems of meaning rather than through simple processes of normative convergence.

This interaction is particularly important in Latin America, where the expansion of transgender rights has unfolded within societies characterized by strong religious traditions, enduring colonial legacies, democratic consolidation, and rapidly changing political landscapes. Throughout the region, global norms promoting gender equality have encountered diverse institutional environments shaped by Catholicism, the rapid growth of Evangelical Protestantism, Indigenous political movements, constitutional reform, and competing projects of democratic inclusion. Consequently, similar legal reforms have acquired markedly different meanings across countries, illustrating that rights diffusion is always mediated by domestic political and cultural contexts.

Finally, this dissertation builds upon scholarship on social movements, political cleavages, and anti-gender politics by examining how rights become politically institutionalized after legal adoption. Existing research has demonstrated that social movements play a central role in expanding rights through litigation, advocacy, coalition building, and public mobilization (McAdam et al., 1996; Tarrow, 2011). Yet movements also shape the political visibility of rights by influencing how issues are framed, communicated, and incorporated into public discourse. As transgender rights become increasingly visible, they may also become more politically salient, creating new opportunities for both recognition and opposition. Whether visibility develops into sustained political contestation depends on the broader political environment, including existing ideological cleavages, party competition, media attention, and the strategic actions of both advocates and opponents (Burstein, 2003; Green-Pedersen & Mortensen, 2015).

Taken together, these theoretical perspectives suggest that rights expansion should not be understood as a singular movement from exclusion toward inclusion. Instead, rights develop through an ongoing process of institutionalization in which legal recognition, social legitimacy, and political incorporation evolve through distinct yet interconnected pathways. Global norms encourage legal reform, domestic institutions shape implementation, citizens negotiate competing normative frameworks, and political actors determine whether rights become broadly accepted or increasingly contested. The result is a process of inclusion that is neither linear nor inevitable, but contingent upon the interaction of legal institutions, social attitudes, and political conflict.

This integrated framework provides the conceptual foundation for the chapters that follow. Chapter 1 examines the legal institutionalization of transgender rights by tracing the longitudinal expansion of formal legal protections across Latin America. Chapter 2 shifts attention to social institutionalization by investigating the individual-level factors that shape public support for transgender and non-binary rights throughout the region. Finally, Chapter 3 examines political institutionalization by exploring how legal reforms become publicly visible, politically salient, and, in some contexts, subject to organized backlash. Considered together, these chapters demonstrate that understanding transgender rights requires moving beyond the question of whether rights expand to examine how they become institutionalized across law, society, and politics.

Why Transgender Rights? Why Latin America?

Transgender rights constitute one of the most dynamic and contested areas of contemporary human rights scholarship. Although research on LGBTQ+ politics has expanded considerably over the past two decades, much of this literature continues to focus primarily on

sexual orientation, frequently treating lesbian, gay, bisexual, transgender, and queer (LGBTQ+) populations as a single analytical category (Corrales, 2022; Encarnación, 2016; Herek, 2000). While these studies have generated important insights into legal reform, public opinion, and minority rights, they often obscure the distinctive legal, political, and institutional questions raised by gender identity.

The study of transgender rights warrants independent attention because gender identity implicates dimensions of citizenship and state authority that differ fundamentally from those associated with sexual orientation. Whereas many LGB rights claims concern equal access to existing institutions—such as marriage, military service, or employment—transgender rights frequently require states to reconsider the very administrative systems through which citizenship is organized. Legal gender recognition, identity documentation, access to gender-affirming healthcare, correctional placement, educational policy, and anti-discrimination protections all require governments to redefine how individuals are categorized and recognized within the modern bureaucratic state (Currah & Moore, 2009; Spade, 2011). Consequently, transgender rights are not simply an extension of broader LGBTQ+ politics but represent a distinct arena through which the relationship between identity, law, and state power can be examined.

The rapid emergence of transgender rights within international human rights discourse further underscores their theoretical significance. Over the past two decades, organizations such as the United Nations, the Organization of American States, the Inter-American Court of Human Rights, and numerous transnational advocacy networks have increasingly recognized gender identity as a protected category within international human rights law (Ayoub, 2016; O'Flaherty & Fisher, 2008; Symons & Altman, 2015). These developments have contributed to the diffusion of legal norms emphasizing gender self-determination, equality before the law, and protection

against discrimination. Yet despite this expanding global recognition, the adoption, implementation, and political consequences of transgender rights remain remarkably uneven across countries. Understanding why these differences emerge requires examining not only the diffusion of legal norms but also the domestic social and political environments into which those norms are introduced.

Latin America provides an especially valuable setting for examining these processes. The region occupies a distinctive position within the global politics of transgender rights, simultaneously serving as a site of remarkable legal innovation and persistent social exclusion. Countries such as Argentina and Uruguay have enacted some of the world's most progressive legal gender recognition laws, while others continue to provide only limited legal protections or none at all (Corrales, 2022; Encarnación, 2016; Malta et al., 2019). Even among countries with comparable legal frameworks, substantial differences remain in public attitudes, implementation, movement mobilization, political conflict, and violence directed toward transgender communities. Rather than representing a single regional trajectory, Latin America encompasses a wide spectrum of institutional, social, and political outcomes, making it particularly well suited for comparative sociological analysis.

Beyond variation in legal outcomes, Latin America also provides a unique opportunity to examine how globally diffused human rights norms interact with shared historical and institutional legacies. The region is characterized by common experiences of Iberian colonialism, the historical influence of Catholicism, democratization, constitutional reform, expanding Evangelical political movements, and increasing engagement with international human rights institutions. At the same time, countries differ considerably in their political institutions, judicial activism, Indigenous movements, party systems, and patterns of civil society mobilization. This

combination of shared regional context and substantial national variation creates an ideal setting for investigating how similar international norms produce divergent pathways of rights institutionalization.

The central objective of this dissertation is therefore not simply to document the expansion of transgender rights, but to explain how rights become institutionalized across law, society, and politics. To address this objective, the dissertation examines four overarching research questions:

First, how have transgender rights expanded across Latin America, and to what extent has that expansion been characterized by uneven diffusion, institutional layering, and cross-national divergence? Second, what social, demographic, and cultural factors shape individual-level support for transgender and non-binary rights across Latin America? Third, why do legal protections, public opinion, and political outcomes frequently diverge despite addressing the same underlying issue of transgender inclusion? Finally, under what political conditions do transgender rights become sufficiently visible and salient to generate sustained political contestation and organized backlash?

Addressing these questions requires integrating multiple levels of analysis. Rather than focusing exclusively on legal institutions, individual attitudes, or political processes, the dissertation examines how these dimensions interact to shape the broader institutionalization of transgender rights. This multi-level approach recognizes that formal legal recognition, social legitimacy, and political incorporation represent distinct yet interconnected components of democratic inclusion. Understanding only one of these dimensions provides an incomplete account of how rights become meaningful, durable, and contested within contemporary societies.

In doing so, this dissertation makes several contributions to the sociological and interdisciplinary literature on human rights, citizenship, and LGBTQ+ politics. First, it provides one of the first comprehensive longitudinal analyses of transgender-specific legal protections across nineteen Latin American countries, documenting how rights expanded across multiple legal domains between 2000 and 2021. Second, it advances scholarship on public opinion by identifying the individual-level social foundations of support for transgender and non-binary rights across thirteen Latin American countries, demonstrating how education, religion, socioeconomic position, and other social characteristics shape attitudes toward gender minorities. Third, it extends existing scholarship on rights expansion by arguing that legal recognition alone cannot fully explain the political consequences of rights reform. Instead, the dissertation identifies political salience as a key mechanism through which legal reforms become incorporated into broader ideological conflicts and, in some contexts, become subject to organized backlash.

More broadly, this dissertation contributes to sociological understandings of institutional change by proposing that rights institutionalization is inherently multidimensional. Rather than conceptualizing rights expansion as a single process culminating in legal recognition, the findings demonstrate that legal institutionalization, social institutionalization, and political institutionalization represent analytically distinct dimensions that may evolve together, diverge, or even come into tension with one another. This framework provides a more comprehensive understanding of how rights develop within democratic societies and offers a foundation for examining the institutionalization of other marginalized groups beyond the specific case of transgender rights.

Dissertation Overview

To examine the multidimensional institutionalization of transgender rights, this dissertation employs a multi-method research design integrating longitudinal comparative analysis, quantitative public opinion research, and qualitative case-study analysis. Each chapter examines a distinct dimension of rights institutionalization while building cumulatively toward a broader explanation of how transgender rights become incorporated into legal systems, social attitudes, and political life. Together, the three empirical chapters demonstrate that legal recognition, public legitimacy, and political incorporation represent interconnected yet analytically distinct processes whose trajectories do not necessarily converge.

Chapter 1 examines the legal institutionalization of transgender rights through a longitudinal comparative analysis of formal legal protections across nineteen Latin American countries between 2000 and 2021. Drawing on the Trans Rights Indicator Project (TRIP), the chapter maps regional and country-level trajectories of legal change across three principal domains: criminalization, legal gender recognition, and anti-discrimination protections. Building upon theories of international norm diffusion, historical institutionalism, and institutional layering, the chapter demonstrates that transgender rights expanded substantially throughout the region, but that this expansion was neither linear nor uniform. Instead, legal reforms clustered during particular periods, developed unevenly across legal domains, and produced persistent cross-national divergence. In doing so, the chapter establishes the institutional foundation upon which the remainder of the dissertation builds by demonstrating how formal rights became embedded within legal systems across Latin America.

Chapter 2 shifts from institutions to individuals by examining the social institutionalization of transgender rights. Using data from the 2023 AmericasBarometer

(LAPOP) across thirteen Latin American countries, the chapter investigates how citizens evaluate transgender and non-binary rights and identifies the individual-level characteristics associated with greater or lesser support. Grounded in World Society theory, institutional logics, decolonial perspectives, and intersectionality, the analysis demonstrates that public support for transgender rights is shaped primarily by education, religious affiliation, socioeconomic position, and age, while conventional left-right political ideology plays a considerably weaker role than commonly assumed. These findings demonstrate that the diffusion of global human rights norms does not produce uniform social acceptance. Rather, globally circulating equality norms are interpreted, negotiated, and sometimes resisted through locally embedded religious, cultural, and historical frameworks. By identifying the social foundations of public support, Chapter 2 reveals that legal rights and public legitimacy represent distinct dimensions of institutionalization.

While the first two chapters examine legal protections and public attitudes separately, Chapter 3 investigates how rights become politically institutionalized after legal reform. Through the illustrative cases of Brazil and Bolivia, the chapter examines why countries that have experienced significant advances in transgender rights nevertheless follow markedly different political trajectories. Building upon scholarship on social movements, issue salience, political cleavages, and anti-gender politics, the chapter argues that the political consequences of rights expansion depend, in part, on the degree to which transgender rights become publicly visible and politically salient. In Brazil, extensive legal advances and comparatively favorable public attitudes coincided with growing movement visibility, increasing politicization, sustained conservative countermobilization, and persistent anti-transgender violence. In Bolivia, meaningful legal reforms occurred through different political pathways, remaining comparatively less salient within national political discourse despite lower levels of public support. These

contrasting trajectories demonstrate that legal recognition and public opinion alone cannot fully explain the broader political consequences of rights expansion. Instead, they highlight the importance of issue salience as a mechanism linking rights expansion to political contestation and backlash.

Taken together, the three empirical chapters move progressively across levels of analysis, from institutions to individuals to political processes. Chapter 1 asks how transgender rights become incorporated into legal systems. Chapter 2 asks how those rights become accepted, negotiated, or resisted within society. Chapter 3 asks how rights acquire political meaning after their adoption and why similar legal reforms produce divergent patterns of contestation across national contexts. Considered collectively, these chapters provide a comprehensive account of transgender rights institutionalization that would not be possible through any single methodological approach or level of analysis alone.

More broadly, the dissertation demonstrates that rights expansion is not adequately understood as the simple accumulation of legal protections. Rather, rights institutionalization is an ongoing and multidimensional process through which legal reforms, public attitudes, and political conflict continuously shape one another. Formal legal recognition may create new opportunities for inclusion without guaranteeing widespread public legitimacy. Public support may expand while remaining uneven across social groups. Political visibility may facilitate recognition while simultaneously increasing the potential for organized backlash. Understanding the evolution of transgender rights therefore requires examining how these legal, social, and political dimensions interact over time rather than treating any one of them as synonymous with inclusion itself.

By bringing together scholarship on international norm diffusion, historical institutionalism, World Society theory, public opinion, social movements, and political contestation, this dissertation offers a unified framework for understanding how rights become institutionalized within democratic societies. Although the empirical focus is transgender rights in Latin America, the broader theoretical implications extend well beyond this particular case. The framework developed here suggests that the institutionalization of rights for any historically marginalized population is likely to unfold through multiple, partially independent dimensions that evolve at different rates and remain subject to continuing negotiation, contestation, and change. In this sense, transgender rights serve not only as an important object of study in their own right, but also as a powerful lens through which to examine the broader sociology of rights, citizenship, and democratic inclusion.

CHAPTER 1: Mapping the Legal Landscape of Transgender Rights and Policies in Latin America, 2000–2021

Introduction

Over the past two decades, transgender rights have become an increasingly visible concern within global human rights discourse. International organizations, advocacy networks, courts, and national governments have devoted growing attention to the legal and institutional inequalities faced by transgender individuals. Yet the development of transgender-specific legal protections has been highly uneven across countries and regions. In some contexts, states have adopted expansive legal gender recognition policies and anti-discrimination guarantees; in others, transgender individuals continue to face exclusion from formal recognition, limited institutional protection, and vulnerability to violence and stigma. These uneven trajectories reflect broader tensions between expanding norms of inclusion and persistent political, cultural, religious, and institutional constraints.

Latin America offers a particularly compelling context in which to examine these dynamics. On the one hand, the region is home to some of the most progressive transgender rights frameworks in the world. Countries such as Argentina and Uruguay have adopted legal gender recognition laws that prioritize self-determination and reduce or eliminate burdensome medical and judicial requirements. On the other hand, several countries in the region continue to exhibit very limited legal protections, with transgender individuals facing ongoing barriers to documentation, recognition, and formal protection from discrimination. This coexistence of regional leadership and persistent lagging cases makes Latin America especially important for understanding how and why transgender rights develop unevenly across contexts.

At the same time, the region's contemporary legal landscape cannot be understood without attention to its longer historical formation. Historical and anthropological scholarship demonstrates that Indigenous societies in Latin America contained systems of gender and social identity that did not always conform to the binary classifications later institutionalized under Iberian colonial rule. Among Zapotec communities in Oaxaca, for example, scholars have documented socially recognized muxe identities and gendered social roles that do not map neatly onto conventional male–female categories (Stephen, 2002). Among Mapuche communities in southern Chile, machi religious practice historically included gender-crossing and co-gendered forms of identity and authority, including male machi weye whose ritual roles challenged Spanish understandings of gender and sexuality (Bacigalupo, 2004, 2007). These forms of gender plurality were embedded within local cosmologies, kinship systems, and structures of spiritual and communal authority rather than organized through contemporary Western categories such as transgender or non-binary.

European colonization introduced legal and religious classifications that increasingly stigmatized these forms of gender plurality. Spanish and criollo soldiers, colonial officials, and Catholic missionaries interpreted gender-crossing Indigenous ritual specialists through European categories of sodomy, effeminacy, witchcraft, and moral deviance. Among the Mapuche, colonial descriptions recast male machi as sexually and religiously perverse despite their authority within Indigenous systems of healing and spirituality (Bacigalupo, 2004). More broadly, Iberian legal traditions and Catholic moral doctrine embedded binary and heteronormative assumptions into colonial governance, criminalizing or delegitimizing Indigenous practices that did not conform to European understandings of sex, gender, and sexuality (Horswell, 2005; Lugones, 2007). These institutional patterns were not fully dismantled

with independence. Rather, emerging republican states incorporated many colonial classifications into civil codes, public-morality regulations, and bureaucratic systems of identification.

Despite this legacy of exclusion, the twenty-first century witnessed significant legal transformation. Grassroots activism, constitutional reform, judicial intervention, and transnational human rights advocacy converged to challenge entrenched gender norms and institutional barriers. Argentina's 2012 Gender Identity Law became a global benchmark by allowing individuals to change their legal gender without medical or judicial prerequisites and by guaranteeing access to gender-affirming healthcare (Malta et al., 2019; Smith & Boas, 2024). Uruguay and Colombia also emerged as important reform cases, while other countries adopted partial, incremental, or subnational protections. Yet this progress remained highly uneven. Paraguay, Honduras, and Guatemala adopted few transgender-specific protections during the period under study. Existing country-level research points to conservative religious mobilization, weak legal safeguards, institutional violence, and limited political opportunities as important features of the environments in which reform efforts unfolded (Amnesty International, 2017; Corrales, 2015, 2022; Human Rights Watch, 2009, 2021; Vaggione, 2017). In Paraguay, government authorities prohibited educational materials associated with what they called "gender theory and/or ideology" following campaigns by religious and conservative groups; in Guatemala, legislators promoted "life and family" proposals that would have further restricted LGBTQ+ recognition; and in Honduras, transgender people faced both an absence of adequate legal protection and documented patterns of police abuse, arbitrary detention, and violence (Amnesty International, 2017; Human Rights Watch, 2009, 2021).

These developments reflect a broader global tension between movements for inclusion and reactionary backlash. Across regions, transgender rights have become more prominent within international human rights agendas, but they have also become flashpoints for conflict over gender norms, family, religion, and national identity. Latin America therefore emerges not simply as a region of progress or resistance, but as a region of complexity: one that includes both global leaders in formal legal recognition and persistent sites of institutional exclusion and uneven reform trajectories.

Existing scholarship on LGBTQ+ rights has largely focused on broader categories such as sexual orientation, marriage equality, or general LGBTQ+ mobilization, often overlooking the specific legal and institutional challenges associated with gender identity (Corrales, 2015; Encarnación, 2016). Where transgender rights are addressed directly, they are often examined through qualitative case studies or single-country analyses. These studies have generated important insights into activism, law, and political context, but they offer more limited leverage for systematically tracing patterns across countries and over time. As a result, there remains a significant gap in the literature regarding the comparative and longitudinal development of transgender legal protections, particularly in Latin America and more broadly in the Global South.

This chapter addresses that gap by providing a systematic, longitudinal, and comparative analysis of transgender legal protections in Latin America between 2000 and 2021. Drawing on data from the Trans Rights Indicator Project (TRIP), the chapter maps changes in legal frameworks across 19 Latin American countries and examines variation across three principal domains: criminalization, legal gender recognition, and anti-discrimination protections. By analyzing both regional trends and country-level trajectories, the chapter provides a detailed

account of how transgender legal protections developed across the region during the first two decades of the twenty-first century.

Importantly, this chapter does more than document the expansion of transgender legal protections. I argue that the regional pattern reflects a process of partial and uneven world-cultural diffusion. Over the past several decades, transgender inclusion has become increasingly institutionalized within global models of human rights, individual autonomy, and legitimate statehood. These models created new expectations about how modern states should recognize and protect gender identity, while regional reforms—most notably Argentina’s 2012 Gender Identity Law—translated an abstract global norm into a visible and politically usable policy model. Yet exposure to the same global and regional scripts did not produce convergence. Instead, reforms were filtered through domestic political coalitions, courts, social movements, religious institutions, and inherited legal arrangements. The result was a clustered but differentiated pattern in which some states became norm leaders, others adopted narrower or delayed reforms, and still others remained largely resistant.

This argument draws on three interrelated theoretical perspectives. First, world society theory and the related literatures on norm and policy diffusion explain why transgender rights became increasingly legitimate across otherwise different national settings and why reforms clustered after prominent international and regional precedents emerged (Finnemore & Sikkink, 1998; Frank et al., 2010; Meyer, 2010; Meyer et al., 1997). Second, historical institutionalism explains why reforms accumulated unevenly across legal domains rather than transforming the entire legal structure at once (Pierson, 2000; Thelen, 2004; Mahoney & Thelen, 2010). Third, scholarship on legal mobilization, political opportunity structures, and anti-gender countermobilization explains why internationally legitimated models were translated into

expansive reform in countries such as Argentina and Uruguay, incorporated more selectively in countries such as Brazil and Colombia, and resisted in countries such as Paraguay, Honduras, and Guatemala (Corrales, 2015; Encarnación, 2016; Tarrow, 2011; Vaggione, 2017).

World society theory is especially useful here because it directs attention away from the assumption that states reform only in response to domestic demand or functional necessity. States are also embedded in a wider cultural environment that defines legitimate actors, problems, and policy solutions. Within this environment, the autonomous rights-bearing individual has become increasingly central, and states are expected to demonstrate their modernity and legitimacy by formally recognizing previously excluded categories of persons (Meyer et al., 1997; Meyer, 2010). Transgender legal protections can therefore diffuse even where public support is incomplete. At the same time, world society theory anticipates that formal adoption may be uneven or decoupled from implementation, an important qualification given that the TRIP data measure *de jure* protections rather than their enforcement in practice.

These theoretical frameworks are particularly useful because they align closely with the patterns identified in the chapter's empirical analysis. As the results later show, legal protections expanded substantially over time, but this expansion was not uniform. Reform accelerated in the early 2010s, particularly after Argentina's 2012 Gender Identity Law; legal gender recognition developed more rapidly than anti-discrimination protections; and the region exhibited a differentiated pattern in which some countries emerged as clear leaders, others advanced more moderately or incrementally, and others remained largely stagnant. The chapter's central argument is therefore that Latin America's legal transformation was neither a straightforward regional success story nor a collection of unrelated national reforms. It was a patterned process of partial diffusion. Transgender-inclusive models became increasingly legitimate and available,

but their translation into domestic law depended on the political and institutional channels through which they entered each country. This framework explains both the regional acceleration visible after 2012 and the continued coexistence of global leaders, moderate reformers, limited adopters, and persistent laggards.

Building on this argument, the chapter makes three contributions. First, it provides one of the first systematic longitudinal mappings of transgender-specific legal protections across Latin America, moving beyond the single-country studies that dominate much of the existing literature. Second, it demonstrates that the regional trend is best understood as a sociological diffusion process: legal expansion accelerated during a period in which transgender rights became increasingly institutionalized within global human rights discourse and after a highly visible regional model made expansive reform appear both legitimate and possible. Third, it shows that diffusion was selective. Legal gender recognition traveled more rapidly than comprehensive anti-discrimination protection, and countries responded differently to similar global and regional pressures. These findings refine diffusion arguments by showing that the central question is not simply whether a norm spreads, but which components travel, through which domestic institutions, and with what degree of transformation.

These findings have broader implications for understanding how legal systems define the boundaries of inclusion and exclusion. Transgender rights reforms challenge historically embedded heteronormative and cisnormative assumptions within legal and administrative systems, but they also reveal the limits of formal recognition when broader protections remain incomplete. In this sense, the chapter is concerned not only with whether rights expand, but with how they expand, where they stall, and what these patterns reveal about the structure of institutional inclusion in Latin America.

Research Questions

Guided by these concerns, this chapter addresses three central research questions:

1. To what degree and in what domains—encompassing criminalization, legal gender recognition, and anti-discrimination protections—did Latin American countries legally protect transgender rights?
2. How did these protections evolve from 2000 to 2021?
3. How did regional trends in Latin America compare with global trends?

Together, these questions allow the chapter to assess both the overall direction of legal change and the extent to which that change reflected regional leadership, uneven diffusion, and persistent divergence.

By answering these questions, the chapter provides the institutional baseline necessary for the broader dissertation. Chapter 1 examines the first dimension of rights institutionalization by mapping how transgender rights became embedded within legal systems across Latin America. Yet legal institutionalization alone does not indicate whether those rights become socially legitimate or politically durable. Those broader dimensions of institutionalization are examined in Chapters 2 and 3, which shift attention to public support and political contestation, respectively. Together, the three empirical chapters provide an integrated account of how transgender and non-binary rights become institutionalized across law, society, and politics.

The remainder of the chapter proceeds as follows. The next section presents a theoretical literature review that situates transgender rights within broader debates on world society, norm and policy diffusion, institutional change, legal mobilization, and backlash politics. This is followed by a methodology section outlining the data, measures, and analytical strategy employed in the study. The results section then presents empirical findings on regional trends,

domain-specific trajectories, and country-level variation. The chapter concludes with a discussion of the broader implications of these findings and directions for future research.

Literature Review

The central theoretical problem addressed in this chapter is not simply why transgender rights expanded, but why a broadly shared international shift toward gender-identity recognition produced such different legal trajectories within the same region. Existing scholarship provides several pieces of the explanation. World society and diffusion theories account for the growing international legitimacy of transgender rights and the increasing availability of standardized reform models. Historical institutionalism explains why legal change proceeds unevenly across domains and is shaped by inherited institutional arrangements. Scholarship on mobilization and backlash explains why some domestic actors successfully translate global scripts into law while others block, narrow, or redirect reform.

I bring these literatures together to argue that transgender rights development in Latin America represents partial and mediated diffusion. Global cultural models increasingly define transgender persons as autonomous rights-bearing individuals entitled to recognition and protection. Regional exemplars then make those models more concrete, reducing uncertainty and supplying activists, judges, and policymakers with usable legal templates. Nevertheless, diffusion is not automatic. Global and regional models enter domestic fields already structured by different constitutional traditions, party coalitions, movement organizations, religious institutions, and prior legal settlements. These conditions influence whether reforms become comprehensive, incremental, symbolic, or absent.

This framework generates a specific empirical expectation. If world-cultural and regional diffusion matter, legal protections should expand across the period and reforms should cluster

after transgender rights become more strongly institutionalized on international and regional agendas. If domestic mediation matters, countries exposed to the same broad models should nevertheless diverge. If institutional layering matters, different legal domains should advance at different rates rather than moving together. The empirical analysis therefore treats temporal clustering, domain-specific sequencing, and cross-national divergence not as separate descriptive findings, but as interconnected dimensions of one broader process.

World Society, Norm Diffusion, and Regional Policy Emulation

World society theory provides the broadest sociological framework for understanding why transgender rights became increasingly institutionalized across countries during the period examined here. Rather than treating nation-states as autonomous units whose policies arise exclusively from domestic interests or problems, world society theory conceptualizes states as embedded in a transnational cultural environment that defines legitimate actors, goals, and forms of governance (Meyer et al., 1997; Meyer, 2010). National institutions frequently adopt globally legitimated models because those models signal modernity, rationality, and membership in the international community, even when they are not demanded by domestic majorities or fully implemented in practice.

One of the most important transformations identified by this literature is the global expansion of individual personhood. Contemporary world culture increasingly depicts individuals as autonomous, equal, and rights-bearing actors whose identities and choices are entitled to recognition by states and organizations (Meyer et al., 1997; Meyer, 2010). This shift has had important consequences for laws governing gender and sexuality. Frank et al. (2010), for example, connect the global liberalization of laws regulating sexuality to a broader world-cultural movement away from protecting collective moral orders and toward protecting

individualized persons. Transgender legal recognition fits within this transformation because it challenges the authority of states, medical institutions, and families to define and regulate gender independently of individual self-identification.

From this perspective, the increasing visibility of gender identity within international human rights discourse was not simply a change in rhetoric. It helped constitute transgender people as a recognized category of rights-bearing persons and defined gender-identity exclusion as a problem that legitimate states should address. The Yogyakarta Principles, United Nations reports, international advocacy organizations, and professional legal and medical networks contributed to the codification and circulation of this model (O’Flaherty & Fisher, 2008; United Nations Human Rights Council, 2011). These institutions supplied standardized language linking gender identity to dignity, equality, bodily autonomy, and non-discrimination. They also provided domestic advocates with authoritative frameworks through which national laws could be evaluated and challenged.

World society theory therefore leads me to expect general expansion even across countries with different political histories and levels of public support. States do not need to independently invent transgender-inclusive legal models, nor must every reform originate in a strong domestic constituency. Instead, governments can draw on increasingly institutionalized global scripts that define what a modern, rights-protecting state should do. This does not mean that world culture mechanically determines national law. Rather, it means that certain reforms become more available, legitimate, and intelligible within domestic political debates.

The literature also highlights a central paradox: global institutionalization can generate formal convergence without equivalent convergence in practice. States may adopt globally legitimate policies ceremonially, incompletely, or without the administrative capacity and

political commitment needed to implement them. World society scholars describe this as decoupling between formal structures and lived practice (Meyer et al., 1997; Hafner-Burton & Tsutsui, 2005). This point is especially relevant to the present analysis because TRIP measures formal law. An increase in TRIP scores indicates that transgender-inclusive provisions entered national legal frameworks, but it cannot establish that those rights were equally accessible or consistently enforced. The gap between formal recognition and lived equality is therefore not peripheral to the argument; it is one outcome that world society theory leads us to anticipate.

Norm-diffusion and policy-diffusion theories identify more proximate mechanisms through which these broad cultural models travel. Norm entrepreneurs and transnational advocacy networks formulate new standards of appropriate state behavior, circulate them across borders, and use international legitimacy to strengthen domestic claims (Finnemore & Sikkink, 1998; Keck & Sikkink, 1998). Policy-diffusion research similarly emphasizes learning, emulation, competition, and coercion as mechanisms through which policymakers respond to developments in other jurisdictions (Berry & Berry, 1990; Gilardi, 2010; Shipan & Volden, 2008). These processes overlap in the transgender-rights field: a human rights principle may establish the normative legitimacy of self-determined gender identity, while a law adopted elsewhere supplies the concrete administrative procedures through which that principle can be implemented.

Argentina's 2012 Gender Identity Law illustrates this connection between global scripts and regional policy emulation. The law institutionalized a model of gender identity based on self-determination, eliminating requirements for surgery, psychiatric diagnosis, and judicial authorization while also guaranteeing access to gender-affirming healthcare (Malta et al., 2019; Smith & Boas, 2024). Its importance extended beyond Argentina. It demonstrated that an

expansive autonomy-based framework was legally and administratively possible within Latin America, supplied advocates elsewhere with a concrete reference point, and raised the standard against which later reforms could be evaluated.

Subsequent developments in Uruguay, Colombia, Chile, Costa Rica, and Ecuador illustrate different forms of regional diffusion. Uruguay eventually adopted an expansive statutory framework, while Colombia's Constitutional Court advanced gender recognition through judicial doctrine. Chile and other countries incorporated parts of the broader model through later legislative or administrative reforms. These cases did not reproduce Argentina's law identically; rather, they translated a regionally legitimated model through different national institutions. This is precisely why norm and policy diffusion should be analyzed together. Norms explain why self-determined recognition became legitimate, while policy diffusion explains how particular legal mechanisms became available for emulation and adaptation.

At the same time, neither world society theory nor diffusion theory predicts uncomplicated convergence. Global culture contains contradictions, and states are exposed to competing scripts concerning individual autonomy, religion, family, nation, and morality. Hadler and Symons (2018) describe a divided world society in which the international expansion of sexual-minority rights occurs alongside transnational countermobilization and renewed legal repression. Anti-gender politics are therefore not merely local remnants resisting globalization; they also circulate transnationally. This helps explain why the same global environment can encourage liberalization in some settings while providing countermovements in others with shared language about "gender ideology," family sovereignty, and cultural protection.

The empirical implication is therefore more specific than a general expectation of progress. I expect an overall regional increase because transgender inclusion became

increasingly legitimated within world culture. I also expect temporal clustering because visible international and regional precedents lowered uncertainty and increased the availability of reform models. However, I do not expect uniform convergence. Global and regional scripts should be adopted selectively, filtered through domestic institutions, and contested by actors drawing on competing cultural models. The regional trend should therefore combine broad movement in a liberalizing direction with substantial variation in timing, scope, and policy content.

Legal Mobilization and Political Opportunity Structures

World-cultural legitimacy and regional policy models create opportunities for reform, but domestic actors must still translate those models into binding law. The literature on legal mobilization and political opportunity structures directs attention to the organizations, alliances, and institutional venues through which this translation occurs (McAdam et al., 2001; Tarrow, 2011). Transgender and LGBTQ+ movements do not operate on a blank institutional field. Their influence depends on whether they can gain access to legislatures, courts, executive agencies, political parties, and broader human rights coalitions.

Latin American countries illustrate several distinct pathways. In Argentina, organized activists combined movement pressure with alliances inside the state and framed gender recognition through autonomy, dignity, and human rights. The resulting 2012 law was not simply imported from abroad; domestic actors converted an increasingly legitimate international norm into a particularly expansive national model. Uruguay likewise combined progressive political coalitions, strong civil society organization, and an institutional environment receptive to rights-based reform. These cases suggest that diffusion is most likely to produce comprehensive change

when transnationally legitimate claims encounter organized movements and accessible political allies.

Colombia demonstrates a different pathway. Where legislative action was more fragmented, the Constitutional Court became a central venue through which advocates translated constitutional principles of dignity and autonomy into gender-identity protections (Encarnación, 2016). Brazil also illustrates the importance of judicial and administrative venues, as important transgender-rights advances occurred through courts and health institutions rather than through one comprehensive national gender-identity statute. These cases lead me to expect that countries with open courts or multiple institutional access points may register meaningful legal expansion even when legislative politics are divided.

Mexico, by contrast, demonstrates how federalism and subnational variation can limit the national reach of reform. Progressive changes in Mexico City and other jurisdictions did not automatically produce a comprehensive national framework. This suggests that institutional openness can generate localized advances while simultaneously fragmenting national outcomes. A country may therefore show incremental movement in the aggregate index even when important reforms exist within particular subnational jurisdictions.

The implication for the empirical analysis is that similar exposure to global norms should produce different results depending on the domestic pathways available for legal mobilization. Strong movement-state alliances and receptive national institutions should be associated with high or moderate expansion. Judicial or subnational pathways may produce meaningful but more fragmented gains. Where movements lack institutional allies or face closed political structures, internationally legitimate claims may remain largely external to national law.

Backlash, Resistance, and Competing Transnational Scripts

Rights diffusion does not occur in a politically empty environment. The expansion of gender and sexuality rights can provoke countermobilization by religious organizations, conservative parties, advocacy networks, and state actors that portray reform as a threat to family, morality, childhood, religion, or national sovereignty (Vaggione, 2017). These actors do more than express disagreement. They attempt to redefine the issue, narrow the range of legitimate policy options, and raise the political costs of reform.

In Latin America, opposition has frequently been organized through the language of “gender ideology.” This discourse presents gender-identity protections, sexuality education, and reproductive rights as components of an externally imposed project that seeks to displace supposedly natural sexual differences and traditional family arrangements (Corrales, 2015; Chaux et al., 2021). Importantly, this countermobilization is itself transnational. Religious organizations and conservative advocacy networks circulate strategies and frames across countries, meaning that world society contains competing scripts rather than one uncontested liberal model. The diffusion of transgender rights and the diffusion of anti-gender politics can therefore occur simultaneously.

Paraguay, Honduras, and Guatemala illustrate contexts in which conservative religious influence and political resistance have constrained reform. These cases were not isolated from international debates about gender identity. Rather, global rights claims encountered domestic institutions and countermovements capable of reframing those claims as culturally illegitimate or politically threatening. Persistent low protection in these countries would therefore not demonstrate the absence of diffusion pressures. It would demonstrate the capacity of domestic actors to block or countertranslate them.

Backlash may also shape the form rather than the occurrence of reform. Governments may adopt narrow administrative procedures while avoiding broader anti-discrimination legislation, or courts may recognize individual claims without producing comprehensive statutory change. This helps explain why countries can register limited incremental gains rather than remaining entirely unchanged. It also suggests why legal gender recognition may advance more readily than protections extending across employment, education, healthcare, and housing: the latter implicate a broader range of institutions and may generate more organized opposition.

I therefore expect countries with strong conservative coalitions, influential religious institutions, and limited movement access to remain at low levels of protection or to adopt only narrow reforms. More broadly, I expect divergence to reflect not merely different exposure to liberal norms, but the interaction of competing transnational scripts with domestic political fields.

Historical Institutionalism and Layered Reform

World society and diffusion theories explain why new legal models become legitimate and available; historical institutionalism explains why those models are incorporated unevenly into existing legal systems. Institutions carry forward prior rules, classifications, and distributions of authority. Consequently, major legal change often occurs not through wholesale replacement, but through layering, conversion, displacement, and other gradual processes that add new rules to older institutional arrangements (Pierson, 2000; Thelen, 2004; Mahoney & Thelen, 2010).

This perspective is especially appropriate for transgender rights because the three domains measured by TRIP involve different institutional targets. Decriminalization requires the removal or neutralization of punitive rules, including direct criminal prohibitions and indirect

public-morality or public-order provisions. Legal gender recognition requires changes to civil registries, identity documents, medical requirements, and administrative procedures. Anti-discrimination protection extends farther into constitutional law, employment, education, healthcare, and housing. There is therefore little reason to expect these domains to move simultaneously.

The regional sequence anticipated here is one of layered inclusion. Many countries entered the twenty-first century having already eliminated the most explicit forms of direct criminalization, producing a relatively high baseline in the criminalization domain. The principal reforms of the 2010s were therefore more likely to involve affirmative recognition, particularly mechanisms for changing legal gender markers. Recognition reforms could be attached to existing civil-registry systems without immediately transforming every institutional domain in which transgender people encounter exclusion. Comprehensive anti-discrimination protections, by contrast, required coordination across more sectors and confronted a broader range of organized interests. I therefore expect recognition to expand faster than anti-discrimination protection.

Country differences should also reflect prior institutional pathways. Argentina's comprehensive legislation created a more unified national settlement. Colombia's court-centered pathway produced important protections through constitutional interpretation. Mexico's federal structure permitted subnational innovation but limited uniform national change. Bolivia's constitutional and legislative reforms created significant formal gains, although later institutional contestation illustrates that layering can also produce internal contradiction. These cases show that the same broad norm can enter domestic legal orders through different venues and accumulate in different forms.

Historical institutionalism also helps interpret durability. Once new protections are incorporated into constitutions, civil registries, judicial precedents, or administrative routines, they may generate constituencies, expectations, and institutional costs that make formal reversal more difficult. This does not eliminate backlash or guarantee implementation. It does, however, lead me to expect that expansion will more often produce stagnation or incomplete layering than outright net contraction within the period covered by the data.

Integrated Theoretical Framework and Analytical Expectations

The theoretical framework developed here treats transgender-rights expansion as a multilevel process. World society supplies increasingly legitimate models of autonomous personhood, equality, and rights-protecting statehood. International organizations and advocacy networks codify and circulate those models. Regional precedents translate broad principles into recognizable legal options. Domestic movements, courts, parties, and bureaucracies then determine whether and how those options enter national law. Finally, inherited institutions shape the domains in which reforms are easiest to add and the degree to which new protections displace or coexist with older rules.

My argument is that the combination of these processes should produce a distinctive empirical pattern: broad expansion without convergence. The global institutionalization of transgender rights should push the regional trajectory upward, but domestic mediation should generate substantial country variation. Regional models should encourage temporal clustering, but the uptake of those models should remain selective. Institutional layering should generate domain-specific sequencing, with legal recognition advancing more rapidly than comprehensive anti-discrimination protections. Competing transnational and domestic scripts should produce resistance, delayed adoption, and partial reform rather than one uniform regional pathway.

Because the analysis is descriptive, I do not treat the following as formally tested causal hypotheses. Instead, I approach the data with four theoretically informed expectations:

Expectation 1: Overall expansion within a world-cultural environment increasingly centered on individual rights

I expect transgender legal protections to increase across Latin America between 2000 and 2021. World society theory suggests that states increasingly encounter transgender persons as legitimate rights-bearing subjects and gender-identity discrimination as a recognizable policy problem. This expectation does not assume that all countries share the same domestic demand or public attitudes. Rather, it anticipates broad movement because globally institutionalized models reshape the menu of legitimate state action.

Expectation 2: Temporal clustering following international and regional institutionalization

I expect the pace of reform to accelerate during the 2010s rather than remain constant across the full period. International recognition of sexual orientation and gender identity, the circulation of the Yogyakarta Principles, and Argentina's 2012 law increased the legitimacy and practical availability of transgender-inclusive models. If diffusion and regional emulation matter, later reforms should cluster after these models become more visible and established.

Expectation 3: Selective and layered expansion across legal domains

I expect legal gender recognition to advance more rapidly than comprehensive anti-discrimination protection. Recognition reforms can often be incorporated through civil registries, courts, or administrative procedures, whereas anti-discrimination protections require intervention across employment, education, healthcare, housing, and constitutional law. Criminalization should begin from a higher baseline because many countries had already removed the most

explicit punitive provisions before 2000. This sequence would indicate that diffusion operates selectively across policy domains rather than through comprehensive transformation.

Expectation 4: Cross-national divergence produced by domestic mediation

I expect countries exposed to similar global and regional models to follow different trajectories. Countries with strong rights movements, institutional allies, accessible courts, or progressive governing coalitions—such as Argentina, Uruguay, and potentially Colombia—should experience more substantial expansion. Countries where reform is filtered through fragmented, federal, or court-centered venues may exhibit moderate or incremental change. Countries with influential conservative religious coalitions and limited political openings—such as Paraguay, Honduras, and Guatemala—should remain at comparatively low levels of protection. This variation would demonstrate that diffusion is mediated rather than automatic.

Methodology

I use a quantitative, descriptive, and comparative design to identify the temporal, domain-specific, and cross-national structure of transgender legal change in Latin America. The purpose of the analysis is not to estimate the independent causal effect of world society, diffusion, movements, or domestic institutions. The available data do not provide the event-level timing and explanatory measures needed for such a test. Instead, I use systematic descriptive mapping to evaluate whether the observed regional pattern corresponds to the empirical implications of the theoretical framework developed above.

This distinction is important. Descriptive analysis cannot establish that Argentina caused later reforms or that conservative religious influence caused stagnation in a particular country. It can, however, show whether reforms clustered after the emergence of salient global and regional models, whether domains developed in the sequence anticipated by institutional layering, and

whether country trajectories correspond to theoretically meaningful patterns of comprehensive adoption, partial uptake, and resistance. I therefore treat the figures and typology as tools for theoretically informed comparison rather than as causal classifications.

Data

The analysis draws on data from the Trans Rights Indicator Project (TRIP), a cross-national dataset that systematically codes the presence or absence of legal protections related to gender identity across countries and over time, developed by Williamson (2024). The TRIP dataset captures multiple dimensions of transgender rights, including criminalization, legal gender recognition, and anti-discrimination protections, allowing for both aggregate and domain-specific analysis.

TRIP is particularly well suited for this study because it provides longitudinal data spanning multiple decades and includes standardized indicators that facilitate cross-national comparison. Unlike many existing datasets on LGBTQ+ rights, which often focus primarily on sexual orientation, TRIP explicitly centers gender identity, making it uniquely appropriate for examining transgender-specific legal developments. The dataset is grounded in standardized legal coding procedures that enhance cross-national comparability and make it especially well suited for longitudinal analysis of transgender legal protections.

The analysis focuses on the period from 2000 to 2021, a timeframe that captures both the early stages of transgender rights recognition and the more recent wave of reforms observed in the 2010s. This periodization allows for the examination of both long-term trends and shorter-term shifts associated with diffusion processes.

Design and Procedure

The research design employed a longitudinal, descriptive comparative framework. The primary objective was to map the evolution of transgender legal protections across Latin America between 2000 and 2021 and to situate regional trajectories within global patterns. TRIP operationalizes transgender rights based on principles established in international human rights law, including the Yogyakarta Principles, which articulate state obligations regarding sexual orientation and gender identity minorities. Importantly, TRIP focuses exclusively on de jure legal indicators rather than de facto societal outcomes. This distinction enhances measurement reliability by grounding coding decisions in statutory and constitutional provisions rather than subjective assessments of enforcement or lived experience.

Data were compiled through systematic review of national constitutions, legislative statutes, administrative regulations, judicial decisions, and official government documentation. International human rights reports were used to cross-validate coding decisions. Each country-year observation reflects the legal framework in effect during that calendar year. The longitudinal structure of the dataset allowed for the identification of reform timing, sequencing across policy domains, and periods of acceleration or stagnation. The design did not seek to estimate causal effects but rather to provide structured empirical mapping that could inform subsequent inferential analyses.

Sample

The sample consists of Latin American countries included in the TRIP dataset for which consistent data are available across the period of analysis. These countries include Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, the Dominican Republic, Ecuador, El

Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay, and Venezuela.

This regional focus is theoretically motivated. Latin America represents a particularly important case for examining transgender rights due to its combination of shared historical, cultural, and institutional characteristics alongside substantial variation in legal outcomes. The region has been identified as both a leader in certain areas of LGBTQ+ rights and a site of significant resistance and inequality, making it especially well-suited for analyzing uneven diffusion and institutional divergence (Encarnación, 2016; Corrales, 2015).

By limiting the analysis to Latin America, the study is able to control, to some extent, for broader structural factors while focusing more directly on variation in political, institutional, and social dynamics within the region. Additionally, the chapter incorporates a comparative component by situating Latin American trends relative to global averages and the rest of the world, providing additional context for interpreting regional patterns.

Measures

The primary variable of interest in this analysis is the overall TRIP score, which captures the extent of transgender legal protections within a given country-year. The TRIP score is constructed as an additive index of binary indicators representing the presence or absence of specific legal provisions related to gender identity. Each indicator is coded as 1 if a given protection is present and 0 if it is absent. These indicators are then summed to produce a composite score.

In the version of the TRIP dataset used in this analysis, the overall score ranges from 0 to 13, with higher values indicating more comprehensive legal protection. A score of 0 reflects the absence of formal legal protections across all measured dimensions, while a score of 13 reflects

the presence of a full set of legal provisions across all domains included in the dataset.

Substantively, movement along this scale reflects the cumulative adoption of legal measures that expand recognition, reduce criminalization, and protect against discrimination. Each additional point on the scale corresponds to the adoption of at least one additional legal provision, allowing the measure to capture incremental as well as more substantial changes in legal frameworks over time.

While the overall TRIP score provides a useful summary measure, it aggregates across distinct dimensions of legal protection that may develop at different rates and through different mechanisms. To address this, the analysis disaggregates the overall score into three domain-specific measures: criminalization, legal gender recognition, and anti-discrimination protections. These domains correspond to theoretically meaningful dimensions of transgender rights and allow for a more nuanced analysis of institutional change.

The criminalization domain captures the extent to which legal frameworks avoid penalizing gender expression or identity. This domain is constructed from two indicators: the absence of direct criminalization (such as explicit legal prohibitions targeting gender identity or expression) and the absence of indirect criminalization (such as the use of public morality, vagrancy, or public order laws to target transgender individuals). The resulting domain score ranges from 0 to 2, where higher values indicate fewer forms of criminalization. Substantively, this domain reflects the most basic level of legal tolerance and the extent to which individuals are free from punitive state intervention.

The legal gender recognition domain captures the extent to which individuals are able to change their legal gender markers and the conditions under which this is possible. This domain includes five indicators: the presence of a legal mechanism for gender marker change, the

absence of requirements for surgical intervention, the absence of requirements for psychiatric diagnosis, the absence of requirements related to marital status (such as divorce), and the recognition of non-binary or third gender categories. The resulting domain score ranges from 0 to 5. Higher scores indicate more accessible, less restrictive, and more inclusive systems of legal gender recognition. This domain is particularly important because it reflects the degree to which states formally recognize gender identity as a matter of individual autonomy rather than medical or judicial control (Currah & Moore, 2009).

The anti-discrimination domain captures the presence of legal protections against discrimination based on gender identity across multiple areas of social life. This domain includes six indicators: general anti-discrimination protections, constitutional protections, and protections in employment, education, healthcare, and housing. The resulting domain score ranges from 0 to 6, with higher values indicating more comprehensive protection against discrimination. Substantively, this domain reflects the extent to which transgender individuals are protected from exclusion in key institutional settings and are able to participate fully in social and economic life.

Disaggregating the TRIP score into these domains allows for a more precise analysis of how different aspects of transgender rights develop over time. This is particularly important given theoretical expectations that rights expansion may be uneven across domains. For example, legal gender recognition reforms may be adopted more readily than comprehensive anti-discrimination protections, which often require broader institutional change and may face greater political resistance. By examining these domains separately, the analysis is able to assess whether rights expansion reflects a uniform process or a layered pattern of institutional development.

In addition to these core measures, the analysis also constructs several derived variables to facilitate temporal and comparative analysis. Yearly regional averages are calculated for both the overall TRIP score and each domain-specific measure, allowing for the identification of broader trends over time. Year-over-year changes in these averages are computed to assess the pace of change and to identify periods of acceleration or stagnation. Net change measures are calculated at the country level by comparing scores in 2000 and 2021, providing an indicator of long-term change. Finally, countries are classified into typological categories based on both their current level of protection and their trajectory of change, allowing for a systematic comparison of cross-national patterns.

While the TRIP dataset provides a valuable and systematic measure of transgender legal protections, it is important to acknowledge its limitations. As an additive index, the TRIP score assigns equal weight to all indicators, even though some legal provisions may have more substantive impact than others. For example, the adoption of a comprehensive gender identity law may represent a more significant transformation than the addition of a single anti-discrimination provision. However, the use of an additive index allows for consistent comparison across countries and over time, making it well suited for identifying broad patterns of change.

Overall, these measures provide a robust framework for capturing both the breadth and structure of transgender legal protections. By combining an aggregate index with domain-specific measures, the analysis is able to assess not only whether rights have expanded, but also how that expansion has unfolded across different dimensions of law.

Analytical Framework

The analytical strategy is organized around three primary components: temporal analysis, cross-national comparison, and domain-specific analysis.

First, the temporal analysis examines changes in regional averages over time, allowing for the identification of broader trends in transgender rights development. Yearly averages of the overall TRIP score and domain-specific measures are calculated to assess whether rights have expanded, stagnated, or declined over the period of analysis. Particular attention is given to identifying periods of accelerated change, especially in the early-to-mid 2010s, which theoretical frameworks suggest may correspond to diffusion-driven reform waves.

To further assess temporal dynamics, the analysis calculates year-over-year changes in regional averages, as well as average annual changes within specific subperiods. These measures provide a more precise way of capturing the pace of change and allow for the evaluation of whether rights expansion accelerates following key moments of policy diffusion.

Second, the cross-national analysis examines variation across countries by ranking countries based on their overall TRIP scores in the most recent year of available data. This provides a snapshot of regional leaders and laggards and allows for the identification of patterns of divergence. In addition, the analysis calculates net changes in TRIP scores from 2000 to 2021 for each country, capturing the extent of rights expansion over time.

Building on these measures, the chapter develops a typological framework to distinguish observed patterns of country-level change over time. In the final analysis, countries are grouped into four trajectory categories: high expansion, moderate expansion, limited incremental change, and persistent low or stagnant protection. This typological approach allows for a more systematic interpretation of cross-national variation and aligns with the chapter's broader emphasis on uneven diffusion, divergent institutional development, and the distinction between substantial reform, modest uptake, and persistent stagnation.

The categories are descriptive rather than causal, but they create a structured basis for returning to the theoretical framework. High-expansion cases identify countries in which global and regional rights models appear to have been translated into broad legal change. Moderate and limited-change cases capture more selective incorporation, potentially reflecting fragmented institutional pathways or weaker political coalitions. Persistent low-protection cases identify settings in which international legitimacy did not translate into substantial formal reform. The typology therefore allows the analysis to ask not only how much countries changed, but what their differing trajectories suggest about the domestic mediation of diffusion.

Third, the domain-specific analysis examines how different dimensions of transgender rights have evolved over time. By comparing trends across the criminalization, recognition, and anti-discrimination domains, the analysis assesses whether rights expansion is uniform or whether certain domains advance more rapidly than others. This component is particularly important for evaluating the relevance of institutional layering, as it provides insight into how reforms accumulate within different areas of law.

Finally, the chapter incorporates a comparative global component by calculating and comparing regional averages for Latin America, the global average, and the rest of the world. This allows for an assessment of whether Latin America has been a leader or laggard in transgender rights development and provides additional context for interpreting regional trends. Differences between Latin America and global averages are calculated to identify periods in which the region converges with, diverges from, or surpasses broader global patterns. In addition to the main six figures discussed in the body of the chapter, appendix figures include a global distribution histogram and a combined category panel graph to further illustrate the broader distribution of protections and the country trajectories within each category.

Limitations

Several limitations should be noted. First, the TRIP dataset captures the presence of formal legal protections but does not measure their implementation or enforcement. As a result, the analysis reflects *de jure* rather than *de facto* conditions, which may differ significantly in practice, particularly in contexts where institutional capacity is limited or where social stigma remains high (Spade, 2011).

Second, the analysis is descriptive rather than causal. While the theoretical framework provides expectations regarding diffusion, political mediation, and institutional layering, the study does not attempt to formally test these mechanisms using causal inference techniques. Instead, it focuses on identifying patterns that are consistent with these theoretical perspectives.

Third, the coding of legal indicators necessarily involves simplification. Complex legal frameworks are reduced to binary or additive measures, which may obscure important nuances in how laws are structured and applied. However, this trade-off is necessary to enable systematic comparison across countries and over time.

Despite these limitations, the research design provides a robust framework for analyzing the development of transgender rights in Latin America. By combining longitudinal analysis, cross-national comparison, and domain-specific measurement, the chapter offers a comprehensive empirical assessment that is well aligned with the theoretical framework outlined above.

Results

The results are presented in a structured sequence to reflect both the analytical expectations outlined earlier and the multidimensional nature of the TRIP dataset. The analysis begins with regional trends to establish the overall trajectory of transgender legal protections in

Latin America and to situate the region within a broader global context. It then turns to domain-specific patterns in order to examine the sequencing of reforms, followed by country-level trajectories to highlight cross-national divergence. Taken together, these results provide a comprehensive mapping of the legal evolution of transgender rights across Latin America between 2000 and 2021.

To complement the descriptive analysis, a series of figures were constructed to visualize key patterns in the data. Figure 1 presents regional trends in average TRIP scores over time, including comparison with global and rest-of-world averages. Figure 2 disaggregates these trends by legal domain, illustrating differential rates of expansion across criminalization, legal gender recognition, and anti-discrimination protections. Figures 3 through 6 present country-level trajectories grouped according to four observed patterns: high expansion, moderate expansion, limited incremental change, and persistent low or stagnant protection. Additional appendix figures include a global distribution histogram for 2021 and a combined category panel graph summarizing all four trajectory groups.

Regional Trends in Overall Legal Protections

The analysis revealed a clear and sustained upward trajectory in transgender legal protections across Latin America between 2000 and 2021. The regional average TRIP score increased from 1.21 in 2000 to 3.89 in 2021, representing more than a threefold increase over the study period. This pattern indicates substantial expansion in formal legal protections, although from a relatively low baseline.

Importantly, the trajectory was not linear. As shown in Figure 1, legal change occurred through phases of slower movement, accelerated expansion, and subsequent leveling off rather than through steady year-by-year growth. Between 2000 and 2011, the average annual increase

in the regional TRIP score was approximately 0.0718, suggesting gradual but limited change during the first decade of the period under study. By contrast, between 2012 and 2018 the average annual increase rose to approximately 0.2406, more than three times the earlier rate. After 2018, the pace of change slowed again, with an average annual increase of approximately 0.0702 between 2019 and 2021. This pattern is strongly consistent with the chapter's expectation that transgender rights development would be characterized by temporal clustering rather than linear progression.

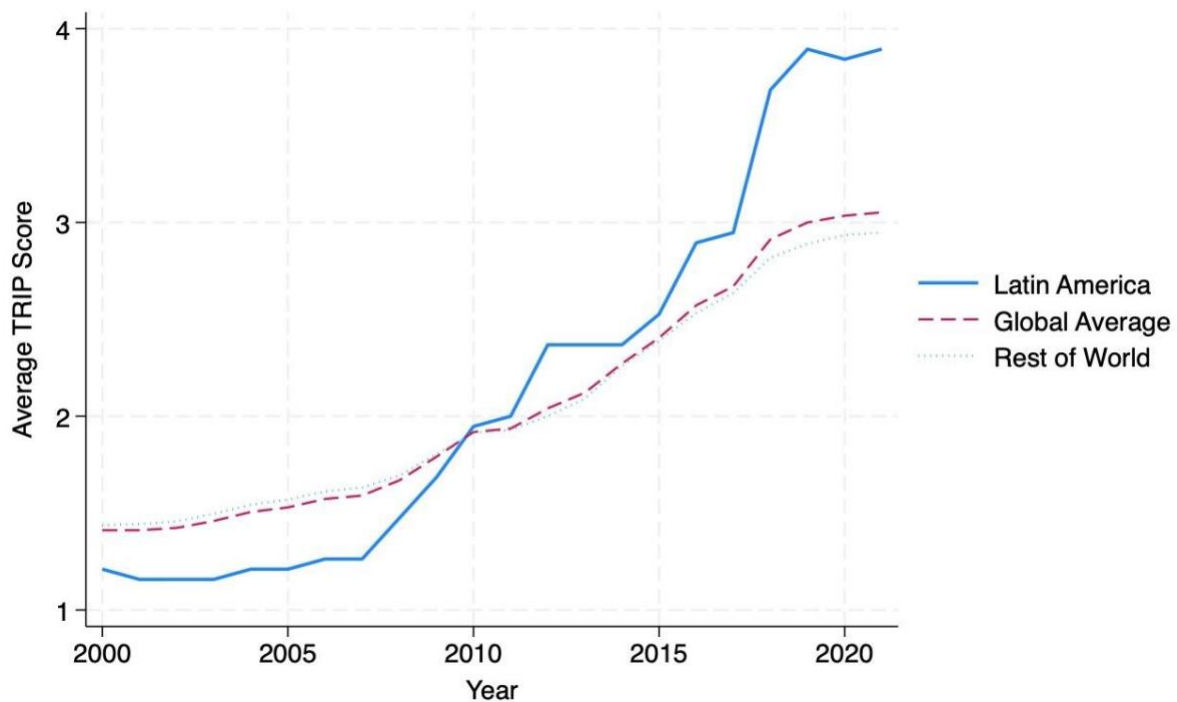


Figure 1. Accelerated Expansion of Transgender Legal Protections: Latin America Relative to Global Trends, 2000–2021

Figure 1 does more than document regional improvement; it displays the temporal signature anticipated by the chapter's diffusion argument. The Latin American trajectory rises modestly during the early 2000s, approaches the global average around 2010, and then steepens sharply during the early-to-mid 2010s. This pattern suggests that transgender legal protections

became increasingly institutionalized as legitimate components of state policy rather than remaining isolated innovations. From a world society perspective, the regional acceleration reflects the growing authority of a global cultural model centered on autonomous personhood, equality, and state recognition. Argentina's 2012 Gender Identity Law was especially consequential because it converted that broader cultural model into a highly visible regional template (Meyer et al., 1997; Frank et al., 2010; Malta et al., 2019; Smith & Boas, 2024).

The year-over-year pattern strengthens this interpretation. The largest regional increases occurred after 2010, with pronounced jumps in 2011, 2016, and 2018. These clustered changes are difficult to characterize as nineteen wholly independent national developments. Instead, they suggest a regional field in which international human rights claims, activist strategies, judicial arguments, and policy models increasingly circulated across borders. Argentina served as an important focal point, but the acceleration also reflected reforms in Uruguay, Colombia, Chile, Costa Rica, Ecuador, and other countries. I therefore interpret the post-2012 rise not as evidence of simple copying, but as evidence that a transgender-inclusive legal script had become more legitimate, concrete, and available throughout the region.

The regional trajectory also becomes more meaningful when situated within global comparison. Latin America approached and then moved above both the global average and the rest-of-world average during the early 2010s, and by the mid-2010s this advantage was clearly established. During the 2012–2018 period, Latin America's average annual increase in TRIP score exceeded both the global average and the rest-of-world average. This finding strengthens the chapter's claim that Latin America emerged as a relative leader in transgender legal protections during the latter half of the study period. The significance of this pattern lies not

simply in regional progress, but in the fact that Latin America advanced faster than the broader global trend.

The regional average nevertheless conceals a central limit of world-cultural diffusion. Latin America moved ahead of the global and rest-of-world averages, but this leadership was produced disproportionately by a subset of countries. Shared exposure to international norms did not erase domestic differences. The aggregate pattern therefore supports only the first half of the diffusion story: transgender-inclusive law became increasingly legitimate and regionally salient. The country trajectories examined below provide the second half by showing that the translation of this model remained deeply dependent on domestic political and institutional conditions.

Domain-Specific Trends

While regional averages provide a useful overview of the overall direction of change, they obscure important variation in the types of protections that expanded over time. To better understand the structure of reform, the analysis disaggregated the TRIP score into its three principal domains: criminalization, legal gender recognition, and anti-discrimination protections. The domain-specific findings provide strong evidence of layered institutional development and directly support the expectation that different dimensions of transgender rights would develop at different rates.

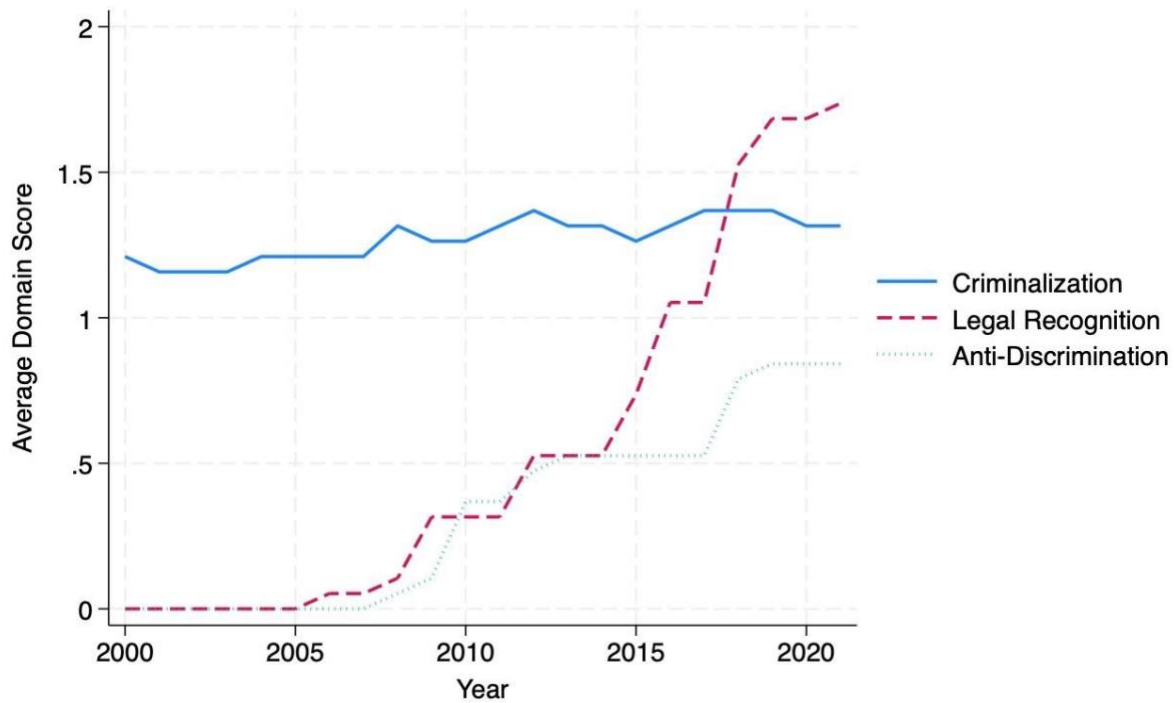


Figure 2. Domain-Specific Trends in Criminalization, Legal Gender Recognition, and Anti-Discrimination Protections in Latin America, 2000–2021

As shown in Figure 2, the three domains followed distinct trajectories over time. Criminalization-related protections began from a higher baseline and changed more gradually. Legal gender recognition showed the sharpest and most pronounced increase, particularly after 2012. Anti-discrimination protections also expanded, but at a slower and more uneven pace, remaining comparatively underdeveloped by 2021. This pattern is highly consistent with historical institutionalist expectations that reforms will unfold in layered and sequential ways rather than all at once (Pierson, 2000; Thelen, 2004).

Criminalization

The criminalization domain showed relatively high baseline values and only modest improvement over the study period. The regional average in this domain was approximately 1.21 out of a maximum of 2 in 2000 and rose to 1.32 by 2021. Compared with the dramatic changes

observed in the recognition domain, this is a relatively small increase. Substantively, this suggests that many Latin American countries had already moved away from the most explicit forms of direct criminalization before 2000, but that indirect forms of punitive regulation remained salient.

This is important because the criminalization domain captures not only direct criminalization, but also indirect forms of legal repression through public morality, vagrancy, and public order statutes. In several Latin American contexts, such laws historically enabled authorities to target transgender individuals for “indecent behavior,” “scandal,” or “disturbing public order,” even in the absence of explicit anti-transgender laws (Horswell, 2005; Vaggione, 2017). For example, in countries such as Ecuador and Bolivia, public order provisions historically served as tools for policing gender nonconformity. Over time, the weakening or removal of these provisions contributed to the gradual improvement visible in Figure 2.

The limited movement in this domain therefore supports a sequencing argument rather than a conclusion that diffusion was weak. Much of the region entered the period after the most explicit criminal prohibitions had already been dismantled, while indirect policing through morality and public-order provisions persisted. The reforms captured after 2000 consequently operated on an institutional terrain in which the basic retreat from direct criminalization had partly occurred, but affirmative recognition had not. This is the first layer of the regional trajectory: the weakening of overtly punitive law preceded the wider institutionalization of transgender persons as positively recognized rights-bearing subjects.

Legal Gender Recognition

The legal gender recognition domain exhibited the most dramatic and rapid growth across the three domains. At the beginning of the period, the regional average in this domain was

effectively zero, indicating that formal mechanisms for changing gender markers on official documents were almost entirely absent. By 2012, the regional average had increased only modestly, to approximately 0.53 out of 5. By 2018, however, it had risen to approximately 1.53, and by 2021 it reached 1.74. This was by far the most pronounced increase across domains.

The sharp acceleration in legal gender recognition after 2012 is one of the clearest empirical findings in the chapter. It strongly supports the expectation that legal recognition would expand more rapidly than anti-discrimination protections and aligns closely with the diffusion-centered framework developed in the literature review. Argentina's 2012 Gender Identity Law clearly matters here. Its model of self-determination—allowing legal gender change without surgery, psychiatric diagnosis, or judicial approval—provided both a normative and legislative template for the region. Uruguay subsequently adopted similarly progressive legislation, while Colombia, Chile, and other countries expanded recognition through judicial, legislative, or administrative reforms.

The spread of recognition reforms is the clearest point at which world society, regional diffusion, and domestic institutional pathways intersect. The global human rights framework supplied a language of autonomy and dignity; Argentina demonstrated an expansive legislative model; and later adopters translated that model through their own institutions. Uruguay moved through comprehensive legislation, Colombia relied heavily on constitutional adjudication, and Chile adopted a later statutory pathway. These reforms therefore shared a broad cultural orientation without producing identical laws. Their variation illustrates translation rather than mechanical replication.

The recognition domain also captures the removal of restrictive requirements, not merely the existence of legal gender change procedures. This makes the increase even more significant.

In several cases, reforms did not simply create a pathway to documentation change; they also removed major barriers such as surgical prerequisites or psychiatric evaluations. In institutional terms, this represents a shift from pathologizing or heavily regulated models of gender identity to more autonomy-centered frameworks.

At the same time, the growth in recognition remained incomplete. Even by 2021, the regional average of 1.74 out of 5 indicates that legal recognition was far from universal or fully liberalized across the region. Only a limited number of countries introduced more expansive recognition frameworks, and nonbinary or third-gender markers remained uncommon. Thus, while the recognition domain showed the fastest and clearest evidence of diffusion, it also remained uneven across countries.

Anti-Discrimination Protections

Anti-discrimination protections expanded more gradually and remained the least developed domain by the end of the period. The regional average in this domain increased from 0 in 2000 to approximately 0.84 out of 6 by 2021. Although this represents clear movement, it is substantially lower than the growth observed in legal gender recognition and indicates that comprehensive protection against discrimination remained limited in much of the region.

The anti-discrimination domain includes protections in employment, education, healthcare, housing, constitutional law, and general anti-discrimination frameworks. Because these forms of protection span multiple institutional sectors, they require broader coordination and are often more politically complex than reforms centered on documentation or administrative recognition. This helps explain why expansion in this domain was slower and more uneven.

Some countries did adopt stronger anti-discrimination provisions. Bolivia, for example, stands out for its constitutional prohibition of discrimination based on gender identity and sexual

orientation. Yet many countries adopted only partial protections, often in statutory rather than constitutional form, and frequently without comprehensive sectoral coverage. In several cases, gender identity was included in general anti-discrimination language but not backed by robust implementation mechanisms or specific institutional protections.

The contrast between recognition and anti-discrimination is one of the chapter's strongest theoretical findings. The evidence suggests not only that diffusion was partial across countries, but that the global rights script itself was disaggregated during domestic adoption. Recognition of identity traveled relatively quickly because it could be framed as an issue of documentation, autonomy, and administrative inclusion. Comprehensive anti-discrimination protection required states to regulate schools, employers, healthcare systems, housing markets, and constitutional relationships. It therefore demanded a deeper reorganization of institutional authority and encountered a wider range of potential opponents. The gap between these domains is precisely what a layered model of reform leads us to expect: states can recognize transgender persons formally while leaving many of the institutional conditions governing substantive equality unchanged.

Country-Level Trajectories and Typological Patterns

Although the regional and domain-level analyses reveal important patterns of expansion and sequencing, they do not fully capture the extent of cross-national variation within Latin America. To address this, the analysis examined country-level trajectories and grouped countries according to observed patterns of change between 2000 and 2021. The results reveal four distinct trajectory groupings: high-expansion cases, moderate expansion cases, limited incremental change cases, and persistent low-protection or stagnant cases. This categorization provides a more precise account of regional divergence by distinguishing between substantial

transformation, moderate reform, modest but measurable movement, and near-stagnation. The empirical distribution therefore underscores the broader argument that rights expansion was uneven rather than convergent and that the four trajectory groups represent different forms of domestic translation, selective incorporation, and resistance to globally and regionally circulating rights models.

Figures 3 through 6 display the country-level trajectories across these observed groupings. Additional appendix figures situate Latin America within the broader global distribution of TRIP scores in 2021 and provide a combined category panel summarizing all four trajectory groups.

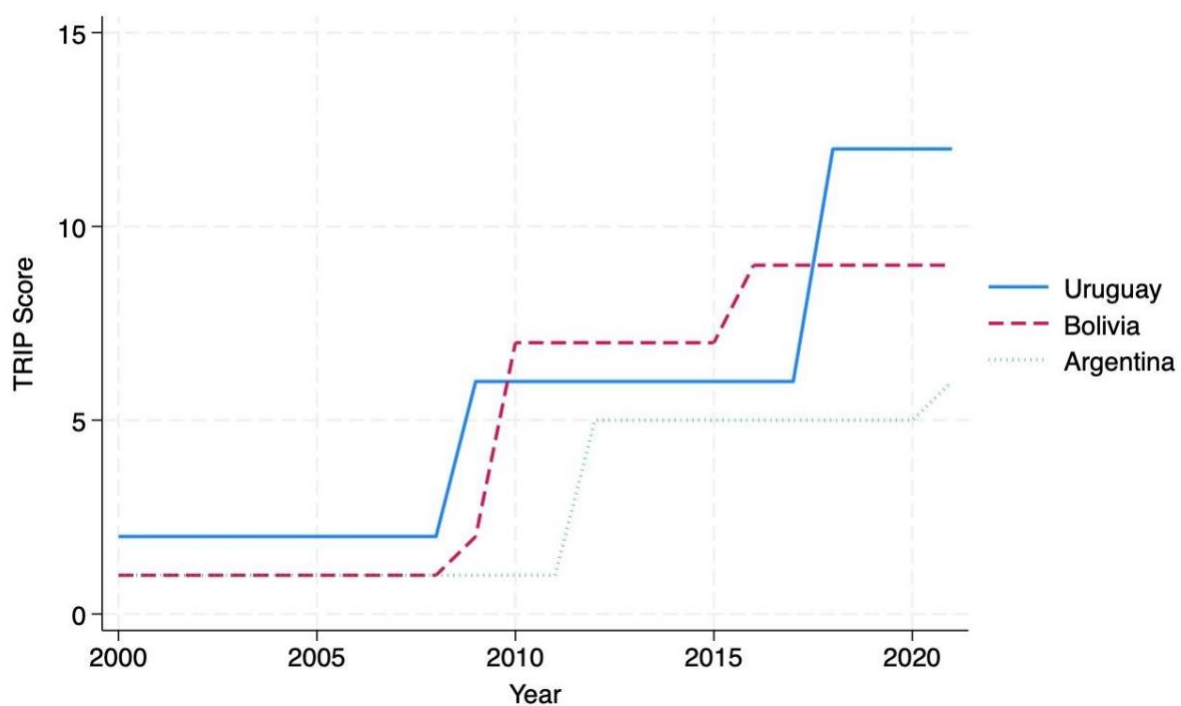


Figure 3. High-Expansion Country Trajectories, 2000–2021

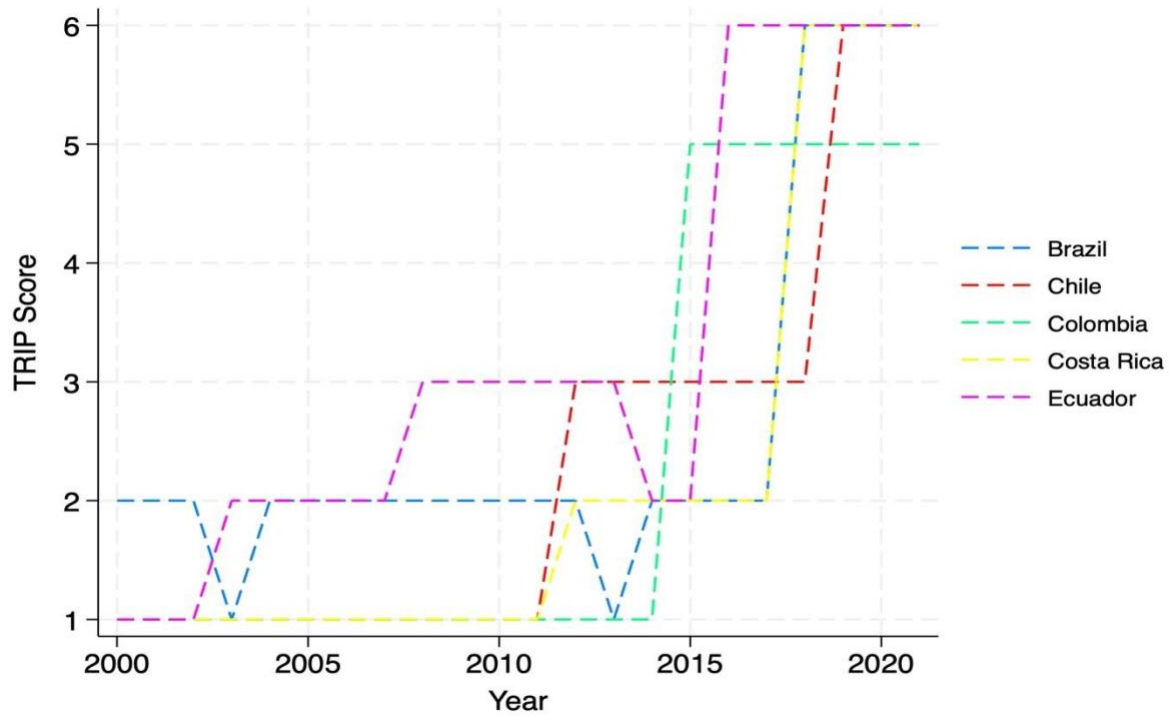


Figure 4. Moderate-Expansion Country Trajectories, 2000–2021

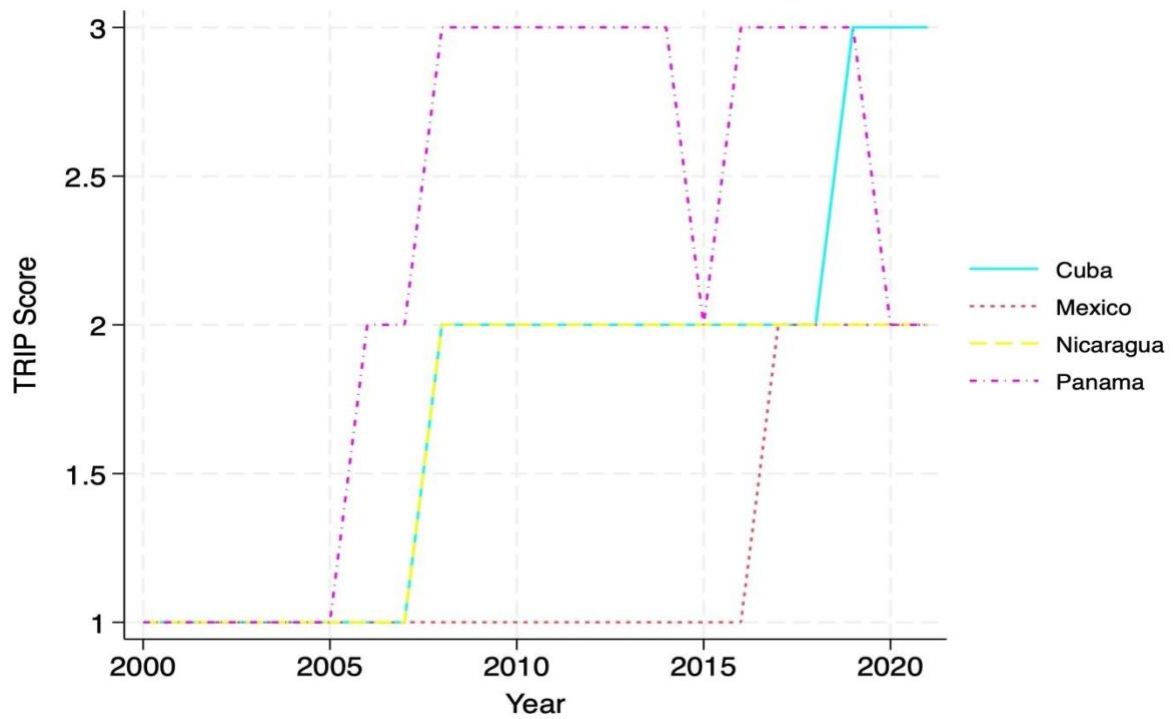


Figure 5. Limited Incremental Change Country Trajectories, 2000–2021

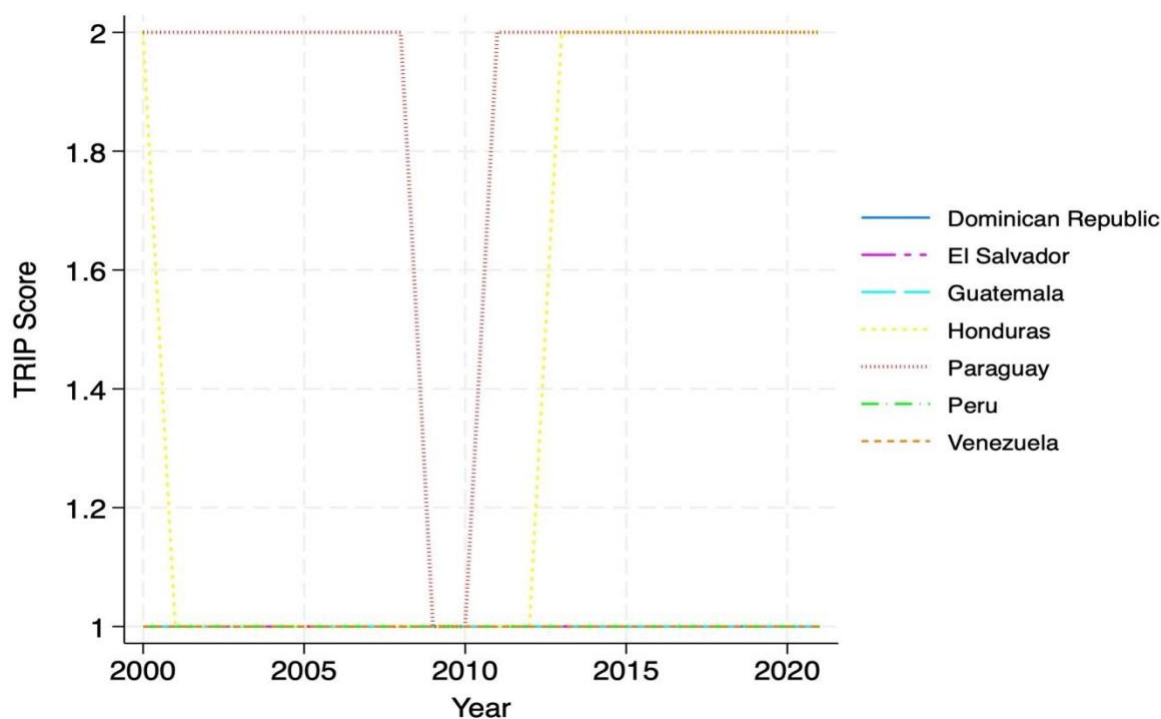


Figure 6. *Persistent Low-Protection and Stagnant Country Trajectories, 2000–2021*

High-Expansion Cases

A first group of countries experienced especially strong and sustained expansion in transgender legal protections. Uruguay emerged as the strongest case in the region and the highest-scoring country globally by 2021, with a TRIP score of 12. Bolivia followed with a score of 9, and Argentina reached a score of 6 by the end of the period. In net-change terms, Uruguay increased by 10 points between 2000 and 2021, Bolivia by 8, and Argentina by 5. These countries represent the clearest high-expansion cases in the region and are highlighted in Figure 3.

These cases show that high expansion did not emerge through one uniform domestic pathway. Argentina combined strong movement mobilization, political allies, and a comprehensive statutory reform that subsequently became a regional reference point (Encarnación, 2016; Malta et al., 2019; Smith & Boas, 2024). Uruguay paired a receptive

political environment with an increasingly expansive rights framework, eventually producing the region's highest score (Encarnación, 2016). Bolivia's trajectory was different: major protections were incorporated through constitutional and legislative change associated with a broader refounding of the state and an institutional discourse of inclusion (Hummel & Velasco-Guachalla, 2024). Their shared outcome therefore cannot be reduced to a single variable such as left-party government. What unites the cases is that globally and regionally legitimated rights claims encountered domestic institutions capable of translating them into substantial formal change.

Argentina and Uruguay can also be understood as norm-leading cases rather than merely successful adopters. Their reforms altered the regional policy environment by demonstrating that highly expansive gender-identity protections were institutionally possible within Latin America. Bolivia illustrates a complementary process in which broader constitutional transformation opened space for protections even in a setting where transgender rights did not necessarily possess the same independent political salience. The high-expansion category therefore supports the argument that diffusion is strongest when global scripts are reinforced by domestic political openings, institutional allies, and broader projects of legal modernization or inclusion.

Moderate Expansion Cases

Between these two poles lies a second group of countries characterized by meaningful but less dramatic expansion in transgender legal protections. Brazil, Chile, Colombia, Costa Rica, and Ecuador fall into this intermediate category. Each of these countries registered clear gains over the study period, but their trajectories were more gradual and less steep than those observed in Uruguay, Bolivia, and Argentina. By 2021, Brazil, Chile, Costa Rica, and Ecuador each had TRIP scores of 6, while Colombia reached 5.

In these cases, legal change occurred through a more incremental accumulation of protections rather than through a single transformative leap. In net-change terms, Brazil and Colombia increased by 4 points between 2000 and 2021, while Chile, Costa Rica, and Ecuador increased by 5 points each. Figure 4 highlights these moderately advancing countries, which responded to broader regional trends but did so through somewhat slower or less sweeping reform trajectories than the clearest regional leaders.

The moderate-expansion cases demonstrate that exposure to the same regional reform wave did not require either comprehensive adoption or stagnation. Brazil and Colombia relied substantially on courts and administrative institutions, producing significant formal advances without one unified legislative settlement comparable to Argentina's, while Chile moved through a later and more politically contested legislative process (Corrales, 2015; Encarnación, 2016). Costa Rica and Ecuador likewise incorporated protections through combinations of constitutional, administrative, judicial, and statutory change. These different pathways generated meaningful gains, but they also produced more fragmented or delayed trajectories.

I interpret this group as evidence of selective translation. Global norms and regional precedents mattered, but domestic institutional structures determined the form and timing of adoption. Courts could bypass legislative blockage, yet court-centered change could also result in a more piecemeal legal framework. Executive or administrative reform could move quickly, but it might remain vulnerable to changes in political leadership. Federal, fragmented, or multiparty systems created additional points of access while also complicating comprehensive national reform. Moderate expansion therefore represents neither failed diffusion nor full convergence; it reflects substantial incorporation through institutionally constrained pathways.

Limited Incremental Change

A third group of countries exhibited limited but measurable expansion in transgender legal protections over the study period. Cuba, Mexico, Nicaragua, and Panama fall into this category. These countries registered some positive movement over time, but their gains remained modest and did not approach the levels observed among either the high-expansion or moderate-expansion cases.

Figure 5 shows that these countries experienced discrete and relatively narrow changes rather than sustained transformation. Their trajectories suggest that particular components of the international and regional rights model entered national law without reorganizing the broader legal framework. Mexico is a particularly important example because progressive subnational reforms coexist with an uneven national landscape. Federalism created opportunities for innovation in jurisdictions such as Mexico City but limited the uniformity with which those reforms were reflected at the national level (Corrales, 2015; Encarnación, 2016). Panama and Nicaragua similarly registered limited gains without developing comprehensive protections across domains, while Cuba's later movement remained narrower than that of the leading reformers.

These cases clarify what partial diffusion means empirically. Global scripts can alter the policy agenda and legitimate specific changes even when domestic coalitions are insufficient to sustain broader reform. A state may adopt one recognition mechanism, remove one restrictive rule, or incorporate a narrow protection while leaving the rest of the legal structure intact. Limited incremental change therefore reflects constrained incorporation rather than simple nonresponse. These countries occupied the space between meaningful institutional transformation and durable resistance.

Persistent Low-Protection and Stagnant Cases

A fourth group of countries exhibits persistently low levels of transgender legal protection with minimal or no meaningful change over the entire study period. This group includes Paraguay, Honduras, Guatemala, El Salvador, the Dominican Republic, Peru, and Venezuela. These countries remained at or near the bottom of the TRIP score distribution from 2000 through 2021, with only marginal improvements in some cases and no evidence of sustained upward trajectories.

These cases are crucial because they demonstrate that world-cultural legitimacy is not self-executing. Paraguay, Honduras, Guatemala, El Salvador, the Dominican Republic, Peru, and Venezuela were exposed to the same expanding international discourse and many of the same regional precedents as the reforming countries. Their limited movement therefore cannot be explained simply by isolation from global norms. Instead, the findings direct attention to the domestic actors and institutions capable of preventing those norms from being translated into law.

The theoretical framework suggests several mutually reinforcing explanations. Conservative political and religious coalitions can raise the electoral and symbolic costs of reform, particularly where transgender rights are linked to broader campaigns against “gender ideology.” Weak or fragmented movement infrastructures can limit the capacity to place gender identity on legislative and judicial agendas. Closed or unstable institutions may provide fewer sustained points of access for legal mobilization. In some cases, existing scholarship suggests that political crises and democratic erosion may also crowd out rights reform or reduce the authority of courts and civil-society actors. Scholarship on Paraguay, Honduras, and Guatemala is particularly consistent with the role of religious influence and conservative

countermobilization in preserving low-protection environments (Corrales, 2015; Vaggione, 2017).

From a world society perspective, these cases may illustrate selective incorporation or loose coupling: governments can endorse general human-rights language and participate in international institutions without incorporating transgender-specific protections into domestic law. Formal membership in a global rights order can therefore coexist with selective omission. Persistent stagnation is not evidence that diffusion did not reach these countries; it is evidence that diffusion encountered effective domestic resistance and competing scripts of gender, family, and national identity.

The contrast across the four groups consequently reveals more than different amounts of change. High-expansion cases show broad domestic translation of global and regional models. Moderate cases show substantial but institutionally fragmented translation. Limited-change cases show narrow incorporation. Persistent low-protection cases show successful blockage or omission. The typology thus maps different outcomes of the same broader diffusion process.

Absence of Sustained Contraction

One of the most striking findings of the typological analysis is the absence of sustained contraction between 2000 and 2021. No Latin American country experienced a negative net change in TRIP score over the study period. This suggests that once transgender legal protections were institutionalized, they demonstrated at least a degree of formal durability. In other words, the data do not indicate a pattern of systematic rollback during the years covered by the TRIP dataset. This durability is theoretically significant because it suggests that layering can create institutional stickiness even when reforms remain contested. Once rights are embedded in constitutions, civil-registration procedures, judicial precedents, or administrative routines,

reversal may require more than a change in public rhetoric or governing ideology. New rules can generate expectations among rights holders, professional actors, and bureaucracies that increase the costs of formal repeal.

This should not be interpreted as evidence that retrenchment is impossible or that backlash is absent. Rather, it suggests that within the timeframe captured by the data, formal legal contraction was not the dominant pattern. As discussed later in the chapter, developments after 2021 suggest emerging forms of backlash and potential retrenchment in some contexts, particularly around gender identity policies and gender-affirming care. Nonetheless, the absence of contraction in the 2000–2021 data remains an important result in its own right.

Global Distribution and Regional Positioning

An appendix figure further situates Latin America within the broader global distribution of transgender legal protections. The appendix histogram shows that TRIP scores in 2021 were highly skewed globally, with most countries concentrated at low levels of protection and only a relatively small number achieving high scores. This distribution is theoretically important because it shows that, although transgender rights became increasingly institutionalized within global human-rights discourse, their incorporation into national legal systems remained highly incomplete.

Within this broader distribution, Latin America occupies a distinctive but internally uneven position. The region includes Uruguay, the highest-scoring country globally in 2021, as well as several mid-range reformers and a substantial group of low-protection countries. Uruguay's position at the top of the 2021 distribution underscores that Latin America did not merely catch up to global trends; in at least one case, it helped redefine the upper boundary of formal transgender legal protections. This pattern reinforces one of the chapter's central

arguments: Latin America should not be characterized simply as a progressive region or a resistant region, but rather as a region marked by leadership, uneven diffusion, and persistent divergence.

Summary of Empirical Patterns

Taken together, the empirical patterns strongly support the chapter's central argument that transgender legal change in Latin America reflects a process of partial and mediated world-cultural diffusion. The substantial increase in the regional TRIP average is consistent with the growing institutionalization of transgender persons as legitimate rights-bearing actors within global human rights discourse. The fact that Latin America eventually surpassed both the global and rest-of-world averages further suggests that the region became not merely a recipient of global models, but an important site of their elaboration. Uruguay's position at the top of the 2021 global distribution and Argentina's influence as a legislative model illustrate this regional contribution.

The temporal pattern also corresponds to the diffusion argument. Reform did not proceed at a constant rate; it accelerated sharply during the period in which transgender rights gained greater international recognition and visible regional precedents became available. The clustering of change after Argentina's 2012 law does not prove that Argentina caused every subsequent reform. It does, however, indicate that reforms occurred within an increasingly interconnected regional field rather than as wholly isolated national events.

The domain-specific results support the expectation of selective institutionalization. Legal recognition expanded fastest because the autonomy-based rights model could be incorporated through civil registries, courts, and administrative procedures. Anti-discrimination protections traveled more slowly because they required broader intervention across social and

economic institutions. Criminalization began from a higher baseline, consistent with an earlier historical layer of reform. These patterns show that diffusion concerned not only whether rights spread, but which elements of the rights model were most portable.

Finally, the country typology underscores the importance of domestic mediation and reveals patterns consistent with the theoretical mechanisms outlined earlier. Argentina, Uruguay, and Bolivia translated expanding rights norms into broad formal change, although through different political and institutional pathways. Brazil, Colombia, Chile, Costa Rica, and Ecuador incorporated substantial protections more gradually or through fragmented venues. Cuba, Mexico, Nicaragua, and Panama adopted narrower components of the broader model. Paraguay, Honduras, Guatemala, El Salvador, the Dominican Republic, Peru, and Venezuela remained largely stagnant despite exposure to the same regional environment. This distribution is not consistent with automatic convergence. It is consistent with a process in which global scripts expand the field of legitimate action while domestic institutions and countermovements shape the result.

The absence of net contraction adds a final institutional dimension. During the period covered by TRIP, the dominant alternatives were expansion, partial adoption, or stagnation—not sustained formal reversal. This suggests that once protections were embedded, they acquired some degree of institutional durability. That conclusion must remain bounded by the 2000–2021 timeframe and by the dataset’s focus on formal law, but it reinforces the broader argument that layered reforms can become sticky even when the social and political conflicts surrounding them remain unresolved.

Discussion

The empirical pattern identified in this chapter is not adequately described as either regional progress or persistent national difference. I interpret it as partial and uneven world-cultural diffusion. A globally expanding model of autonomous personhood and transgender inclusion altered the legal possibilities available to Latin American states. Regional leaders then made that model concrete and helped accelerate its circulation. However, domestic political institutions, movement capacities, and countermobilizing actors determined how extensively it was translated into law. This interaction produced the chapter's three principal findings: temporal clustering, selective expansion across legal domains, and differentiated country trajectories.

World-Cultural Diffusion and the Regional Clustering of Reform

One of the most consistent and striking findings of the analysis is the non-linear, clustered nature of transgender rights expansion in Latin America. As shown in the results, the period between 2012 and 2018 was characterized by a dramatic acceleration in legal change, with average annual increases in TRIP scores more than tripling relative to the preceding decade. This pattern strongly supports the expectation that transgender rights expansion would follow a diffusion-driven trajectory rather than a steady incremental path.

This clustering is highly consistent with theories of international norm diffusion, particularly the “norm cascade” model proposed by Finnemore and Sikkink (1998). According to this framework, once a critical threshold of norm adoption is reached—often triggered by highly visible or norm-setting cases—policy change can spread more rapidly across countries. Argentina's 2012 Gender Identity Law appears to have played precisely this role. Its model of self-determined gender recognition, which eliminated requirements for surgery, psychiatric

diagnosis, and judicial approval, provided both a normative benchmark and a practical legislative template for other countries in the region.

The temporal alignment between Argentina's reform and subsequent regional acceleration is unlikely to be coincidental. Countries such as Uruguay, Colombia, Chile, Costa Rica, and Ecuador adopted or expanded transgender rights protections within this broader window, suggesting processes of emulation, learning, and regional signaling (Simmons et al., 2006). In this sense, the findings support the expectation that transgender rights diffusion in Latin America would be shaped not only by global pressures, but also by intra-regional dynamics.

World society theory adds an important sociological interpretation to this sequence. Argentina did not create the underlying principles of autonomy, dignity, and non-discrimination, nor did subsequent states simply copy an Argentine statute. Rather, these countries participated in a broader transformation in which transgender identity became increasingly intelligible as a legitimate object of rights protection. Argentina's law mattered because it condensed that wider transformation into an institutionally specific model. Its regional influence depended on both its substantive content and its fit with an increasingly authoritative global script.

The fact that Latin America surpassed the global average also complicates any center-to-periphery account of diffusion. The region was not merely importing a fixed model from Europe or North America. Latin American movements, courts, and legislatures helped elaborate some of the most expansive versions of gender-identity recognition. Diffusion was therefore multidirectional: global human-rights discourse influenced national reform, while Latin American innovations subsequently contributed to the evolving global standard.

At the same time, the observed deceleration after 2018 complicates a purely linear diffusion narrative. The slowing of reform suggests that diffusion processes may encounter saturation points or increasing resistance once early adopters have acted. This pattern is consistent with more recent scholarship emphasizing that norm diffusion is often incomplete and contested, particularly in areas related to gender and sexuality where reforms challenge deeply embedded social and institutional norms (Ayoub, 2016; Vaggione, 2017). Thus, while diffusion clearly played a central role, it did not produce universal convergence.

Layered Institutional Development Across Domains

A second major finding concerns the uneven development of transgender rights across legal domains. The results show that legal gender recognition expanded far more rapidly than anti-discrimination protections, while criminalization-related reforms showed relatively limited change over the study period. This pattern provides strong empirical support for the expectation that transgender rights would develop through processes of institutional layering rather than simultaneous transformation across all domains.

From a historical institutionalist perspective, this sequencing is both theoretically meaningful and empirically consistent. Institutional change often occurs through the gradual addition of new rules and practices onto existing frameworks rather than through wholesale replacement (Thelen, 2004; Mahoney & Thelen, 2010). In the case of transgender rights, legal gender recognition reforms represent a form of institutional innovation that can be introduced without immediately restructuring broader systems of social and economic governance. By contrast, comprehensive anti-discrimination protections require deeper institutional commitments, including enforcement mechanisms, administrative capacity, and broader political consensus.

The findings suggest that recognition-based reforms were more politically feasible and more readily diffused across the region. This may be because such reforms can be framed in terms of individual identity and administrative inclusion, rather than structural redistribution or institutional transformation. In contrast, anti-discrimination protections—particularly those extending across employment, education, healthcare, and housing—require more extensive changes to existing institutional arrangements and may therefore encounter greater resistance.

This divergence also reflects what might be understood as selective diffusion across domains. While norms related to gender identity recognition gained traction and visibility, norms related to structural equality and redistribution diffused more slowly and unevenly. This reinforces the chapter's broader argument that transgender rights expansion in Latin America has been layered and partial, rather than comprehensive.

Importantly, the relatively modest change observed in the criminalization domain further supports this interpretation. The limited movement in this domain suggests that the removal of overtly punitive legal frameworks occurred earlier and did not constitute the primary driver of change during the period under study. Instead, the most significant transformations involved the expansion of recognition and, to a lesser extent, protection against discrimination.

Cross-National Divergence and the Domestic Mediation of World-Cultural Models

The country trajectories demonstrate why diffusion should not be equated with convergence. All nineteen countries were embedded in a regional and global environment in which transgender rights became more visible and legitimate, but they possessed different institutional capacities and political channels for translating those models into law. The four trajectory groups can therefore be interpreted as different forms of domestic reception.

The high-expansion cases combined internationally legitimate rights claims with unusually favorable domestic openings. Argentina's movement-state alliances and comprehensive statutory pathway transformed a global autonomy norm into a regional benchmark. Uruguay's progressive institutional environment supported broad and durable reform. Bolivia's constitutional refounding created a different opening through which gender-identity protections could be incorporated into a wider project of inclusion. These cases show that high expansion can emerge through different coalitional configurations, provided that rights claims gain access to authoritative institutions.

The moderate-expansion cases reveal the importance of institutional venue. Brazil and Colombia achieved significant advances through courts and administrative institutions, while Chile, Costa Rica, and Ecuador followed their own combinations of legislative, judicial, and executive reform. These routes made meaningful change possible, but they also fragmented the process and delayed comprehensive adoption. Their trajectories are therefore consistent with a model of translated diffusion: the broad norm was accepted, but the institutional form reflected national political structures.

Limited incremental cases illustrate narrower forms of incorporation. Mexico's subnational advances demonstrate how federalism can simultaneously facilitate innovation and prevent uniform national reform. Cuba, Nicaragua, and Panama incorporated selected protections without reconstructing the full legal framework. In these contexts, global norms altered particular rules but did not produce a sustained reform coalition across domains.

The persistent low-protection cases reveal the countervailing power of domestic resistance. Conservative religious actors, anti-gender campaigns, weak movement access, political instability, and closed institutional venues can prevent a globally legitimate model from

becoming nationally authoritative. Paraguay, Honduras, and Guatemala are especially illustrative of environments in which conservative coalitions have constrained gender and sexuality reform. Their stagnation does not contradict world society theory; it demonstrates that world culture is heterogeneous and contested. Liberal rights scripts coexist with transnational scripts defending traditional family authority and national cultural sovereignty.

These patterns also caution against treating governing ideology as a sufficient explanation. Left-of-center governments created important opportunities in several high-expansion cases, but ideological labels do not automatically generate transgender-inclusive law. The decisive issue is whether governing coalitions, movements, courts, and bureaucratic actors translate general commitments to inclusion into specific protections. Conversely, institutional openings can sometimes permit judicial or administrative reform even when legislatures remain conservative. The observed variation therefore reflects configurations of actors and institutions rather than one isolated national characteristic.

Durability of Legal Protections and Emerging Backlash

Another important finding is the absence of sustained contraction in transgender legal protections between 2000 and 2021. No country in the dataset experienced a net decline in TRIP score over the study period, suggesting that once formal legal protections were adopted, they exhibited a degree of institutional durability.

This finding complicates dominant narratives of backlash, which often emphasize the fragility of LGBTQ+ rights gains. While backlash and contestation are clearly present in many contexts, the TRIP data indicate that, at least during this period, formal legal rollback was not widespread in Latin America. This suggests that once institutionalized, transgender rights

protections may become embedded in ways that make reversal more difficult, consistent with theories of institutional stickiness and path dependence (Pierson, 2000).

At the same time, it is important to contextualize this finding temporally. The TRIP dataset used in this analysis extends only through 2021 and therefore does not capture more recent developments. Since 2021, there is growing evidence of backlash and attempts to restrict gender identity-related policies in various global contexts, including debates over gender-affirming care and education policies. While such developments have been more pronounced in regions such as North America and Europe, similar dynamics are emerging in parts of Latin America as well.

Thus, the absence of contraction in the dataset should not be interpreted as evidence that transgender rights are secure or uncontested. Rather, it reflects the specific temporal scope of the analysis and highlights the importance of continued research on the durability and potential retrenchment of these rights.

Revisiting Expectations

The findings broadly align with the four theoretical expectations, but they also sharpen the chapter's argument. The first expectation—overall expansion within an increasingly rights-oriented world culture—is strongly supported. The regional average more than tripled, and Latin America moved from below to above the global average. Yet the country patterns demonstrate that the influence of world culture is better understood as an expansion of legitimate models than as a force producing uniform outcomes.

The second expectation—temporal clustering—is also supported. The marked acceleration between 2012 and 2018 corresponds to a period in which transgender rights were becoming more institutionally visible globally and regionally. Argentina's reform appears to

have operated as a focal model within that broader process. The evidence cannot establish direct policy learning between each pair of countries, but the concentration of reforms is consistent with a regional cascade rather than independent linear development.

The third expectation—selective and layered expansion—is among the clearest findings. Recognition advanced much faster than anti-discrimination protection, demonstrating that states disaggregated the broader transgender-rights model during adoption. This is not simply an uneven implementation problem. It is an uneven institutionalization problem: some components of inclusion became embedded in law more readily than others.

The fourth expectation—cross-national divergence through domestic mediation—is likewise supported. However, the four-category typology reveals more variation than a simple division between leaders and laggards. Countries differed not only in whether they reformed, but also in the depth and coherence of reform. The distinction among comprehensive, moderate, narrow, and stagnant trajectories illustrates how common global pressures are translated through different domestic configurations.

Together, these findings refine the chapter's theoretical contribution. World society theory explains why transgender-inclusive legal models became increasingly available and legitimate. Regional diffusion explains the temporal clustering and circulation of concrete reform templates. Historical institutionalism explains the domain sequence and durability of adopted protections. Mobilization and backlash explain national variation in translation. No one framework is sufficient independently; their intersection accounts for the observed pattern.

Implications for Understanding Transgender Inclusion

More broadly, the findings of this chapter have important implications for understanding the evolution of transgender inclusion in Latin America. The results suggest that legal

recognition has expanded more rapidly than substantive protection against discrimination, raising questions about the extent to which formal inclusion translates into lived equality. While recognition-based reforms are significant, they do not necessarily address the structural conditions that shape access to employment, healthcare, housing, and education.

This distinction is critical for understanding the limits of legal reform. The expansion of recognition without corresponding advances in anti-discrimination protections may produce forms of partial inclusion that leave underlying inequalities intact. In this sense, the findings highlight the importance of examining not only whether rights are adopted, but also how they are distributed across different domains of social life.

At the same time, the persistence of low-protection contexts underscores that inclusion remains highly uneven across the region. For individuals living in countries with minimal legal protections, the gains observed elsewhere in Latin America may have limited immediate impact. This reinforces the importance of analyzing transgender rights not only at the regional level, but also through a comparative lens that accounts for national variation.

As a whole, the findings suggest that transgender rights development in Latin America reflects a complex interplay between global norms, regional dynamics, and domestic political contexts. The region has emerged as an important site of legal innovation and leadership, but also one marked by persistent inequality and divergence. The following conclusion synthesizes these insights and reflects on their broader implications for the study of transgender rights and comparative political development.

Conclusion

This chapter has argued that transgender legal change in Latin America between 2000 and 2021 is best understood as a process of partial and uneven world-cultural diffusion. Using

TRIP data for nineteen countries, I showed that transgender-inclusive legal models became increasingly institutionalized across the region, but that their adoption was temporally clustered, selective across legal domains, and mediated by domestic political and institutional conditions. The central finding is therefore not simply that rights expanded. It is that a common regional movement toward inclusion produced sharply different national and institutional outcomes.

The more than threefold increase in the regional TRIP average supports the argument that transgender persons became increasingly recognized within the legal models that define legitimate rights-protecting states. Latin America's movement above the global and rest-of-world averages further demonstrates that the region was not only responding to global change. Through reforms in Argentina, Uruguay, and other leading cases, Latin American actors also helped elaborate the content of the emerging international standard.

At the same time, the trajectory of change was not linear. Instead, the results reveal a pattern of temporal clustering, with the most significant acceleration occurring between 2012 and 2018. This period corresponds closely with the adoption of Argentina's 2012 Gender Identity Law and subsequent reforms in other countries, suggesting that regional dynamics of policy diffusion played a central role in shaping the pace of change. This finding is consistent with theoretical models of norm cascades, in which the adoption of a highly visible and norm-setting policy increases the likelihood of similar reforms elsewhere (Finnemore & Sikkink, 1998; Simmons et al., 2006).

The analysis also demonstrates that transgender rights have developed unevenly across legal domains. Legal gender recognition emerged as the most rapidly expanding dimension of protection, while anti-discrimination measures grew more slowly and remained comparatively underdeveloped by 2021. Criminalization-related reforms showed relatively limited change over

the study period, suggesting that the removal of overtly punitive legal frameworks largely preceded the expansion of recognition and protection. This domain-specific variation provides strong evidence of layered institutional development, in which new forms of inclusion are added incrementally rather than introduced simultaneously across all areas of law (Thelen, 2004; Mahoney & Thelen, 2010).

In addition to temporal and domain-specific patterns, the findings reveal substantial cross-national divergence. Rather than converging toward a common regional model, countries followed markedly different trajectories. Uruguay, Argentina, and Bolivia emerged as the clearest high-expansion cases, while Brazil, Chile, Costa Rica, Ecuador, and Colombia exhibited meaningful but more moderate reform trajectories. Cuba, Mexico, Nicaragua, and Panama showed limited but measurable incremental change, whereas countries such as Paraguay, Honduras, Guatemala, El Salvador, the Dominican Republic, Peru, and Venezuela remained at persistently low levels of legal protection with little to no meaningful change over the entire period.

This differentiated pattern does not indicate the failure of diffusion; it reveals its mediated character. Global norms and regional precedents changed the legal environment in which all nineteen countries operated, but they did not determine national outcomes. Expansive reform depended on movements, courts, parties, bureaucracies, and governing coalitions capable of translating rights claims into law. Partial reform is consistent with more fragmented institutional access, while stagnation is consistent with the capacity of conservative and religious actors to block or delegitimize transgender-inclusive policies. The typology therefore captures four modes of domestic reception: broad translation, substantial but fragmented translation, narrow incorporation, and persistent resistance.

One of the more unexpected findings of the analysis is the absence of sustained contraction in transgender legal protections during the period under study. No country experienced a net decline in TRIP score between 2000 and 2021, suggesting that once formal legal protections were adopted, they exhibited a degree of durability. This finding aligns with theories of institutional persistence and path dependence, which emphasize the difficulty of reversing established policies (Pierson, 2000). However, it is important to interpret this result within its temporal scope. Developments after 2021 indicate the emergence of backlash in various contexts, suggesting that the long-term stability of transgender rights remains an open question.

The chapter's principal theoretical contribution is to connect world society theory to the institutional and political mechanisms emphasized by comparative scholarship. World culture helps explain why transgender rights entered the agenda across diverse countries and why legal expansion occurred within a relatively concentrated historical period. It does not, by itself, explain which countries adopted comprehensive protections or which policy domains advanced. Those outcomes depended on regional policy models, inherited institutions, movement access, political allies, and organized opposition. Transgender-rights development in Latin America was therefore global in its cultural foundations, regional in its circulation, and national in its legal translation.

These findings have several broader implications. First, they highlight the importance of moving beyond binary assessments of whether rights are present or absent and instead examining how rights develop across different dimensions and over time. Second, they underscore the need to consider both regional and domestic factors in explaining variation in LGBTQ+ rights outcomes. Third, they suggest that formal legal recognition, while significant, does not

necessarily translate into comprehensive protection or lived equality, particularly in the absence of robust anti-discrimination frameworks. As the appendix figures further illustrate, these Latin American trajectories unfolded within a broader global distribution that remained heavily concentrated at lower levels of protection, while the category panel graph highlights the extent to which the region's 19 countries diverged into distinct pathways of reform and stagnation.

More broadly, this chapter demonstrates that debates over transgender rights are ultimately debates about how modern states define legitimate personhood, citizenship, and inclusion. The expansion of transgender rights in Latin America reflects both the growing influence of global human rights norms and the contingent, contested nature of their domestic translation. As such, it illustrates how inclusion is negotiated through complex interactions between international pressures, regional dynamics, and domestic political structures.

Future research should build on these findings by examining the implementation and enforcement of transgender rights, as well as the social and economic outcomes associated with legal change. In particular, there is a need for more work that connects formal legal protections to lived experiences, especially in contexts where legal reforms coexist with persistent social stigma and inequality. Additionally, as new forms of backlash emerge, understanding the conditions under which transgender rights are maintained, expanded, or contested will be increasingly important.

This chapter provides a comprehensive empirical and theoretical account of transgender rights development in Latin America. It demonstrates that while the region has made significant strides in formal legal inclusion, this progress has been uneven, layered, and contingent. By situating these patterns within broader theoretical frameworks, the chapter offers a foundation for

understanding both the achievements and the limitations of transgender rights expansion in the region and sets the stage for further analysis in subsequent chapters.

The findings presented in this chapter establish the first dimension of rights institutionalization: legal institutionalization. They demonstrate how transgender and non-binary rights became embedded within constitutions, legislation, judicial decisions, and administrative procedures across Latin America. At the same time, they also illustrate the limits of legal recognition as a measure of broader inclusion. The expansion of formal rights does not reveal whether those rights become socially legitimate among citizens or politically secure within democratic life. The following chapter therefore turns to the second dimension of rights institutionalization—social institutionalization—by examining the individual-level attitudes that shape public support for transgender and non-binary rights across Latin America.

CHAPTER 2: Global Norms, Local Moralities: Public Support for Transgender and Non-Binary Rights in Latin America

Introduction

Across Latin America and the Caribbean, transgender and gender-diverse people experience pervasive violence, discrimination, and structural exclusion. Regional human-rights research documents barriers beginning early in life, including family rejection, school exclusion, limited access to healthcare, discrimination in formal employment and housing, police abuse, and difficulties obtaining identity documents that correspond with individuals' gender identities (Inter-American Commission on Human Rights [IACHR], 2015, 2020). These forms of exclusion are mutually reinforcing: interrupted education and discrimination in formal employment increase exposure to poverty and informal work, while inadequate legal recognition and mistrust of state institutions restrict access to healthcare, housing, justice, and other public services. Trans women—particularly those who are poor, racialized, or engaged in street-based work—face especially severe exposure to lethal and nonlethal violence (IACHR, 2015, 2020; Transgender Europe [TGEU], 2023).

These conditions persist despite significant legal advances. Argentina, Uruguay, and several other Latin American countries have adopted important reforms involving legal gender recognition, anti-discrimination protections, and access to gender-affirming healthcare, positioning the region as an important site of transgender-rights innovation (IACHR, 2018, 2020; Malta et al., 2019). Yet the expansion of formal protections has not eliminated institutional exclusion or violence. Regional evidence instead reveals a persistent gap between legal recognition and the ability of transgender and gender-diverse people to exercise rights safely and

consistently in education, employment, healthcare, housing, and interactions with state institutions (IACHR, 2020; Spade, 2011). This gap underscores why the social legitimacy of transgender and non-binary rights—and not merely their formal legal adoption—is central to understanding their durability and practical meaning.

This context makes public opinion a critical—yet often overlooked—dimension of transgender and non-binary rights. Laws alone do not secure protection; their durability and implementation depend in part on social legitimacy and public support (Burstein, 2003; Page & Shapiro, 1983). Where public support is weak or polarized, rights remain vulnerable to political backlash, selective enforcement, or outright reversal (Inglehart & Norris, 2019; Ayoub, 2016). Understanding individual-level attitudes toward trans and non-binary rights is therefore not merely descriptive—it is essential for identifying where protections are most fragile, where resistance is concentrated, and where advocacy efforts may be most effective (Keck & Sikkink, 1998). If law is the formal promise of equality, public opinion shapes whether that promise is socially believable—and whether it is politically durable.

The salience of transgender rights in Latin America has intensified in recent years. Public debates over so-called “gender ideology,” mobilized by conservative political actors and religious organizations, have become increasingly visible across the region (Vaggione, 2017; Corrêa, 2018). These debates mirror developments in the United States and Europe, where legislative efforts to restrict gender-affirming healthcare, limit trans participation in public life, and roll back anti-discrimination protections have brought trans issues to the center of political conflict (Inglehart & Norris, 2019; Ayoub, 2016). Latin America presents a paradoxical landscape: some of the world’s most progressive gender identity laws coexist with extreme levels of violence against transgender individuals (Encarnación, 2016; Díez, 2015; TGEU,

2023). Legal reform does not automatically generate social inclusion. Socio-legal scholarship demonstrates that formal rights depend on supportive public opinion and institutional enforcement to become meaningful in practice (Rosenberg, 1991; McCann, 1994). This contradiction makes public opinion central—not peripheral—to understanding transgender rights protection. Although Latin America has been a global leader in some areas of trans legal recognition (Encarnación, 2016), it is simultaneously a region where backlash politics, moral panics, and violence against trans people remain acute (TGEU, 2023). Foregrounding this tension—between legal progress and social contestation—is essential for understanding why public opinion toward trans rights is both consequential and volatile.

Building on Chapter 1’s analysis of legal institutionalization, this chapter examines the second dimension of the dissertation’s multidimensional framework: the social institutionalization of transgender and non-binary rights. It situates Latin American public attitudes within a volatile global landscape and uses large-scale survey data from the AmericasBarometer to measure the extent of support for transgender and non-binary rights and identify the individual-level characteristics associated with stronger or weaker approval. The analysis focuses on a general rights principle: whether people from gender minorities should have the same rights as the majority population, as defined in the Methodology section. Rather than modeling cross-national differences, the chapter centers individual-level predictors—such as education, age, religious affiliation, political ideology, and urban residence—while accounting for national context through country fixed effects. This approach isolates how everyday beliefs and social positions shape support for trans rights within countries (Herek, 2000; Flores, 2015). In a region where trans rights can appear progressive on paper while remaining precarious in

daily life, public opinion represents an important part of the social context through which formal rights are interpreted, supported, or undermined in practice.

Research Questions

Specifically, it addresses three central questions:

1. What is the overall level of public support for transgender and non-binary people having the same rights as the majority population across the 13 Latin American countries included in the study?
2. How does support vary across individual-level characteristics, particularly education, religious identification, political ideology, ethnicity, age, gender, socioeconomic status, and urban–rural residence?
3. What do these individual-level patterns reveal about the social foundations of support for transgender and non-binary rights in Latin America?

Answering these questions clarifies where support for trans rights is socially rooted, where it is fragile, and what that implies for the durability of legal protections. The findings that follow are intended not only to map regional opinion but also to highlight where efforts to strengthen protection and inclusion are most urgently needed. By centering individual-level attitudes toward transgender and non-binary people—while accounting for national context through country fixed effects—this chapter advances the central goal of the dissertation: to show how everyday beliefs and social dispositions shape support for trans rights in a region where trans communities face pervasive violence, persistent barriers to basic rights, and an increasingly contested political climate surrounding gender diversity (Vaggione, 2017; Inglehart & Norris, 2019). Within the dissertation’s multidimensional framework, social institutionalization refers to the extent to which transgender and non-binary people are recognized by ordinary citizens as

legitimate rights-bearing members of society. The survey measure used here does not capture every aspect of social inclusion, such as interpersonal acceptance, institutional treatment, or everyday experiences of discrimination. It does, however, capture a foundational component of social institutionalization: whether citizens endorse the principle that gender minorities should possess the same rights as the majority population. Examining how this support is distributed therefore reveals whether globally and legally institutionalized claims to equality have also acquired legitimacy at the level of individual belief (Meyer et al., 1997; Simmons, 2009).

Literature Review

Public Opinion and Trans Rights

Public opinion matters for rights in at least three interconnected ways. First, popular attitudes constrain or enable policymakers by shaping what reforms are politically feasible (Burstein, 2003; Page & Shapiro, 1983). Even where courts or executives advance rights protections, sustained opposition among constituents can limit implementation, generate backlash, or prompt retrenchment. Second, social acceptance influences how rights are enforced—or ignored—in everyday interactions, shaping lived experience beyond formal law (McCann, 1994; Rosenberg, 1991). Legal recognition without social legitimacy often results in uneven enforcement, bureaucratic resistance, and continued marginalization. Third, public attitudes reveal the broader social terrain that advocacy networks must navigate. Social movements depend not only on institutional access but also on cultural receptivity, framing resonance, and normative alignment (Keck & Sikkink, 1998; Tarrow, 2011). For transgender and non-binary people—whose rights claims directly challenge deeply embedded gender norms—these dynamics are especially pronounced (Flores, 2015; Westbrook and Schilt, 2014).

Despite the growing global visibility of transgender rights, empirical research examining public attitudes toward transgender and non-binary rights remains limited, particularly outside North America and Western Europe. Much of the existing scholarship examines attitudes toward sexual minorities broadly, often collapsing sexual orientation and gender identity into a single analytic category (Herek, 2000; Lewis et al., 2017). While this work provides important insights into stigma, tolerance, and prejudice, it frequently obscures the distinct institutional and symbolic questions raised by gender identity.

Transgender rights warrant focused analysis distinct from broader LGB issues. The legal and social questions surrounding gender identity—including legal gender recognition, access to gender-affirming healthcare, bodily autonomy, and recognition within administrative systems—implicate the regulatory infrastructure of the modern state in ways that differ from sexual orientation claims (Currah & Moore, 2009; Spade, 2011; Flores et al., 2018). Gender identity challenges the classificatory authority of the state, requiring modifications to civil registries, census instruments, health systems, prisons, and educational institutions. These institutional stakes render transgender rights analytically distinct and sociologically consequential.

Scholarly debates point to a set of plausible individual-level determinants of support for marginalized groups, including education, religious affiliation, political ideology, ethnicity, urbanicity, socioeconomic status, age, and gender (Herek, 2000; Lewis et al., 2017; Flores, 2015). These factors are theorized to shape exposure to global norms, contact with social diversity, moral worldviews, and positional interests. Yet little research has examined how these determinants operate in Latin American contexts specifically with respect to transgender and non-binary rights. The following sections situate individual attitudes within broader theoretical

frameworks of global norm diffusion, institutional contestation, decolonial critique, and stratified social location.

Trans and Non-Binary Rights as a Global Human Rights Project

Over the past two decades, transgender and non-binary people have increasingly been institutionalized as legitimate subjects of international human rights within global governance frameworks and transnational civil society. The Yogyakarta Principles (2007) and their subsequent expansion in the Yogyakarta Principles +10 (2017), the establishment of the United Nations Independent Expert on Sexual Orientation and Gender Identity, and landmark decisions by regional human-rights courts—including the Inter-American Court of Human Rights—have reframed gender identity as a protected category of personhood within international law (O’Flaherty and Fisher, 2008; Ayoub, 2016). These developments position transgender rights not only as matters of individual liberty, but as markers of state modernity, democratic legitimacy, and compliance with globally institutionalized standards of human rights (Frank, Camp, and Boutcher, 2010; Symons and Altman, 2015). In this sense, recognition of gender identity has become embedded within a broader global cultural framework that equates progress with the expansion of individual autonomy, bodily self-determination, and equality before the law.

World Society theory provides a foundational lens for understanding this transformation. From this perspective, international institutions, professionalized networks, and transnational advocacy organizations generate standardized cultural models of legitimate personhood that diffuse worldwide through education systems, media, and civil society organizations (Meyer et al., 1997; Boli and Thomas, 1999). These global cultural models define what constitutes a rights-bearing subject and establish templates for appropriate state action. Human rights function as a universalizing script grounded in liberal individualism, positing that all persons possess inherent

dignity independent of local tradition, communal identity, or hierarchical status. Through processes of diffusion and institutional isomorphism, states adopt policies and legal reforms that reflect these globally legitimated norms, even when local cultural conditions remain heterogeneous (Meyer, 2010; Simmons, 2009).

Applied to gender identity, this perspective suggests that “the transgender subject” is not merely discovered but institutionally constructed and standardized through transnational legal, medical, and activist networks (Frank & McEneaney, 1999; Htun and Weldon, 2012).

Transnational NGOs, international human-rights bodies, and professional associations circulate shared understandings of gender self-determination, depathologization, and anti-discrimination protections. National adoption of gender identity laws, therefore, reflects incorporation into globally legitimated models of equality rather than purely endogenous cultural change. Latin America has been particularly visible in this regard. Countries such as Argentina, Uruguay, Colombia, and Mexico have enacted gender identity legislation widely recognized as among the most progressive in the world, including provisions for legal gender recognition based on self-identification (Encarnación, 2016; Díez, 2015). Argentina’s 2012 Gender Identity Law, in particular, has frequently been cited as a global model for depathologized recognition (Cabral and Viturro, 2016). These legal advances signal the incorporation of Latin American states into globally circulating equality frameworks, even as social acceptance remains uneven. This distinction marks the transition from legal to social institutionalization. The incorporation of transgender rights into constitutions, laws, and administrative procedures demonstrates that a norm has acquired institutional legitimacy at the level of the state, but it does not establish that the same norm has been internalized by citizens. The present chapter therefore examines whether

the global cultural model that helped legitimate formal transgender rights has also become embedded within public understandings of equality, personhood, and deservingness.

Foundational World Society research primarily examined states and formal organizations, but later scholarship demonstrates that globally institutionalized scripts can also shape the attitudes and moral declarations of ordinary people (Pierotti, 2013; Hadler & Symons, 2018; Rotem & Boyle, 2024). This shift from macro-level institutional diffusion to individual-level norm internalization is particularly important for understanding public support for transgender and non-binary rights, as it emphasizes that global cultural models are not simply reflected in laws and policies, but also in the beliefs and moral evaluations of ordinary citizens.

Pierotti (2013), for example, demonstrates that World Society theory can be used to understand individual attitudes by identifying education, urban residence, media exposure, school curricula, NGO outreach, and public discussion as pathways through which global scripts reach nonelite populations. Related work shows that education, age, religious affiliation, media environments, and institutional context shape whether individuals adopt, modify, or resist globally circulating norms concerning gender and sexual minorities (Hadler & Symons, 2018; Rotem & Boyle, 2024; Swindle, 2023). These studies provide the clearest theoretical foundation for treating individual attitudes toward transgender and non-binary rights as a site of global cultural diffusion.

Education is commonly theorized as one of the principal carriers of global cultural models because schools expose individuals to standardized curricula, professionalized knowledge, and universalistic understandings of equality and personhood (Pierotti, 2013; Hadler & Symons, 2018; Rotem & Boyle, 2024). In addition to transmitting knowledge, educational institutions socialize individuals into globally institutionalized understandings of citizenship,

diversity, and human rights, making education one of the primary mechanisms through which global norms become reflected in individual attitudes.

Mass media similarly functions as a conduit for globally institutionalized moral declarations. Research shows that media environments circulate scripts aligned with liberal equality norms, shaping public understandings of gender-based violence, minority inclusion, and rights discourse (Swindle, 2023). Urban contexts further amplify exposure to transnational cultural flows, increasing interpersonal contact with diverse populations and access to global advocacy networks (Hadler & Symons, 2018). From this perspective, support for transgender and non-binary rights reflects the degree to which individuals are embedded within globally institutionalized models of personhood that prioritize autonomy, dignity, and equality. However, diffusion is neither linear nor uniform, and global scripts encounter locally embedded cultural frameworks that may reinterpret or resist them. Yet World Society scholarship has increasingly recognized that exposure to global norms alone cannot fully explain individual attitudes. Rather than diffusing into culturally neutral settings, globally institutionalized scripts encounter alternative moral, religious, and cultural frameworks that shape how those norms are interpreted, adopted, or resisted.

Importantly, media environments do not transmit only liberal human-rights discourse. They also circulate patriarchal, nationalist, and religious narratives that may challenge or compete with globally institutionalized equality norms. Exposure to media therefore does not necessarily produce more liberal attitudes; rather, media can simultaneously diffuse both liberal rights scripts and illiberal counter-scripts, creating competing cultural messages that individuals must reconcile (Swindle, 2023).

Competing Institutional Logics and Moral Counter-Frames

Global scripts do not diffuse into culturally neutral terrain. Individuals are embedded within multiple institutional orders—religious, familial, political, and communal—that provide competing interpretive frameworks (Friedland & Alford, 1991; Velitchkova, 2015). Recent scholarship emphasizes that global cultural diffusion involves overlapping and sometimes contradictory scripts rather than uniform convergence toward liberal norms (Rotem & Boyle, 2024). Individuals may selectively adopt certain dimensions of global rights discourse while rejecting others, reflecting institutional complexity rather than wholesale acceptance or resistance. Individuals are therefore not simply recipients of a single liberal script. Rather, they remain embedded within familial, religious, ethnic, political, and community institutions whose logics may reinforce, reinterpret, or oppose globally legitimated models of equality (Velitchkova, 2015; Hadler & Symons, 2018; Rotem & Boyle, 2024). Understanding public opinion consequently requires examining how these multiple institutional logics intersect, rather than assuming that exposure to global norms produces uniform attitudinal change.

In Latin America, religious institutions represent powerful alternative normative authorities. Catholic doctrine has historically shaped moral frameworks across the region, while Evangelical and Pentecostal movements have expanded rapidly in recent decades. These religious actors have played a central role in mobilizing against what they term “gender ideology,” framing gender diversity and LGBTQ+ inclusion as threats to family structures, national identity, and divine order (Vaggione, 2017; Corrêa, 2018). Such mobilizations articulate counter-scripts rooted in essentialist understandings of gender complementarity, hierarchical authority, and moral order. From this perspective, gender variance is interpreted not as an expression of individual autonomy, but as a deviation from divinely ordained roles.

Cultural backlash theory provides an additional framework for understanding these dynamics. Inglehart & Norris (2019) argue that expansion of minority rights and post-materialist values can generate reactive mobilization among individuals who perceive erosion of traditional moral hierarchies. Rapid visibility of transgender rights—particularly when framed through global human-rights discourse—may be experienced as destabilizing established gender systems. Importantly, such opposition does not necessarily map neatly onto economic left–right ideology. In many Latin American contexts, ideological self-placement is more strongly associated with redistribution, state intervention, or governance preferences than with positions on gender and sexuality (Hadler & Symons, 2018). As a result, attitudes toward transgender rights may be structured more strongly by moral, religious, and cultural frameworks than by partisan alignment.

This institutional logics perspective suggests that public opinion reflects negotiation between globally diffused equality norms and locally embedded moral authorities. Rather than viewing opposition as simply a failure of diffusion, it can be understood as the outcome of competing institutional commitments operating simultaneously within individuals and communities.

Decolonial Perspectives and Epistemic Contestation

A third strand of scholarship complicates diffusion narratives by foregrounding colonial epistemologies and the politics of knowledge production. Decolonial theorists argue that colonial governance imposed rigid binary gender systems and heteronormative family structures onto societies that previously recognized more fluid or plural gender configurations (Lugones, 2007; Quijano, 2000). Colonial modernity reorganized social hierarchies around racialized and

gendered classifications, embedding binary understandings of sex and gender into state institutions, legal codes, and religious doctrine.

Anthropological research documents forms of gender plurality in Indigenous communities, including muxes among Zapotec populations in Mexico (Horswell, 2005; Miranda, 2010). These histories complicate narratives that frame gender diversity as a purely Western import. At the same time, contemporary categories such as “transgender” and “non-binary” are embedded within Western legal, medical, and psychological discourses. Global LGBTQ+ rights frameworks may not map neatly onto Indigenous ontologies of gender, which are often embedded in localized cosmologies and community practices (Rivera Cusicanqui, 2012; Speed, 2008).

From this perspective, global LGBTQ+ rights discourse may be experienced as culturally external, urban, or state-centered rather than community-rooted. Resistance or ambivalence toward transgender rights may reflect skepticism toward externally imposed legal frameworks rather than categorical rejection of gender diversity itself. Although historical scholarship documents gender plurality in some Indigenous contexts, contemporary attitudes may reflect complex processes of colonial disruption, religious incorporation, and state marginalization. Research on partial enactment of global scripts demonstrates that variation in uptake often reflects institutional contestation and epistemic complexity rather than simple intolerance (Rotem & Boyle, 2024). Ethnic variation in support for transgender rights, therefore, may reflect differences in epistemic resonance, historical incorporation into state-centered rights regimes, and differential exposure to global legal discourse.

Recent World Society scholarship similarly argues that global rights scripts are most likely to gain local traction when the categories they promote resonate with the cultural

repertoires through which ordinary people understand identity, belonging, and social boundaries (Ozgen & Koenig, 2022). When global rights language fails to align with locally embedded understandings of gender and community, individuals may resist or reinterpret these scripts without necessarily rejecting the broader principle of gender diversity itself.

Social Location and Intersectionality

Finally, attitudes toward transgender and non-binary rights are shaped by individuals' positions within stratified social systems. Intersectionality theory emphasizes that systems of gender, race, class, and colonial history operate simultaneously to structure social experience and political perception (Crenshaw, 1989; Collins, 2000). Individuals interpret rights claims not only through abstract ideology, but through lived experiences of inclusion, exclusion, privilege, and marginalization.

Women may exhibit higher levels of support for transgender and non-binary rights due to shared experiences of gender-based inequality and heightened sensitivity to gendered exclusion (Swank & Fahs, 2013; Flores, 2015). Socioeconomic status also shapes individuals' access to higher education, media environments, and cosmopolitan social networks that facilitate exposure to globally institutionalized human-rights discourse and liberal equality norms (Charles, 2020; Meyer et al., 1997; Nakagawa & Wotipka, 2021). Individuals with higher socioeconomic resources may be more embedded in professionalized institutions where liberal equality norms are normalized and reinforced.

Ethnic and racial location further structure relationships to the state and to global institutions (De la Cadena, 2010). Indigenous and Afro-descendant communities in Latin America have historically experienced exclusion from full citizenship and unequal incorporation into national development projects. These histories may shape how global rights claims are

interpreted, prioritized, or mistrusted. Rather than treating ethnicity as a static cultural variable, an intersectional approach situates it within broader systems of colonial stratification and unequal access to institutional power.

Taken together, these perspectives suggest that public attitudes toward transgender and non-binary rights cannot be explained by a single theoretical tradition. Rather, support emerges through the interaction of globally diffused human-rights norms, competing moral and religious frameworks, colonial histories of gender classification, and individuals' positions within broader systems of social stratification. These processes produce a layered and negotiated form of social institutionalization in which global equality scripts may be adopted, reinterpreted, or resisted through locally embedded institutions and lived experiences of inequality. This social process is analytically distinct from the legal institutionalization examined in Chapter 1: states may formally recognize transgender and non-binary rights even when substantial segments of the population remain ambivalent or opposed. At the same time, public legitimacy may shape the implementation, defense, and political durability of legal protections, demonstrating that the dimensions remain interconnected even when their trajectories do not align. Collectively, these perspectives generate distinct—but not mutually exclusive—expectations about the sources of support for transgender and non-binary rights. The following analysis evaluates these expectations by examining how individual-level characteristics shape support across Latin America while accounting for national context through country fixed effects.

Contribution to the Literature

Building on Chapter 1's analysis of legal institutionalization, this chapter examines the social institutionalization of transgender and non-binary rights by investigating attitudes toward transgender and non-binary rights—specifically, how strongly individuals approve or disapprove

of people from gender minorities, such as non-binary and transgender individuals, having the same rights as the majority of citizens—across 13 Latin American countries. Utilizing data from the LAPOP AmericasBarometer, the chapter analyzes the nuanced landscape of support for transgender and non-binary rights by drawing on detailed demographic, socioeconomic, and attitudinal measures collected within a rigorously designed comparative survey framework. The LAPOP survey is particularly well suited to this analysis, as it captures variables central to understanding opinions on gender identity and rights within Latin America’s diverse social, political, religious, and economic contexts. At the same time, it provides cross-national comparability while preserving sufficient within-country variation to allow for meaningful analysis of individual-level determinants.

With this dataset, the chapter systematically quantifies and interprets variation in public support for transgender and non-binary rights, identifying the individual-level predictors that structure these attitudes while accounting for average differences across countries through country fixed effects. Rather than treating Latin America as a monolithic region or focusing solely on country-level institutional variation, the analysis centers on how everyday beliefs are patterned within societies. In doing so, it advances the study of transgender rights beyond accounts of legal reform or elite political mobilization by foregrounding the social foundations of normative support.

Methodologically, the regression models employed focus on individual-level predictors of support for transgender and non-binary rights while incorporating country fixed effects to account for national context. This modeling strategy isolates how personal characteristics—such as education, religious affiliation, political ideology, ethnicity, socioeconomic status, age, gender, and urban residence—structure attitudes toward transgender rights within countries,

without attributing direct explanatory weight to country-level institutional factors. By including a separate intercept for each country, the approach accounts for unobserved national differences that are shared by respondents within the same country, ensuring that estimated relationships reflect differences among individuals rather than differences between national policy regimes.

Substantively, this analytic strategy highlights the micro-level foundations of public opinion in a region where transgender rights remain both highly salient and deeply contested (Flores, 2015; Herek 2000). While much of the comparative literature has focused on state adoption of human-rights norms or cross-national policy variation, far less attention has been devoted to how globally diffused scripts surrounding gender identity are internalized, negotiated, or resisted by ordinary citizens. By centering individual beliefs and social positions, this chapter connects global norm diffusion to everyday moral evaluation, demonstrating how education, religion, ideology, ethnicity, and social location mediate engagement with liberal equality frameworks.

Theoretically, the chapter integrates insights from world society scholarship, institutional logics theory, decolonial critique, and intersectional analyses of stratification. It shows that support for transgender and non-binary rights cannot be reduced to a single explanatory axis. Instead, attitudes reflect a layered process shaped by globally institutionalized human-rights norms, regionally embedded religious and gender systems, colonial histories of classification and governance, and individuals' positions within stratified social structures (Inglehart & Norris, 2003; Vaggione, 2017). By examining these dynamics simultaneously, the chapter moves beyond binary narratives of diffusion versus resistance and instead demonstrates how competing institutional frameworks intersect at the level of individual opinion.

Importantly, by focusing specifically on transgender and non-binary rights rather than broader LGBTQ+ categories, the chapter clarifies how gender identity claims uniquely implicate administrative, symbolic, and classificatory structures of the modern state. Transgender rights raise questions about legal recognition, bodily autonomy, and institutional regulation that extend beyond sexual orientation politics. This analytical distinction contributes to a more precise sociological understanding of how different dimensions of minority rights are structured and contested.

In sum, by centering individual-level predictors and accounting for national context without directly modeling country-level mechanisms, this chapter offers a focused and theoretically grounded analysis of how support for transgender and non-binary rights is distributed across individuals in Latin America. It clarifies the social conditions under which equality is socially sustained—or undermined—in a region characterized by both significant legal innovation and persistent violence against transgender people. Ultimately, the findings establish the social context for Chapter 3's examination of how legal advances become politically visible, salient, and contested under different national conditions. The insights derived from this analysis carry important implications for policymakers, advocates, and scholars concerned with advancing gender equality, democratic inclusion, and human rights in Latin America.

Hypotheses and Factors Driving Acceptance or Rejection of Transgender Rights

Drawing on the literature reviewed above and the World Society framework, this chapter advances a set of testable hypotheses focused exclusively on individual-level predictors of support for transgender and non-binary rights. These hypotheses are designed to capture how

exposure to globalized norms, moral frameworks, and social positioning shape attitudes toward gender minorities within Latin American societies.

1. H1: Educational Influence Hypothesis: Individuals with higher levels of educational attainment will express greater approval of transgender and non-binary people having the same rights as the majority population. This aligns with literature suggesting that education often fosters more progressive social values, potentially contributing to increased support for LGBTQ+ rights (Flores, 2015; Swank & Fahs, 2013).
2. H2: Religious Identification Hypothesis: Respondents affiliated with organized religious traditions—particularly Protestant and Evangelical traditions—will express lower levels of support for transgender and non-binary rights than agnostic and atheist respondents. (Encarnación, 2016; Gay et al. 2015).
3. H3: Political Ideology Hypothesis: Individuals who identify with the political left or center-left will demonstrate higher support for transgender and non-binary rights than those who identify as conservative or right-leaning. This is based on the ideological distinction between liberal and conservative values, with progressive ideologies tending to support gender and sexual diversity (Lewis et al., 2017; Herek, 2000).
4. H4: Ethnicity Hypothesis: Indigenous respondents will express higher levels of support for transgender and non-binary rights compared to Mestizo/a respondents, reflecting historical traditions of gender plurality and non-binary social roles documented in some Indigenous communities.

These hypotheses collectively reflect the expectation that greater exposure to globalized cultural models of equality and diversity—and weaker attachment to traditional moral frameworks—will correspond with stronger support for transgender and non-binary rights.

Methodology

Data

All of the individual-level data used in this study were drawn directly from LAPOP's 2023 AmericasBarometer public data file (AmericasBarometer Survey 2023, online: <https://www.vanderbilt.edu/lapop>). The AmericasBarometer is a survey that has been conducted biannually since 2004, with the exception of 2020; the survey instead resumed in 2021 and was most recently repeated in 2023. The survey consists of approximately 30 to 45 thousand adult population interviews and provides individual-level public data for 11 - 34 countries across the Americas (North, Central, South, and the Caribbean), representing nearly 1 billion inhabitants. This comprehensive survey employs rigorous scientific methodologies, including stratified sampling and a standardized questionnaire as well as country-specific modules, to collect data from nationally representative samples of adult citizens. As the only scientifically rigorous comparative survey of its kind due to its inclusion of cross-national items on attitudes toward gender minorities across multiple Latin American countries, the AmericasBarometer provides a unique and invaluable perspective on democratic values, behaviors, and attitudes across the Western Hemisphere. This extensive, comparative survey enables the examination of a wide range of topics, including economic conditions, the rule of law, government performance, civic engagement, social values, corruption, and security. By employing standardized methodologies and a common questionnaire, the AmericasBarometer facilitates robust cross-national and longitudinal comparisons, providing valuable insights into regional trends and variations. Several well-known scholars in the field of political science were involved in the survey design process, increasing the validity and reliability of the measures. The survey was designed to enable

political actors and scholars to analyze and better understand the process of social change.

Individual interviews were conducted by survey organizations based in each country.

AmericasBarometer 2023 was selected for use in this study because it is one of the first and only available datasets containing critical information on attitudes toward transgender and non-binary rights in Latin America, suitable for addressing my research questions. Given that prior research has relied heavily on the study of European Nations and the United States, the availability of this data and the ability to analyze it is a crucial advancement in the literature on transgender and non-binary people explicitly geared toward the Latin American population. However, limitations in the data must be kept in mind when running analyses. For example, given the country-specific modules model, the survey asks questions about attitudes toward transgender and non-binary rights to a limited number of countries. Thus, the sample size for measuring attitudes towards transgender and non-binary individuals within the survey may be too small to draw statistically significant conclusions. Additionally, evolving definitions of gender and respondent misinterpretation of questions may lead to inconsistent responses. Further, given that attitudes towards gender identity and sexual orientation can vary significantly across different countries and regions within LATAM, the survey may not adequately capture these nuances. To account for national context, I include country fixed effects rather than modeling country-level predictors directly given the small number of countries which make multilevel modeling inadvisable.

Participants

Given that the survey implemented country-specific modules, the data used in this study are limited only to the Latin American countries in which respondents were asked the questions relevant to participants' approval of transgender and non-binary people having the same rights as

the general population. Responses from approximately 8,000 Latin American respondents from Mexico, Guatemala, El Salvador, Costa Rica, Panama, Bolivia, Peru, Chile, Uruguay, Brazil, Dominican Republic, Ecuador, and Argentina were included in this study using data available in the 2023 AmericasBarometer dataset. Participants were invited to participate in the survey through a multistage probability sampling method based on the most current census mapping data. The selection process involved first selecting municipalities, cities/towns, households, and persons within the home using a primary sampling unit (PSU) and probability proportional to size (PPS) sampling method. Participants were targeted based on demographic indicators representative of each town's population, including gender, age, educational level, and occupation.

Design and Procedure

The 2023 AmericasBarometer survey employed a stratified multistage cluster-sampling method in which each person in the target population had a known, nonzero probability of selection. First, a sampling frame was created, which listed all individuals in the target population, based on census data, voter registration lists, or other reliable sources. Next, the population was divided into smaller, more homogeneous strata groups, stratified on the following three factors: size of the municipalities, urban/rural areas, and regions to ensure that the sample was representative of the entire population. Within each stratum, households/dwellings were selected randomly using simple random sampling techniques to ensure that each household/dwelling had an equal chance of being selected. A single respondent was selected in each household, following the frequency matching distribution programmed into the sample design, by gender and age. Respondents are limited to household members who reside permanently in that household, who fit the age and residency requirements (limited to adult

citizens and permanent residents). If two or more people of the same sex and age group were present in the household during the interview, the questionnaire is applied to the person who most recently celebrated a birthday. Finally, after data collection, LAPOP constructed survey weights to account for differences between the achieved sample and the target population, thereby improving the representativeness of descriptive estimates. Although these weights are provided as part of the public-use dataset, they are not applied in the regression analyses presented in this chapter, as the primary objective is to estimate associations between individual-level characteristics rather than produce nationally representative descriptive estimates.

Measures

Dependent variable. The dependent variable being measured in this study is approval of/support for transgender and non-binary rights in general. Participants were asked the following question: How strongly do you approve or disapprove of people from gender minorities, such as non-binary, transgender, etc., having the same rights as the majority of (nationality)? The variable is measured on a 10-point Likert-type scale where 1 is strongly disapprove and 10 is strongly approve.

Independent variables. The individual-level variables considered in this study are level of education, religious identification, political identification, and ethnicity. Age, sex, urban–rural residence, and subjective social class were included as control variables.

The primary independent variables are educational attainment, religious identification, political ideology, and ethnicity. Educational attainment is measured using five categories: primary education or less, some secondary education, completed secondary education, some tertiary education, and completed tertiary education. Primary education or less serves as the reference category. This coding allows the analysis to assess whether support for transgender and

non-binary rights increases incrementally across levels of educational attainment rather than assuming a strictly linear effect.

Religious identification is measured using six categories: Catholic, Protestant, Evangelical, spiritual but not religious, agnostic or atheist, and other religion. Agnostic and atheist respondents serve as the reference category because they are least institutionally embedded in organized religious traditions that may provide doctrinal guidance concerning gender and sexuality. This measure captures religious affiliation rather than the intensity of religious practice or belief. Accordingly, throughout the chapter, the variable should be understood as religious identification or religious affiliation—not religiosity.

Political ideology is derived from respondents' self-placement on a ten-point left–right scale. Responses from 1 through 4 are categorized as left, 5 as politically neutral, and 6 through 10 as right. Right-identified respondents serve as the reference category. This measure captures broad ideological self-placement and may reflect positions on economic redistribution, governance, and the role of the state as well as attitudes toward social issues.

Ethnicity is measured using six categories: White, Mestizo/a, Indigenous, Black, Afro-European, and other. Mestizo/a respondents serve as the reference category because they constitute the largest ethnic group in the analytic sample. These categories reflect the harmonized ethnic-identification measure available in the AmericasBarometer, but they necessarily aggregate internally diverse populations and should therefore be interpreted with caution.

The models also include age, gender, socioeconomic status, and urban–rural residence as control variables. Age is measured continuously in years. Gender is coded as male, female, or non-binary, with men serving as the reference category. Socioeconomic status is measured using five income bands—lower, lower-middle, middle, upper-middle, and upper—with the lower

band serving as the reference category. Urban residence is measured dichotomously, with urban respondents serving as the reference category. After listwise deletion of cases with missing information on variables included in the fully specified model, the final analytic sample consists of 8,073 respondents.

Table 1. Descriptive Statistics

Variables		Summary
<i>Age</i>		40.02 (<i>Mean</i>) 16.27 (<i>SD</i>) 16 (<i>Min</i>) 95 (<i>Max</i>)
<i>Sex</i>		
	Male	4,099 (50.8%)
	Female	3,957 (49.0%)
<i>Non-Binary</i>		17 (0.2%)
<i>Social Class</i>		
	Low	2,894 (35.8%)
	Low middle	2,005 (24.8%)
	Middle	1,389 (17.2%)
	Upper middle	959 (11.9%)
	Upper	826 (10.2%)
<i>Residence</i>		
	Urbano	6,044 (74.9%)
	Rural	2,029 (25.1%)
<i>Education</i>		
	Primary and below	1,773 (22.0%)
	Some secondary	1,428 (17.7%)
	Secondary complete	2,518 (31.2%)
	Some tertiary	1,016 (12.6%)
	Tertiary complete	1,338 (16.6%)
<i>Religion</i>		
	Catholic	4,271 (52.9%)
	Protestant	368 (4.6%)
	Evangelical	1,435 (17.8%)
	No Religion - Spiritual	1,221 (15.1%)
	Agnostic/Atheist	350 (4.3%)
	Other	428 (5.3%)
<i>Political Inclination</i>		
	Left	2,872 (35.6%)
	Neutral	2,016 (25.0%)
	Right	3,185 (39.5%)
<i>Ethnicity</i>		
	White	2,083 (25.8%)
	Mestizo/a	3,887 (48.1%)
	Indigenous	623 (7.7%)
	Black	460 (5.7%)
	Afro-European	594 (7.4%)
	Other	426 (5.3%)
N		8,073

Analytical Framework

The quantitative analysis in this chapter employs a cross-sectional research design to examine the relationship between individual-level demographic and attitudinal characteristics and support for transgender and non-binary rights in Latin America. The analysis combines descriptive statistics with inferential modeling to identify which individual-level factors are associated with greater or lesser approval of transgender and non-binary people having the same rights as the majority population.

To test the hypotheses, this study uses ordinary least squares (OLS) regression models with country fixed effects. This approach allows the analysis to focus squarely on individual-level predictors—such as education, religious affiliation, political ideology, age, gender, socioeconomic status, and ethnicity—while accounting for unobserved national context. Rather than modeling country-level characteristics directly, country fixed effects account for all country-specific differences represented by the country indicators. This approach allows each country to have its own intercept, thereby accounting for average differences across countries while focusing the analysis on variation among individuals within countries. Consequently, the estimated coefficients reflect individual-level associations that are independent of broader national differences, without attributing explanatory weight to any particular country-level characteristic.

Including country fixed effects allows each country to have its own intercept, thereby accounting for unobserved national differences that may shape average levels of support. This prevents estimated individual-level associations from being driven solely by differences between countries. Country fixed effects do not directly model national characteristics or eliminate the possibility of correlated errors among respondents within the same country. This strategy is

particularly appropriate given the limited number of countries in the sample. An alternative approach would be multilevel modeling to explicitly account for individuals nested within countries; however, with a relatively small number of level-two units, multilevel estimates can be unstable and variance components imprecisely estimated. Given the small number of countries, country fixed effects provide a practical way to account for national heterogeneity while preserving the chapter's focus on individual-level associations.

Formally, the models estimate the following relationship:

$$Y_{ij} = \alpha + \beta X_{ij} + \delta_j + \epsilon_{ij}$$

where Y_{ij} represents individual i 's level of approval of transgender and non-binary rights in country j , βX_{ij} is a vector of individual-level predictors, δ_j denotes a set of country fixed effects, and ϵ_{ij} is the individual-level error term.

All models include country fixed effects and heteroskedasticity-robust standard errors. Because respondents are nested within only thirteen countries, neither conventional cluster-robust standard errors nor multilevel estimation provides an ideal solution. Accordingly, the reported significance levels should be interpreted with appropriate caution.

The AmericasBarometer public-use dataset includes survey weights designed to improve the representativeness of descriptive estimates by accounting for the survey's complex sampling design. While these weights are appropriate for estimating population-level descriptive statistics, the regression models presented in this chapter are estimated without survey weights because the primary objective is to examine associations between individual-level characteristics and support for transgender and non-binary rights rather than estimate nationally representative prevalence. Accordingly, the coefficients should be interpreted as estimates of within-sample relationships rather than population-level parameters.

This modeling strategy isolates how individual characteristics are associated with support for transgender and non-binary rights within countries, net of national context. By holding constant all country-specific factors, the analysis highlights the micro-level social foundations of public opinion in a region where transgender rights are highly salient, contested, and unevenly supported. In doing so, the framework aligns directly with the chapter's central goal: understanding how individual beliefs and social positions shape attitudes toward transgender and non-binary rights in Latin America.

Results

This section begins by examining descriptive patterns in support for transgender and non-binary rights across the sample before turning to multivariate analysis. Figure 1 displays average levels of support by country. This descriptive pattern provides an initial overview of how support is distributed across the region. The figure shows that Uruguay, Chile, Argentina, Mexico, and Brazil report the highest average levels of support, whereas Bolivia, the Dominican Republic, Guatemala, Panama, and Belize report lower levels.

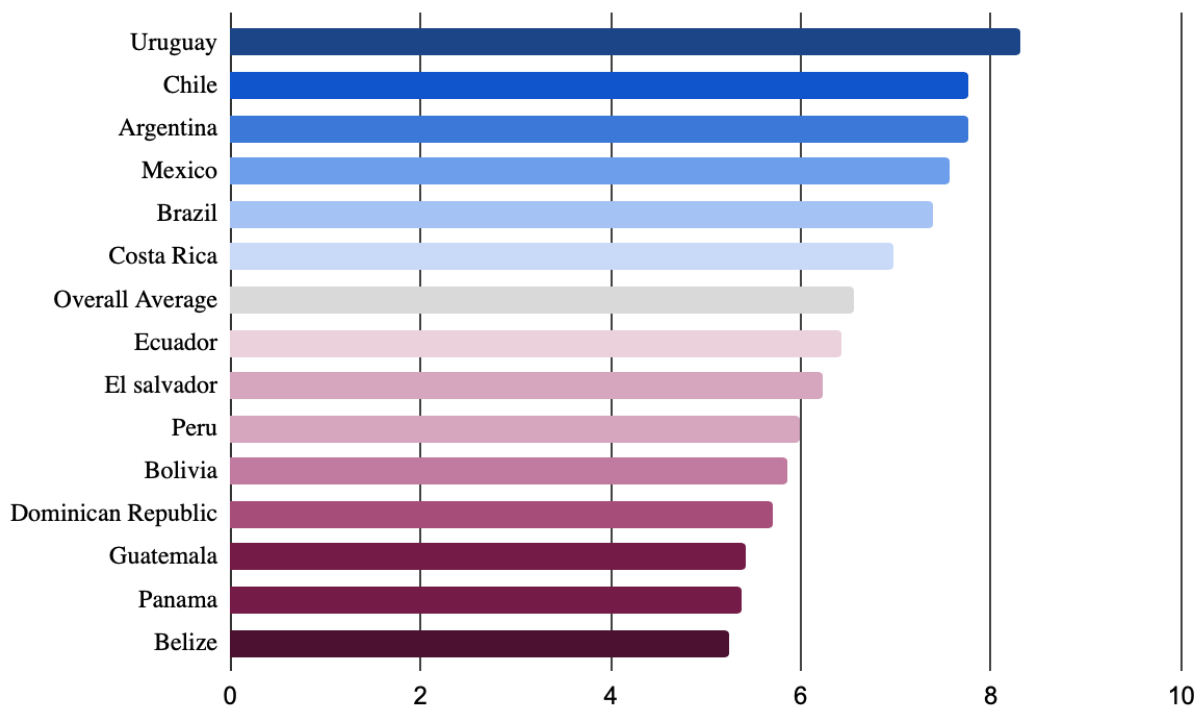


Figure 7. Average Support by Country

Building on the descriptive trends, this section presents results from a series of ordinary least squares regression models estimating individual-level support for transgender and non-binary rights across thirteen Latin American countries. All models include country fixed effects to account for unobserved national context, while the analysis centers on individual characteristics. Age, gender, socioeconomic status, and urbanicity are included as controls and held constant across model specifications. The discussion below focuses on education, religion, political ideology, and ethnicity, which are of primary theoretical interest.

Table 2. Regression Models Predicting Approval of Trans Rights in Latin America

	Model 1	Model 2	Model 3	Model 4	Model 5
<i>Education (ref: Primary)</i>					
Some Secondary		0.274* (0.116)	0.262* (0.116)	0.260* (0.116)	0.245* (0.116)
Secondary Complete		0.469*** (0.105)	0.440*** (0.104)	0.438*** (0.104)	0.409*** (0.104)
Some Tertiary		1.073*** (0.131)	1.015*** (0.130)	1.012*** (0.130)	0.974*** (0.131)
Tertiary Complete		0.885*** (0.125)	0.807*** (0.123)	0.803*** (0.124)	0.771*** (0.124)
<i>Religion (ref: Atheist)</i>					
Catholic			-0.500*** (0.149)	-0.505*** (0.150)	-0.519*** (0.150)
Protestant			-1.498*** (0.215)	-1.502*** (0.216)	-1.503*** (0.216)
Evangelical			-1.464*** (0.169)	-1.469*** (0.170)	-1.483*** (0.170)
No Religion - Spiritual			-0.456** (0.155)	-0.463** (0.156)	-0.474** (0.155)
Other			-0.943*** (0.212)	-0.948*** (0.213)	-0.946*** (0.212)
<i>Political Inclination (ref: Right)</i>					
Left				-0.007 (0.079)	-0.003 (0.079)
Neutral				0.056 (0.085)	0.053 (0.085)
<i>Ethnicity (ref: Mestizo)</i>					
White					-0.159 (0.094)
Indigenous					-0.476*** (0.133)
Black					-0.017 (0.167)
Afro-European					-0.310* (0.156)
Other					-0.454** (0.158)
<i>Control Variables</i>					
Respondent's Age	-0.031*** (0.002)	-0.026*** (0.002)	-0.027*** (0.002)	-0.027*** (0.002)	-0.027*** (0.002)
<i>Sex (ref: Male)</i>					
Female	0.491*** (0.068)	0.459*** (0.068)	0.492*** (0.067)	0.493*** (0.068)	0.486*** (0.068)
Non-Binary	2.132*** (0.385)	2.088*** (0.392)	2.105*** (0.368)	2.099*** (0.369)	2.074*** (0.377)
<i>Social Class (ref: Low band)</i>					
Low Middle band	0.290** (0.091)	0.172 (0.091)	0.158 (0.091)	0.156 (0.091)	0.145 (0.091)
Middle band	0.601*** (0.104)	0.380*** (0.106)	0.331** (0.105)	0.328** (0.105)	0.310** (0.105)
Upper Middle band	0.828*** (0.118)	0.512*** (0.123)	0.479*** (0.121)	0.478*** (0.121)	0.446*** (0.122)
Upper band	1.369*** (0.123)	0.950*** (0.133)	0.853*** (0.132)	0.851*** (0.132)	0.823*** (0.133)
<i>Residence (ref: Urban)</i>					
Rural	0.024 (0.084)	0.100 (0.084)	0.067 (0.084)	0.067 (0.084)	0.085 (0.084)
<i>Country Fixed Effects</i>					
Yes	Yes	Yes	Yes	Yes	Yes
Constant	9.036*** (0.153)	8.600*** (0.182)	9.147*** (0.210)	9.136*** (0.217)	9.310*** (0.229)
r2	0.134	0.143	0.159	0.159	0.161
df_m	20.000	24.000	29.000	31.000	36.000
N	8073.000	8073.000	8073.000	8073.000	8073.000

NOTE: N (countries) = 13. *p < 0.05; **p < 0.01; ***p < 0.001

Education

Educational attainment is one of the strongest and most consistent predictors of support for transgender and non-binary rights. Relative to respondents with primary education or less (reference category), each successive level of education is associated with significantly higher levels of approval, even after controlling for religion, political ideology, ethnicity, and country fixed effects.

Respondents with some secondary education exhibit significantly greater support ($b = 0.245$, $p < .05$), while those who have completed secondary education demonstrate even higher levels of approval ($b = 0.409$, $p < .001$). The largest effects are observed among respondents with tertiary education. Individuals with some tertiary education score nearly one full point higher on the ten-point approval scale ($b = 0.974$, $p < .001$), and those with completed tertiary education also exhibit large, positive, and highly significant coefficients ($b = 0.771$, $p < .001$).

These findings align closely with theoretical expectations derived from World Society theory and global norm diffusion perspectives. Education likely facilitates exposure to international human-rights discourses, institutionalized norms of equality, and professionalized understandings of gender diversity. Higher educational attainment may also increase individuals' capacity to critically engage with traditional gender norms, making them more receptive to claims for transgender and non-binary equality. The robustness and graded pattern of the education coefficients underscore its central role in shaping public support for trans rights in Latin America.

Religion

Religious identity emerges as another powerful and consistent predictor of attitudes toward transgender and non-binary rights. Using agnostic/atheist respondents as the reference

category, all other religious groups exhibit significantly lower levels of support in the fully specified model.

Catholics show moderately lower approval ($b = -0.519$, $p < .001$), while Protestant ($b = -1.503$, $p < .001$) and Evangelical respondents ($b = -1.483$, $p < .001$) exhibit particularly large negative coefficients—more than 1.4 points lower on the ten-point approval scale relative to agnostic/atheist respondents. On a 10-point scale, a 1.5-point shift represents a substantively large attitudinal gap, comparable to—or larger than—many demographic cleavages observed in public opinion research. Respondents identifying as spiritual but not religious also show significantly lower support ($b = -0.474$, $p < .01$), as do those in the residual “other” religion category ($b = -0.946$, $p < .001$).

These patterns are consistent with extensive scholarship documenting the role of religious doctrine and institutional authority in shaping opposition to gender-identity-based rights. In Latin America, Evangelical and Protestant movements have played a central role in mobilizing against transgender rights, often framing them as part of a broader moral threat associated with “gender ideology.” The magnitude of the Protestant and Evangelical coefficients—among the largest in the model—suggests that moral frameworks rooted in organized religion remain among the most influential forces shaping public opinion toward transgender and non-binary rights in the region.

At the same time, the comparatively smaller negative effect observed among Catholics suggests important variation within religious traditions. One possible explanation lies in differences in institutional structure and modes of engagement. Catholicism in Latin America, while doctrinally conservative on issues of gender and sexuality, is characterized by a more centralized and historically embedded institutional presence, as well as internal diversity in interpretation and practice. In contrast, Evangelical and Protestant movements have often

adopted more explicitly politicized and mobilizational stances on issues related to gender and family, actively framing transgender rights as a direct moral and social threat. Additionally, Catholic adherents may be less uniformly exposed to or engaged in these politicized campaigns, resulting in comparatively lower levels of opposition at the individual level. These differences suggest that religious influence on attitudes toward transgender and non-binary rights operates not only through doctrine, but also through organizational dynamics, patterns of political mobilization, and the intensity with which moral frames are communicated and reinforced among adherents.

Political Ideology

Contrary to expectations, political ideology does not emerge as a statistically significant predictor of support for transgender and non-binary rights once other individual-level factors are taken into account. With right-leaning respondents as the reference category, neither left-identified respondents ($b = -0.003$, n.s.) nor politically neutral respondents ($b = 0.053$, n.s.) differ significantly in their levels of approval.

This null finding is notable given the highly politicized nature of transgender rights in other contexts, particularly in the United States. One possible interpretation is that, at the level of mass public opinion in Latin America, transgender rights are not yet firmly embedded within traditional left–right ideological cleavages. Instead, attitudes appear to be structured more strongly by moral and religious frameworks than by ideological self-placement.

Another possibility is that the left–right scale primarily captures economic or governance preferences rather than social attitudes toward gender and sexuality. In this sense, political ideology may be an imperfect proxy for positions on transgender rights in the region. The absence of ideological polarization in these models suggests that opposition to—or support for—

trans rights may cut across conventional political identities, reinforcing the importance of examining non-partisan social determinants such as religion and education.

Ethnicity

Ethnicity shows limited but substantively meaningful variation in support for transgender and non-binary rights. Ethnic differences in support for transgender and non-binary rights become more clearly defined when Mestizo/a respondents—the largest group in the sample—are used as the reference category. In the fully specified model, Indigenous respondents express significantly lower levels of support compared to Mestizo/a respondents ($b = -0.476, p < .001$). Afro-European respondents ($b = -0.310, p < .05$) and those categorized as “Other” ($b = -0.454, p < .01$) also report significantly lower levels of approval relative to Mestizo/as. In contrast, there are no statistically significant differences between White and Mestizo/a respondents, nor between Black and Mestizo/a respondents.

These findings indicate that support for transgender and non-binary rights is not uniformly distributed across ethnic groups, though differences are concentrated among specific populations rather than reflecting a generalized racial divide. The absence of statistically significant differences between White and Mestizo/a respondents suggests that attitudes among these two groups are broadly similar once socioeconomic, religious, and demographic factors are held constant. However, the lower levels of support observed among Indigenous respondents—and to a lesser extent Afro-European and “Other” categories—point to distinct social or cultural dynamics shaping attitudes within these communities.

This finding is somewhat surprising in light of anthropological and historical scholarship documenting the presence of non-binary and third-gender roles in some Indigenous communities, such as the *muxes* among Zapotec communities in Mexico. One possible explanation is that

contemporary survey responses reflect present-day structural marginalization rather than historical cultural practices. Indigenous populations in Latin America continue to experience disproportionate levels of poverty, exclusion from state institutions, and limited access to education and healthcare, conditions that may shape more conservative or survival-oriented attitudes toward social change.

Additionally, the globalized language of “transgender” and “non-binary” rights may not align with Indigenous conceptualizations of gender, which are often embedded in localized cultural and cosmological frameworks. Lower expressed support may therefore reflect a mismatch between survey terminology and Indigenous understandings of gender diversity, rather than outright rejection of gender variance. This result highlights the importance of cultural translation and points to the limitations of standardized survey measures in capturing complex social meanings (Ozgen & Koenig, 2022).

Control Variables

Although not the primary focus of this chapter, several control variables exhibit noteworthy patterns in the fully specified model.

Age is consistently and negatively associated with support for transgender and non-binary rights ($b = -0.027$, $p < .001$), indicating that each additional year of age corresponds with a modest decline in approval.

Gender differences are substantial. Relative to men, women express significantly higher levels of support ($b = 0.486$, $p < .001$), while respondents identifying as non-binary report dramatically higher approval ($b = 2.074$, $p < .001$), representing the single largest positive coefficient in the model.

Socioeconomic status shows a clear and graded relationship with approval. Compared to respondents in the lowest income band, those in the middle band ($b = 0.310$, $p < .01$), upper-middle band ($b = 0.446$, $p < .001$), and upper band ($b = 0.823$, $p < .001$) exhibit significantly higher levels of support. The low-middle band does not remain statistically significant in the fully specified model ($b = 0.145$, n.s.), suggesting that stronger income effects are concentrated in the middle and upper segments.

Urban versus rural residence does not emerge as a statistically significant predictor once other factors are controlled ($b = 0.085$, n.s.), reinforcing the conclusion that geographic location alone does not structure attitudes toward transgender rights. Taken together, the results reveal that social institutionalization is unevenly distributed within Latin American societies. Support for equal rights is more strongly associated with education, religious identification, socioeconomic position, age, and gender than with conventional left–right ideology or urban residence. These patterns indicate that the social legitimacy of transgender and non-binary rights does not diffuse uniformly across populations. Instead, globally circulating equality norms are differentially internalized through the institutions, resources, identities, and moral frameworks in which individuals are embedded.

Discussion

This chapter examined individual-level support for transgender and non-binary rights in Latin America, focusing on how education, religion, political ideology, ethnicity, and other social characteristics shape attitudes toward equal rights for gender minorities. By employing OLS regression models with country fixed effects, the analysis isolates the social foundations of public opinion within countries, allowing for a clearer understanding of how everyday beliefs and social positions influence support for transgender and non-binary rights in a region marked

by both legal innovation and persistent violence (Encarnación, 2016; TGEU, 2023). This chapter examined the social dimension of transgender and non-binary rights institutionalization in Latin America by analyzing how education, religion, political ideology, ethnicity, and other social characteristics shape support for equal rights among gender minorities. Whereas Chapter 1 documented the incorporation of transgender rights into legal institutions, the present analysis demonstrates that formal recognition and public legitimacy do not necessarily develop together. By employing OLS regression models with country fixed effects, the chapter identifies the social foundations of public opinion within countries and shows how everyday beliefs and social positions influence the degree to which transgender and non-binary people are recognized as legitimate rights-bearing members of society. Put differently, even in countries with progressive legal frameworks, the everyday legitimacy of trans equality remains under negotiation among ordinary citizens. The findings therefore illuminate both the distinctiveness of social institutionalization and its relationship to the broader legal and political development of transgender rights.

Education as a Central Axis of Support

Education emerges as the most consistent and powerful predictor of support for transgender and non-binary rights. The results reveal a clear and graded relationship: even modest increases in educational attainment are associated with higher levels of approval, with the largest effects concentrated among respondents with tertiary education. The magnitude of the tertiary education coefficients—approaching a full point increase on a ten-point scale—indicates that education is not merely correlated with support, but substantively transformative in its association.

This pattern supports recent extensions of World Society theory that identify education as an important pathway through which globally institutionalized equality norms reach individuals and become reflected in public attitudes (Pierotti, 2013; Hadler & Symons, 2018; Rotem & Boyle, 2024). These individual-level processes operate within the wider global institutional environment described by foundational World Society scholarship, in which international organizations, professional communities, and advocacy networks construct and legitimate universalistic models of personhood and rights (Meyer et al., 1997; Boli & Thomas, 1999). Educational institutions expose individuals to ideas of equality, individual autonomy, and human dignity, while also fostering critical engagement with traditional gender hierarchies. In Latin America, where access to higher education remains socially stratified, these findings suggest that educational expansion may play a critical role in shaping long-term attitudinal change. Education thus functions not only as a predictor of support, but as a structural conduit through which global equality norms become socially embedded. In the language of the broader framework, education appears to facilitate the movement of transgender rights from globally and legally legitimated principles toward social institutionalization at the level of individual belief.

Religion and Moral Opposition to Trans Rights

Religious identity also plays a central and powerful role in structuring attitudes toward transgender and non-binary rights. Protestant and Evangelical respondents exhibit especially large negative associations with support—over one full point lower on the approval scale—while Catholics show more moderate but still significant differences relative to agnostic and atheist respondents. The magnitude of these religious coefficients rivals or exceeds that of most demographic predictors, underscoring the centrality of moral frameworks in shaping public opinion.

These findings are consistent with research documenting the political mobilization of conservative religious actors against gender and sexuality reforms in Latin America (Vaggione, 2017; Corrêa, 2018; Encarnación, 2016). Evangelical and Protestant movements have been particularly influential in advancing the discourse of “gender ideology,” framing transgender rights as a threat to family, religion, and social order. From a sociological perspective, religious institutions serve not only as belief systems but as organizational networks that actively shape moral boundaries and political attitudes (Kelley & De Graaf, 1997). The strength and consistency of these religious effects suggest that moral authority and institutional religious influence remain among the most significant forces shaping attitudes toward transgender rights in the region. These findings demonstrate why legal institutionalization does not necessarily produce social institutionalization: citizens encounter formal equality claims through religious institutions that may reinterpret or directly contest their legitimacy.

The Absence of Ideological Polarization

One of the most striking findings of this chapter is the absence of a significant association between political ideology and support for transgender and non-binary rights. Unlike in the United States, where transgender rights have become deeply polarized along partisan and ideological lines, the results suggest that such polarization is far less pronounced at the level of mass public opinion in Latin America (Inglehart & Norris, 2019; Ayoub, 2016).

This finding invites several interpretations. First, left–right ideological self-placement in Latin America may be more closely tied to economic redistribution, governance, or attitudes toward the state than to social issues related to gender and sexuality. Second, debates over transgender rights may be organized less through partisan channels and more through moral, religious, and cultural frames that cut across conventional ideological divisions. Finally, it is

possible that transgender rights have not been uniformly incorporated into conventional ideological identities across the region, even where they have become visible or politically contentious in particular national contexts.

Rather than viewing this null finding as a limitation, it points to an important regional distinction: opposition to transgender rights in Latin America may be driven more by moral worldviews than by political ideology per se. This has important implications for advocacy and policy, suggesting that strategies focused solely on partisan alignment may be less effective than those that engage with religious and cultural narratives.

This distinction reinforces the separation between social and political institutionalization. The absence of a consistent relationship between ideological self-placement and individual support does not mean that transgender rights are politically insignificant; rather, it suggests that their incorporation into partisan and ideological conflict is uneven and context-dependent, a possibility examined more directly in Chapter 3.

Ethnicity, Indigeneity, and the Limits of Global Categories

Ethnic differences in support for transgender and non-binary rights are generally modest, but one consistent and substantively meaningful pattern emerges: Indigenous respondents express significantly lower levels of approval relative to Mestizo/a respondents, who serve as the reference category. This gap remains statistically significant even after controlling for age, gender, socioeconomic status, education, religion, political orientation, urbanicity, and country fixed effects. Afro-European and “Other” respondents also report moderately lower levels of support compared to Mestizo/as, though these effects are smaller in magnitude. Importantly, there are no statistically significant differences between White and Mestizo respondents,

indicating that attitudes toward transgender rights are not structured along a simple white–nonwhite divide.

The lower levels of expressed support among Indigenous respondents are particularly striking given anthropological evidence documenting gender plurality in some precolonial Indigenous societies, such as the muxes among Zapotec communities in Mexico (Horswell, 2005). Interpreting this apparent contradiction requires theoretical and historical sensitivity. From a decolonial perspective, colonial governance imposed rigid binary gender systems and heteronormative social structures that disrupted and reconfigured Indigenous gender epistemologies (Lugones, 2007; Quijano, 2000). Contemporary categories such as “transgender” and “non-binary,” rooted in Western medical, legal, and human-rights frameworks, do not necessarily map onto locally embedded understandings of gender diversity. As a result, survey items framed in universalist rights language may resonate differently across ethnic groups.

Lower expressed support among Indigenous respondents may therefore reflect distance from, or skepticism toward, state-centered and globally circulating identity frameworks rather than categorical rejection of gender plurality itself. Moreover, Indigenous and Afro-descendant communities in Latin America continue to experience disproportionate socioeconomic marginalization, political exclusion, and uneven incorporation into national citizenship regimes. Although the models control for many structural factors, broader histories of exclusion shape how rights claims are interpreted and prioritized. For communities engaged in ongoing struggles over land, autonomy, and material survival, identity-based rights framed through global LGBTQ+ discourse may be perceived as less immediate or culturally resonant.

These findings underscore the importance of cultural translation and caution against interpreting attitudinal differences as evidence of inherent intolerance. They also highlight the

limitations of standardized survey instruments in capturing culturally specific understandings of gender and rights, reminding us that global human-rights frames, while powerful, are not uniformly interpreted across social groups. More broadly, this finding demonstrates that social institutionalization is not simply the individual-level replication of a globally standardized rights script. It depends upon whether the categories and claims through which rights are expressed resonate with historically and culturally situated understandings of identity, community, and belonging.

Control Variables and Broader Patterns

Several control variables further contextualize these findings. Younger respondents express significantly greater support, consistent with generational change theories emphasizing cohort-based value shifts (Inglehart & Norris, 2003). Women and non-binary respondents exhibit substantially higher levels of approval, suggesting that lived experience of gender-based marginalization may shape receptivity to transgender equality claims (Swank & Fahs, 2013; Flores, 2015). Socioeconomic status also demonstrates a clear and graded positive relationship with support, reinforcing the role of structural resources and social exposure in shaping attitudes.

Notably, urban residence does not emerge as a significant predictor once other factors are controlled. This suggests that geographic exposure alone is insufficient to explain variation in attitudes and that education, religion, and socioeconomic position are more central axes of differentiation.

Together, these patterns reinforce the chapter's central conclusion: support for transgender and non-binary rights in Latin America is structured primarily by education, religion, socioeconomic position, and historically embedded cultural frameworks rather than partisan ideology or simple urban–rural divides. Viewed through the dissertation's multidimensional

framework, these findings establish that social institutionalization follows a trajectory that cannot be inferred from legal reform alone. Chapter 1 showed that transgender-inclusive legal models expanded rapidly but unevenly across Latin America.

The present chapter demonstrates that the legitimacy of those rights among citizens is also uneven, but structured through different mechanisms: educational exposure, religious authority, socioeconomic resources, generational location, gender, and culturally situated systems of meaning. Legal and social institutionalization are therefore related but non-equivalent processes. The existence of formal rights establishes neither their uniform acceptance nor their translation into a shared social understanding of transgender and non-binary people as equal members of the political community.

Limitations

Several limitations should be considered when interpreting the findings of this chapter. First, the analysis relies on cross-sectional survey data, which limits the ability to make causal claims about the relationships between individual characteristics and support for transgender and non-binary rights. While the models identify robust associations consistent with existing theory, they cannot determine the temporal ordering of attitudes and predictors such as education, religious affiliation, or political orientation. Longitudinal data would be necessary to assess how individual attitudes toward transgender and non-binary rights evolve over time and in response to social or political change (Mutz, 2011; Rosenbaum, 2010).

Second, the measurement of support for transgender and non-binary rights is necessarily constrained by the wording and framing of the survey instrument. Although the outcome variable captures general approval of equal rights, it does not distinguish between different dimensions of support, such as legal recognition, social acceptance, or moral endorsement. Accordingly, the

measure should be interpreted as an indicator of one foundational component of social institutionalization—general endorsement of equal rights—rather than as a comprehensive measure of social inclusion. Respondents may hold nuanced or conditional views that are not fully captured by a single measure, particularly in contexts where transgender rights are politicized or stigmatized (Flores, 2015; Jones et al., 2018). Relatedly, sensitive topics can be susceptible to social desirability pressures, which may lead some respondents to underreport negative attitudes or provide socially acceptable responses (Tourangeau & Yan, 2007).

Third, several key independent variables—most notably ethnicity and religion—are operationalized using broad categories that may obscure substantial internal diversity. Ethnic classifications, in particular, aggregate heterogeneous groups with distinct histories, cultural practices, and relationships to the state. As discussed above, standardized survey categories may inadequately capture Indigenous or Afro-descendant understandings of gender diversity that do not align neatly with Western identity frameworks, and these misalignments can shape how respondents interpret questions about “transgender” and “non-binary” rights (Lugones, 2007; Quijano, 2000). Consequently, observed differences across ethnic groups should be interpreted with caution and understood as reflecting engagement with survey framings rather than definitive cultural attitudes.

Fourth, while the use of country fixed effects allows the analysis to control for unobserved, time-invariant national characteristics, this modeling strategy precludes direct examination of country-level predictors, such as legal frameworks, policy regimes, or cultural institutions. The analysis therefore focuses on within-country variation and cannot explain why overall levels of support for transgender and non-binary rights differ across countries. It also cannot directly test how legal institutionalization conditions social institutionalization or whether

the relationship between formal protections and public legitimacy differs across national contexts. Future research using comparative or multilevel designs could examine how national contexts condition individual attitudes and shape the alignment between legal reforms and public support (Meyer et al., 1997; Simmons, 2009).

Finally, although robust standard errors are used, the analysis remains subject to common limitations of survey research, including nonresponse and measurement error, which may vary across countries and social groups and thereby shape estimates in ways that are difficult to observe directly (Groves et al., 2009). Despite these limitations, the analytical strategy employed here provides a rigorous and theoretically grounded examination of individual-level correlates of support for transgender and non-binary rights in Latin America. By combining careful modeling with contextual interpretation, the chapter offers valuable insights while also identifying clear avenues for future research.

Future Research Directions

The findings of this chapter point to several promising avenues for future research on public attitudes toward transgender and non-binary rights in Latin America. First, longitudinal data would allow scholars to examine how individual attitudes evolve over time in response to legal reforms, social movements, and political backlash. Panel or repeated cross-sectional studies could help disentangle cohort effects from period effects and clarify whether observed generational differences reflect lasting value change or shifting political contexts (Inglehart & Norris, 2003; Mutz, 2011).

Second, future research would benefit from more nuanced measurement of support for transgender and non-binary rights. Disaggregating attitudes toward specific policy domains—such as legal gender recognition, access to healthcare, anti-discrimination protections, or

education policy—could reveal important variations masked by composite measures of general approval. Mixed-method approaches combining surveys with qualitative interviews would be particularly valuable in capturing the moral reasoning, ambivalence, and conditional support that often characterize public attitudes toward gender diversity (Flores, 2015; Jones et al., 2018).

Third, the role of ethnicity warrants deeper and more context-sensitive investigation. Future studies should incorporate survey instruments developed in collaboration with Indigenous and Afro-descendant communities to better reflect culturally specific understandings of gender, identity, and rights. Ethnographic and community-based research could illuminate how local gender systems intersect with global LGBTQ+ discourses, offering insights that standardized quantitative measures cannot capture. Such work would also help distinguish resistance to colonial or state-imposed frameworks from attitudes toward gender diversity itself (Lugones, 2007; Rivera Cusicanqui, 2012).

Fourth, while this chapter focuses on individual-level predictors, future research could explicitly examine how national and subnational contexts shape attitudes toward transgender and non-binary rights. Comparative designs incorporating legal regimes, policy implementation, religious mobilization, and media discourse would help explain why similar individuals express different levels of support across countries. Multilevel models or comparative case studies could complement fixed-effects approaches by linking individual attitudes to broader institutional environments and to transnational norm diffusion processes (Meyer et al., 1997; Keck & Sikkink, 1998; Simmons, 2009).

Finally, future research should explore the political consequences of public attitudes toward transgender and non-binary rights. Understanding how attitudes translate into voting behavior, policy support, or social mobilization is essential for assessing the durability of legal

protections and the prospects for further reform. Investigating how political elites, religious leaders, and social movements frame transgender rights—particularly through moralized discourses such as “gender ideology”—could shed light on the conditions under which public opinion shifts toward greater inclusion or hardens in opposition (Vaggione, 2017; Corrêa, 2018; Ayoub, 2016).

Together, these directions point toward a broader research agenda on the multidimensional institutionalization of transgender and non-binary rights. Future scholarship should examine not only the separate development of legal protections, public legitimacy, and political contestation, but also the conditions under which these dimensions converge or diverge. Comparative and longitudinal research could assess whether legal reform produces attitudinal change, whether public support facilitates implementation and durability, and whether the political salience of transgender rights strengthens social acceptance or intensifies opposition. Advancing scholarship on transgender and non-binary rights in Latin America therefore requires documenting attitudes while also investigating how legal, social, and political processes interact across time and national contexts.

Conclusion

This chapter examined the social institutionalization of transgender and non-binary rights by identifying the individual-level characteristics associated with support for equal rights across thirteen Latin American countries. By focusing on individual predictors and accounting for national context through country fixed effects, the analysis demonstrates that public legitimacy constitutes a distinct component of rights development that cannot be inferred from the presence or absence of formal legal protections.

The findings reveal a region characterized by both progress and precarity. Although Latin America has pioneered some of the world's most progressive transgender legal reforms (Encarnación, 2016), the social legitimacy of those rights remains uneven and is structured especially strongly by education, religious affiliation, socioeconomic position, age, and gender. The pronounced religious effects and absence of conventional ideological polarization indicate that transgender rights are negotiated more consistently through moral, cultural, and institutional frameworks than through uniform partisan identities. Social institutionalization therefore reflects a process through which globally circulating equality norms are differentially accepted, reinterpreted, or resisted by citizens.

These results underscore why public opinion must be treated as a constitutive dimension of transgender rights institutionalization rather than as a secondary reaction to legal change. Legal reforms alone are unlikely to secure durable equality (Rosenberg, 1991; Simmons, 2009), but public support should not be treated as automatically producing implementation or political security either. Instead, social legitimacy interacts with legal institutions and political processes while remaining analytically distinct from both. In a region that continues to experience some of the highest documented levels of violence against transgender people globally (TGEU, 2023), identifying the social conditions under which equality becomes legitimate is central not only to scholarly debates, but also to questions of dignity, safety, citizenship, and democratic inclusion.

Together with Chapter 1, these findings demonstrate that legal institutionalization and social institutionalization represent distinct dimensions of transgender and non-binary rights development. Legal protections may expand while public support remains uneven, illustrating that formal recognition alone cannot guarantee broader social legitimacy. Yet even legal protections supported by favorable public attitudes may follow different political trajectories

once they enter public debate. The following chapter therefore examines the third dimension of rights institutionalization—political institutionalization—by exploring how movement visibility, issue salience, and political contestation shape the divergent trajectories of transgender rights in Brazil and Bolivia.

CHAPTER 3: Beyond Legal Rights: Explaining Divergent Transgender Outcomes in Brazil and Bolivia

Introduction

Over the past two decades, Latin America has experienced a substantial expansion in legal protections for lesbian, gay, bisexual, transgender, and queer populations. Across the region, governments and courts have adopted anti-discrimination protections, legal gender recognition procedures, marriage equality, and other reforms that would have appeared politically unlikely only a generation earlier. As Chapter 1 demonstrated, transgender rights protections expanded considerably during the first two decades of the twenty-first century, although the timing, scope, and institutional pathways of reform varied across countries. Chapter 2 further showed that public support for transgender rights is unevenly distributed across the region and varies systematically across educational, religious, socioeconomic, demographic, and ideological groups. Taken together, these findings demonstrate that transgender rights have become increasingly institutionalized in Latin America, but they also indicate that legal protections and public opinion capture only part of the politics surrounding transgender inclusion.

Research on LGBTQ+ politics has substantially advanced our understanding of why rights expand. Scholars have shown that democratization, constitutional reform, judicial activism, transnational advocacy networks, international human rights institutions, and domestic social movements have all contributed to the expansion of sexual and gender minority rights in Latin America (Corrales, 2020; Díez, 2015; Encarnación, 2016; Keck & Sikkink, 1998; Simmons, 2009). Although this literature does not assume that legal recognition automatically

eliminates social exclusion, legal reform is generally understood as an important component of democratic inclusion and the institutionalization of human rights. Yet the experiences of transgender populations across the region reveal that similar degrees of legal advancement can become embedded within very different political processes. In some contexts, legal victories coincide with increased movement visibility, public debate, conservative countermobilization, and violence. In others, consequential reforms occur despite comparatively low public support and attract relatively limited sustained political attention (Biroli, 2020; Corrales, 2020; Hummel & Velasco-Guachalla, 2024).

The relevant question, therefore, is not simply why legal reform produces different political trajectories. The political processes through which rights expand are themselves different. Legal protections may emerge through highly visible judicial campaigns and public mobilization, or they may advance through comparatively low-profile institutional alliances embedded within wider political projects. These different pathways influence whether transgender rights become recognizable as distinct political issues, whether they intersect with dominant political cleavages, and whether opponents can successfully transform them into symbols of broader ideological conflict. This chapter asks: How do the political processes surrounding transgender rights expansion shape the degree to which those rights become salient, contested, and subject to organized backlash?

I address this question through the illustrative cases of Brazil and Bolivia. The two countries are analytically useful not because they experienced identical processes of reform, but because both achieved consequential legal advances while the politics surrounding those advances developed along markedly different trajectories. Brazil possesses one of Latin America's most extensive transgender rights frameworks and, as demonstrated in Chapter 2,

relatively high public support for transgender rights. Bolivia also adopted an important legal gender recognition framework, but it did so in a context of lower public support and a smaller, less publicly visible LGBTQ+ movement. Examining the distinct pathways through which reform unfolded in each country makes it possible to consider how social movement strategies, political cleavages, institutional opportunities, and public visibility shape what happens after rights enter law.

Brazil is frequently treated as one of Latin America's leaders in formal LGBTQ+ and transgender rights. The Supreme Federal Tribunal's 2018 ruling allowed transgender people to change the name and gender marker appearing on official documents without undergoing surgery, obtaining a psychiatric diagnosis, or securing prior judicial authorization. The decision was particularly consequential because it moved legal recognition away from a medicalized model and toward gender self-determination (Human Rights Watch, 2018). In 2019, the Court further ruled that homophobia and transphobia could be prosecuted under the country's anti-racism legislation until Congress enacted specific legislation addressing anti-LGBTQ+ discrimination (Corrales, 2020). These judicial advances were accompanied by earlier federal initiatives, including the Brazil Without Homophobia Program, national LGBTQ+ policy conferences, and the incorporation of some gender-affirming services into the Unified Health System. Together, these developments gave transgender rights a level of institutional recognition uncommon within the region.

Legal recognition in Brazil also developed alongside one of Latin America's largest and most visible LGBTQ+ movement infrastructures. Organizations including the Associação Brasileira de Gays, Lésbicas, Bissexuais, Travestis, Transexuais e Intersexos and the Associação Nacional de Travestis e Transexuais pursued litigation, policy advocacy, public education, and

systematic documentation of anti-transgender violence. Major public events such as São Paulo Pride brought LGBTQ+ politics into national and international media, while court decisions and educational debates made questions of gender identity increasingly visible within public institutions. These developments did more than produce policy victories. They transformed transgender rights from a relatively specialized legal and activist concern into a recognizable public issue connected to broader debates over citizenship, education, religion, family, and social change (Carrara, 2015; Encarnación, 2016).

That visibility produced contradictory consequences. Brazil has repeatedly recorded the highest documented number of murders of transgender and gender-diverse people in Trans Murder Monitoring data, with trans women and transfeminine people disproportionately represented among reported victims (TGEU, 2023). At the same time, conservative evangelical organizations, Catholic actors, right-wing politicians, and anti-gender movements increasingly framed LGBTQ+ inclusion as evidence of an alleged “gender ideology” threatening children, families, religion, and national values. These conflicts became especially pronounced during the rise and presidency of Jair Bolsonaro. Human Rights Watch identified 217 federal, state, and municipal bills introduced between 2014 and 2022 that sought to restrict or prohibit education related to gender and sexuality, illustrating how gender became an object of coordinated political and legislative contestation (Human Rights Watch, 2022). Brazil consequently presents a paradoxical trajectory in which extensive rights expansion and comparatively favorable public attitudes coexist with intense politicization, organized backlash, and persistent violence.

Bolivia followed a different pathway. In 2016, the country enacted Law No. 807, the Gender Identity Law, allowing adults to change their name, sex designation, and photograph on official identity documents without undergoing gender-affirming surgery. The law constituted an

important regional advance in legal gender recognition despite comparatively low public support for transgender rights (IACHR, 2018). Unlike Brazil, however, the reform was not primarily the product of highly visible litigation or mass public mobilization. Hummel and Velasco-Guachalla (2024) show that Bolivian transgender activists obtained reform by cultivating institutional relationships with legislators and government actors within the Movimiento al Socialismo coalition. Activists gained access to policymaking through political networks shaped by overlapping movement participation and a governing project that presented itself as committed to the recognition of historically excluded populations.

The broader context of Bolivia's political transformation also shaped the meaning and visibility of transgender reform. Following the election of Evo Morales in 2005, political conflict centered heavily on indigeneity, class inequality, decolonization, constitutional restructuring, territorial autonomy, and the redistribution of political and economic power. The 2009 Constitution formally redefined Bolivia as a Plurinational State and placed Indigenous recognition at the center of the government's inclusionary project (Postero, 2017). Transgender rights entered this political environment as one component of a wider language of equality, citizenship, and recognition rather than as a central, stand-alone axis of national conflict. The Gender Identity Law did encounter religious opposition and was subsequently restricted by the Plurinational Constitutional Court in relation to some marriage and family consequences. Nevertheless, transgender rights did not become a recurring electoral issue or a sustained symbolic battleground comparable to "gender ideology" politics in Brazil. Although discrimination and institutional barriers persisted, Bolivia also did not experience the same degree of organized anti-gender mobilization or internationally documented levels of anti-transgender violence that have characterized the Brazilian case. This contrast further illustrates

how lower political salience was associated with a markedly different trajectory of rights expansion following legal reform.

I argue that the political consequences of transgender rights expansion depend, in part, on the degree to which transgender rights become visible and salient as distinct political issues. Backlash is more likely when transgender rights become sufficiently recognizable to be incorporated into dominant ideological conflicts and used by political actors as symbols of wider cultural change. In Brazil, judicial victories, visible movement mobilization, media attention, and conflicts over gender and sexuality elevated transgender rights within national political discourse. This visibility facilitated recognition but also gave conservative actors opportunities to connect transgender inclusion to broader anxieties about religion, education, family, and national identity. In Bolivia, transgender rights advanced through institutional alliances and remained nested within the more politically established project of Indigenous, plurinational, and social inclusion. Because gender identity did not become an equally central cleavage of national political competition, the reform generated comparatively less sustained countermobilization despite lower levels of public support.

This argument does not imply that political invisibility is desirable, that Bolivia provides a more socially inclusive environment, or that visibility directly causes violence. Lower salience may reduce the likelihood that transgender rights become a central target of national political mobilization, but it may also reflect limited representation and weak public attention to the needs of transgender populations. Similarly, Brazil's visible movements and public debates have produced indispensable legal gains, institutional recognition, and political representation. The argument is instead that visibility is politically consequential and frequently double-edged. It can

facilitate recognition and agenda access while simultaneously making rights available as targets of ideological opposition.

Nor does the chapter claim to establish a deterministic causal relationship between salience and backlash. Brazil and Bolivia are used as illustrative cases that clarify two different political trajectories rather than as a controlled comparison designed to isolate a single causal variable. The chapter examines how the interaction of movement strategies, political opportunities, dominant cleavages, and anti-gender mobilization helps account for the different positions transgender rights came to occupy within each country's political landscape. In this sense, the cases allow the dissertation to explore processes that cannot be fully captured through the regional legal indicators in Chapter 1 or the individual-level attitudinal models in Chapter 2.

The chapter proceeds in four additional sections. The theoretical framework first treats rights diffusion and policy-practice decoupling as a starting point before integrating scholarship on social movements, issue salience, political cleavages, politicization, and anti-gender backlash. The case selection and methodology section then explains the illustrative logic of the Brazil and Bolivia cases and describes the legal, public-opinion, scholarly, and human-rights evidence used in the analysis. The analysis traces how transgender rights became highly visible and politicized in Brazil but remained comparatively less salient within Bolivia's wider plurinational inclusion project. It then draws together the broader theoretical insights generated by the two cases. The conclusion situates these findings within the dissertation's larger argument and identifies directions for systematically measuring the salience and politicization of transgender rights across Latin America.

By shifting attention from the adoption of rights to the politics that develop around them, this chapter contributes to scholarship on LGBTQ+ rights, social movements, and political

conflict. Its central claim is that the politics surrounding rights may be as consequential as the rights themselves. Legal reforms do not enter empty political spaces. They acquire meaning through movement activity, elite framing, institutional conflict, media attention, and their intersection with existing social cleavages. Understanding transgender rights expansion therefore requires examining not only whether protections are adopted or whether citizens support them, but also how those protections become publicly visible, politically meaningful, and contested.

From Rights Expansion to Political Contestation: A Theoretical Framework

The expansion of transgender rights across Latin America has generated a rapidly growing body of scholarship examining why countries adopt legal protections for sexual and gender minorities and why those protections vary across political contexts. Existing research has substantially advanced our understanding of the institutional, legal, and political conditions that facilitate rights expansion. Scholars have demonstrated that democratization, judicial activism, international human rights institutions, transnational advocacy networks, and domestic political mobilization have all contributed to the remarkable expansion of LGBTQ+ rights throughout the region (Corrales, 2020; Díez, 2015; Encarnación, 2016; Keck & Sikkink, 1998; Simmons, 2009). Collectively, this literature helps explain one of the central findings of Chapter 1: despite considerable variation in timing and scope, transgender rights protections expanded across much of Latin America during the first two decades of the twenty-first century.

While this scholarship provides important explanations for why legal reforms emerge, it offers comparatively less guidance for understanding what happens after rights are adopted. Countries that experience significant legal advances often follow markedly different political trajectories. In some cases, transgender rights become highly visible, politically polarized, and incorporated into broader ideological conflicts. In others, legal reforms attract comparatively

little sustained public attention despite representing equally significant institutional change. Existing scholarship therefore leaves unresolved an important question: why do similar degrees of legal advancement become politically consequential in some contexts but comparatively peripheral in others?

This chapter argues that answering this question requires shifting attention from rights expansion to the politics surrounding rights expansion. Rather than viewing legal adoption as the endpoint of political change, I conceptualize it as the beginning of a broader political process through which rights become interpreted, framed, contested, and incorporated into national political discourse. Understanding these divergent trajectories requires integrating insights from scholarship on rights diffusion, social movements, political cleavages, and anti-gender politics. Rather than representing competing explanations, these literatures describe different stages through which rights become politically meaningful. Rights may diffuse internationally and become institutionalized domestically, but the broader consequences of those rights depend upon whether they become publicly visible, politically salient, and ultimately incorporated into wider ideological conflicts.

Rights Diffusion and Decoupling: The Starting Point

Scholarship on rights diffusion provides an important foundation for understanding transgender rights expansion in Latin America. Rather than emerging solely through domestic electoral politics or shifts in public opinion, legal protections frequently spread through processes of international norm diffusion, transnational advocacy, judicial dialogue, and institutional emulation (Keck & Sikkink, 1998; Simmons, 2009). International organizations, regional human rights bodies, constitutional courts, and transnational advocacy networks have all

played important roles in encouraging governments to adopt legal protections for sexual and gender minorities (Corrales, 2020; Encarnación, 2016).

This literature helps explain why countries sometimes adopt rights protections even when public support remains relatively limited. International human rights norms increasingly define LGBTQ+ equality as an element of democratic governance, creating pressures for states to adopt policies that align with emerging international standards. As demonstrated in Chapter 1, the regional expansion of transgender rights cannot be understood solely as the product of domestic political preferences. Rather, legal reforms frequently reflect broader processes of international norm diffusion interacting with domestic political institutions.

At the same time, scholarship associated with World Society Theory reminds us that legal adoption does not necessarily produce corresponding changes in everyday social life. Meyer and colleagues (1997) argue that states often adopt globally legitimate policies while implementation, institutional practice, and lived experiences remain only partially aligned with formal commitments. This phenomenon, commonly described as decoupling, highlights the possibility that formal rights may coexist with continuing discrimination, exclusion, and violence. The concept of decoupling has been particularly influential within scholarship on citizenship and human rights because it challenges the assumption that legal recognition automatically produces substantive equality. Formal rights may expand while marginalized populations continue to experience unequal access to institutions, social stigma, or physical insecurity. Consequently, legal reforms should not be interpreted as synonymous with social inclusion.

While this observation provides an important starting point, it does not fully explain the variation examined in this chapter. Existing scholarship has convincingly demonstrated that legal protections and lived experiences often diverge. However, it tells us comparatively little about

why this divergence assumes different political forms across countries. Decoupling explains that legal reform and social outcomes do not necessarily coincide; it does not explain why legal reforms become highly visible and politically contested in some settings while remaining comparatively low-profile in others.

The cases of Brazil and Bolivia illustrate precisely this limitation. Both countries adopted meaningful transgender rights protections, yet the political trajectories surrounding those reforms differed considerably. Brazil experienced increasing movement visibility, intense public debate, conservative countermobilization, and sustained anti-gender politics. Bolivia experienced important legal reform without comparable levels of public contention despite lower aggregate levels of public support. Simply observing that legal rights and lived experiences diverge cannot account for these differences.

The remainder of the theoretical framework therefore moves beyond rights diffusion and decoupling to examine the political processes through which legal reforms acquire broader public significance. Specifically, it argues that social movements shape political visibility, political cleavages condition which issues become salient, and anti-gender mobilization explains why some highly visible rights reforms generate organized backlash while others do not. Together, these perspectives provide a more complete explanation of the divergent political trajectories observed in Brazil and Bolivia.

Social Movements, Visibility, and Issue Salience

While scholarship on rights diffusion explains how legal reforms emerge, it does not fully explain why some rights become central objects of political conflict while others remain comparatively peripheral. To answer this question, it is necessary to move beyond the adoption of legal protections and consider the political processes through which rights become publicly

visible. Social movement scholarship provides an important starting point for understanding these dynamics because it shifts attention from institutions alone to the actors who shape public agendas, construct political meaning, and define which issues become worthy of public attention (McAdam, McCarthy, & Zald, 1996; Tarrow, 2011).

A central insight of this literature is that social movements do considerably more than advocate for policy change. Through protest, litigation, public education campaigns, coalition building, media engagement, and strategic framing, movements actively shape how political issues are understood by the broader public. Rather than responding passively to existing political agendas, movements help determine which issues receive public attention, how those issues are interpreted, and why they become politically significant. In other words, movements influence not only policy outcomes but also the visibility of those outcomes.

This distinction is particularly important in the context of transgender rights. Legal reforms do not automatically become politically important simply because they are adopted. Many policy changes occur with relatively little public attention, while others rapidly become central topics of political debate. The difference often lies not in the legal reforms themselves, but in the degree to which movements, political actors, and media organizations transform those reforms into publicly recognizable issues. Consequently, understanding transgender rights requires examining not only whether rights expand, but also how rights become politically visible.

The concept of issue salience provides a useful framework for understanding this process. Political scientists generally define issue salience as the degree to which a political issue receives sustained public attention and becomes incorporated into broader political competition (Burstein, 2003; Green-Pedersen & Mortensen, 2015). Highly salient issues receive extensive media

coverage, attract attention from political elites, become topics of electoral debate, and increasingly serve as symbols through which broader ideological conflicts are expressed. By contrast, issues characterized by low salience may undergo significant policy change while remaining comparatively peripheral to public discourse.

Importantly, issue salience is not an inherent characteristic of a policy. Rather, it is socially and politically constructed. Political actors, journalists, advocacy organizations, and social movements all participate in determining which issues become publicly important and which remain comparatively invisible. Burstein (2003) argues that public attention itself constitutes an important political resource because policymakers respond differently to issues that receive sustained public visibility. Similarly, Green-Pedersen and Mortensen (2015) demonstrate that issue attention varies considerably across political systems, reflecting competition among actors seeking to define national political agendas. Together, this scholarship suggests that understanding rights expansion requires attention not only to institutional reform, but also to the political construction of issue visibility.

Social movements play a particularly important role in this process because they shape both the visibility of marginalized groups and the public meanings attached to their claims. Through litigation, strategic communication, public demonstrations, coalition building, and advocacy campaigns, movements transform previously marginalized concerns into recognizable political issues. These processes frequently contribute to important gains in legal recognition and public awareness. However, they may also generate unintended political consequences. As movements succeed in increasing public visibility, they simultaneously increase the likelihood that opposing political actors will mobilize against the issue. Visibility therefore creates opportunities for recognition while also expanding opportunities for organized resistance.

This dynamic is especially relevant to contemporary debates surrounding transgender rights. During the past two decades, transgender issues have become substantially more visible across many democratic societies through expanding legal recognition, increased media representation, growing movement infrastructure, and broader public discussion surrounding gender identity. Yet this increased visibility has not produced uniform political consequences. In some contexts, visibility has been accompanied by increasing public acceptance and institutional recognition. In others, it has generated intense political polarization, legislative conflict, and organized countermobilization. These contrasting outcomes suggest that visibility itself does not determine political trajectories. Rather, visibility creates the conditions under which issues may become politically contested.

This distinction points to an important limitation within existing scholarship. Social movement research has convincingly demonstrated that movements increase public awareness and influence policy outcomes. However, comparatively less attention has been devoted to understanding why increased visibility produces markedly different political consequences across cases. Existing scholarship often treats visibility primarily as an indicator of movement success. The argument developed in this chapter instead treats visibility as a political process whose consequences remain contingent upon the broader political environment within which rights become publicly recognized.

This perspective is particularly useful for understanding the divergent trajectories of Brazil and Bolivia. In Brazil, transgender rights became increasingly visible through sustained movement mobilization, constitutional litigation, public advocacy, media attention, and growing representation within national political discourse. In Bolivia, transgender rights also expanded, but activists pursued reform largely through institutional alliances operating within broader

projects of democratic and Indigenous inclusion rather than through highly visible public mobilization. Consequently, the two countries illustrate different pathways through which rights became publicly visible—and, ultimately, different levels of political salience.

The concept of issue salience therefore serves as the central theoretical mechanism connecting legal rights expansion to broader political outcomes. Rights may diffuse through international and domestic institutional processes, but whether those rights become politically consequential depends upon the degree to which they become publicly visible and integrated into broader political debate. The following section builds upon this insight by examining why some issues become highly salient while others remain comparatively peripheral, arguing that broader political cleavages structure the environments within which rights acquire political meaning.

Political Cleavages and the Politicization of Rights

While social movements play an important role in shaping political visibility, they do not operate within political vacuums. Every political system contains multiple competing issues, yet only a limited number become central objects of sustained political conflict. Why some issues acquire greater public attention than others depends not only on movement activity but also on the broader structure of political competition. Scholarship on political cleavages provides an important framework for understanding these differences because it explains how historically significant social divisions shape political agendas and determine which issues become politically meaningful (Lipset & Rokkan, 1967).

Political cleavages refer to enduring social divisions that organize political competition, structure electoral conflict, and shape the priorities of political actors. Historically, cleavages surrounding religion, class, ethnicity, race, language, and region have influenced how political systems develop and how governments allocate attention to competing policy concerns (Lipset &

Rokkan, 1967). These divisions do more than shape voting behavior. They also determine which issues become incorporated into broader political debates and which remain comparatively peripheral. Consequently, not all rights-based reforms occupy the same position within national political discourse. Some become highly visible symbols of broader ideological struggles, while others remain embedded within wider political agendas without attracting comparable levels of public conflict.

This insight substantially extends the argument developed in the previous section. Social movements undoubtedly contribute to increasing the visibility of marginalized groups, but movements alone cannot explain why similar forms of advocacy generate dramatically different political consequences across countries. Political visibility acquires meaning only when it intersects with the dominant cleavages organizing national political life. Rights therefore become politically salient not simply because movements promote them, but because they become connected to broader conflicts already structuring political competition.

Political scientists increasingly describe this process as politicization. Politicization refers to the transformation of an issue from a relatively specialized policy concern into an object of sustained public conflict involving political parties, social movements, media organizations, and competing ideological actors (de Wilde, 2011). Politicization therefore differs from visibility alone. An issue may receive public attention without becoming politically divisive. Conversely, an issue becomes politicized when it is incorporated into broader struggles over national identity, morality, citizenship, or democratic governance. Rights expansion thus becomes politically consequential not merely because legal reforms occur, but because those reforms become symbolically connected to wider ideological conflicts.

This distinction is particularly important for understanding contemporary transgender politics. Across many democratic societies, transgender rights have become increasingly visible through litigation, expanding media representation, movement mobilization, and legal recognition. Yet increased visibility has not generated uniform political responses. In some countries, transgender rights have remained comparatively technical questions of administrative recognition or anti-discrimination policy. In others, they have become central symbols within broader political debates concerning education, religion, family, childhood, and national identity. Existing scholarship therefore suggests that visibility alone cannot explain divergent political trajectories. Instead, the broader political environment determines whether increased visibility evolves into sustained political contestation.

The contrasting trajectories of Brazil and Bolivia illustrate this dynamic particularly well. In Brazil, transgender rights became increasingly connected to dominant political conflicts surrounding religion, morality, sexuality, and family values. Conservative political actors, evangelical churches, and anti-gender organizations successfully framed transgender rights as symbolic of wider cultural transformations threatening traditional social norms (Biroli, 2020; Corrales, 2020; Miskolci & Campana, 2017). Because these debates intersected with existing ideological divisions, transgender rights became incorporated into national political competition rather than remaining confined to legal or administrative policy discussions.

Bolivia presents a markedly different political landscape. During the same period, political conflict remained organized principally around indigeneity, class inequality, constitutional restructuring, territorial autonomy, and the construction of the Plurinational State (Postero, 2017). The election of Evo Morales and the consolidation of the Movimiento al Socialismo fundamentally reshaped national political debate by placing Indigenous recognition,

decolonization, and economic redistribution at the center of political life. These issues became the dominant cleavages structuring electoral competition, legislative priorities, and social movement mobilization. Consequently, transgender rights entered a political environment in which broader inclusionary struggles already occupied the primary focus of political attention.

This difference proved politically consequential. In Bolivia, transgender rights became incorporated into broader projects of democratic and social inclusion rather than emerging as an independent axis of political conflict. Activists framed legal recognition within wider commitments to equality, citizenship, and constitutional inclusion, allowing transgender rights to advance without becoming highly visible symbols of ideological conflict (Hummel & Velasco-Guachalla, 2024; Postero, 2017). In Brazil, by contrast, transgender rights increasingly became interpreted as stand-alone political issues, allowing opponents to mobilize around them directly. The same process of legal expansion therefore acquired fundamentally different political meanings because it became embedded within different configurations of political competition.

This perspective suggests that political cleavages perform a mediating role between issue salience and political backlash. Social movements may increase the visibility of rights, but broader political cleavages determine whether that visibility becomes politically consequential. When rights become incorporated into dominant ideological conflicts—as occurred in Brazil—they become more likely to generate sustained politicization and organized countermobilization. Where competing political agendas continue to dominate public attention—as in Bolivia—rights may advance without assuming the same degree of symbolic importance within national politics.

Political cleavages therefore help explain why rights expansion follows different political trajectories even among countries experiencing important legal reforms. Understanding transgender rights requires attention not only to legal institutions and social movements but also

to the broader political environments that determine which issues become central objects of ideological conflict. This insight provides the final bridge to scholarship on anti-gender politics, which explains why highly politicized rights movements frequently become targets of organized conservative backlash.

Backlash and Anti-Gender Politics

The final component of this chapter's theoretical framework concerns the conditions under which expanding rights generate organized political opposition. While scholarship on social movements and political cleavages explains how issues become publicly visible and politically salient, it does not fully explain why some highly visible rights movements provoke sustained countermobilization. Research on anti-gender politics provides an important extension by demonstrating how conservative actors transform rights-based reforms into broader ideological conflicts concerning morality, religion, family, and national identity (Biroli, 2020; Corrêa et al., 2018; Zaremborg et al., 2021).

Across Latin America and other democratic contexts, conservative political actors have increasingly mobilized against feminist and LGBTQ+ rights through opposition to what they characterize as *gender ideology*. Although the specific content of these campaigns varies across countries, anti-gender movements generally frame challenges to traditional gender norms as threats to religion, childhood, family structures, and national culture (Biroli, 2020; Corrêa et al., 2018). Importantly, these campaigns rarely target only transgender rights. Rather, transgender rights become incorporated into broader narratives portraying progressive social change as evidence of moral decline and cultural disruption.

This literature provides an important insight for understanding the politics of transgender rights. Backlash should not be understood simply as resistance to legal reform. Rather, backlash

emerges when rights become sufficiently visible to symbolize broader political and cultural transformations. As Corrales (2020) argues, advances in LGBTQ+ rights frequently provoke countermobilization precisely because they challenge established social hierarchies and become politically salient. In this sense, backlash represents one possible political consequence of successful rights expansion rather than evidence that rights expansion has failed.

At the same time, existing scholarship has generally focused on explaining the emergence and strategies of anti-gender movements themselves. Comparatively less attention has been devoted to explaining why similar legal advances generate markedly different levels of anti-gender mobilization across countries. Some rights reforms rapidly become central objects of ideological conflict, while others generate comparatively limited public opposition despite representing equally significant legal change. Existing scholarship therefore leaves open an important question: under what political conditions do rights become sufficiently salient to provoke sustained backlash?

The cases examined in this chapter suggest that backlash depends not only on legal reform itself but also on the political processes through which rights become publicly meaningful. Rights that remain comparatively peripheral to national political debate may encounter opposition without becoming central objects of sustained ideological conflict. By contrast, rights that become highly visible through social movement activity, judicial victories, media attention, and political framing are more likely to become symbolic markers within broader cultural struggles. In this sense, anti-gender politics should be understood as the product of broader processes of politicization rather than as an automatic response to legal change.

Synthesizing the Literature: Toward an Explanation of Divergent Political Trajectories

Taken together, the bodies of scholarship reviewed above explain important aspects of transgender rights expansion but leave unresolved an important theoretical puzzle. Rights diffusion scholarship explains why legal reforms emerge. Social movement scholarship demonstrates how movements expand political visibility. Research on issue salience explains how some issues become incorporated into broader public agendas. Political cleavage theory illustrates why certain issues become politically central while others remain comparatively peripheral. Finally, scholarship on anti-gender politics explains how conservative actors mobilize against highly visible rights movements. Individually, each perspective provides an important piece of the broader explanation. Considered together, however, they suggest a more comprehensive framework for understanding the political consequences of transgender rights expansion.

This chapter argues that these perspectives should be understood as complementary rather than competing. Rights may diffuse internationally and become institutionalized domestically, but legal adoption alone cannot explain the broader political trajectories that follow. Instead, rights expansion initiates a political process through which legal reforms become interpreted, framed, and incorporated into broader public discourse. Social movements shape the visibility of legal reforms, while political cleavages condition whether that visibility develops into sustained politicization, and politicization creates opportunities for competing actors to mobilize support or opposition. Backlash therefore emerges not simply because rights exist, but because rights become politically meaningful within broader ideological conflicts.

This integrated framework provides a different way of understanding the relationship between rights expansion and political conflict. Existing scholarship frequently treats legal

reform, public opinion, social movements, and backlash as largely separate phenomena. The argument developed here instead conceptualizes them as interconnected stages of a broader political process. Rights diffuse through international and domestic institutional mechanisms; movements increase public visibility; political cleavages structure issue attention; politicization transforms rights into objects of ideological conflict; and anti-gender mobilization represents one possible political consequence of that process. Rights expansion should therefore be understood as dynamic rather than linear, with legal recognition representing the beginning—not the end—of political contestation.

This perspective also clarifies the theoretical contribution of the chapter. The central argument is not simply that Brazil experienced more backlash than Bolivia or that Bolivia experienced lower public salience than Brazil. Rather, the chapter argues that issue salience mediates the relationship between rights expansion and backlash. The political consequences of legal reform depend, in part, on whether transgender rights become publicly visible as distinct political issues or remain embedded within broader and more widely legitimate projects of democratic and social inclusion. Brazil and Bolivia therefore serve not as conventional comparative cases, but as illustrative examples of two different political trajectories through which transgender rights became institutionalized after legal reform.

The following sections use these illustrative cases to examine how these processes unfolded in practice. Rather than asking simply whether transgender rights expanded, the analysis asks how rights became politically meaningful after their adoption. Specifically, it examines how movement strategies, political cleavages, and broader ideological conflicts shaped the degree to which transgender rights became visible, politicized, and ultimately contested in Brazil and Bolivia.

Case Selection and Methodology

This chapter employs a qualitative case-study approach to examine how the political salience of transgender rights shapes the consequences of legal rights expansion. Whereas Chapters 1 and 2 sought to identify regional patterns in transgender rights protections and public opinion through quantitative analyses, the purpose of this chapter is different. Rather than testing a causal model or identifying the determinants of transgender rights adoption, this chapter seeks to explain how legal reforms become politically meaningful after they are adopted. Specifically, it examines how social movements, political cleavages, and broader political contexts shape whether transgender rights become highly visible, publicly contested, and ultimately subject to organized backlash.

This qualitative approach complements the preceding quantitative chapters by examining political processes that cannot easily be captured through cross-national statistical analyses alone. The regional analysis presented in Chapter 1 demonstrated where transgender rights expanded across Latin America, while Chapter 2 identified important individual-level predictors of public support for transgender rights. Together, those chapters established important empirical patterns but left unanswered an equally important question: why do countries that experience meaningful legal advances subsequently follow such different political trajectories? Addressing this question requires attention not simply to measurable outcomes but to the political processes through which rights become interpreted, framed, contested, and incorporated into broader ideological conflicts.

An Illustrative Case Design

The research design adopted here follows a long tradition within comparative politics that uses qualitative case studies to develop, refine, and illustrate theoretical arguments rather than to

establish deterministic causal relationships (George & Bennett, 2005; Gerring, 2007). As George and Bennett (2005) argue, case studies are particularly valuable for investigating complex political processes, identifying causal mechanisms, and explaining relationships that remain difficult to observe using quantitative methods alone. Similarly, Gerring (2007) emphasizes that case studies are especially well suited for examining contextual dynamics, historical sequences, and political processes that cannot easily be reduced to cross-sectional variables.

Accordingly, Brazil and Bolivia should not be understood as cases selected according to the classic "most similar systems" or "most different systems" logic. Nor are they intended to establish that a single variable independently causes different political outcomes. Instead, they function as illustrative cases that illuminate a broader theoretical proposition developed throughout this chapter: namely, that the political consequences of transgender rights expansion depend not only on legal reform itself, but also on whether transgender rights become highly visible, politically salient, and incorporated into broader ideological conflicts.

This distinction is important because the objective of the chapter differs from that of a conventional comparative case study. Rather than asking why one country adopted transgender rights while another did not, the chapter asks why countries that experienced important legal advances nevertheless followed markedly different political trajectories after those reforms occurred. The emphasis therefore shifts from explaining legal adoption to explaining the politics surrounding legal adoption. Brazil and Bolivia provide analytically useful illustrations because they demonstrate two distinct pathways through which transgender rights became institutionalized, publicly interpreted, and politically contested.

Why Brazil and Bolivia?

Brazil and Bolivia were selected because together they illustrate the central theoretical puzzle motivating this chapter. Both countries experienced substantial advances in transgender rights protections during the twenty-first century, yet the political trajectories surrounding those reforms developed in strikingly different ways. Brazil combined comparatively extensive legal protections with relatively favorable public attitudes toward transgender rights while simultaneously becoming one of the world's most visible sites of anti-transgender violence and conservative mobilization. Bolivia, by contrast, adopted one of Latin America's most significant gender recognition laws despite comparatively lower levels of public support, yet transgender rights never became a similarly visible or politically contentious issue.

Importantly, these contrasting trajectories should not be interpreted as suggesting that the countries experienced identical processes of rights expansion that somehow produced different outcomes. The political processes themselves differed in important ways. In Brazil, legal reforms unfolded alongside expanding social movement mobilization, constitutional litigation, increasing media visibility, and broader political debates surrounding gender, sexuality, religion, and education. These developments progressively transformed transgender rights into a highly salient political issue and eventually into a focal point of broader ideological conflict.

Bolivia followed a different pathway. Although transgender activists likewise achieved important legal reforms, they did so primarily through institutional alliances developed within the broader Movimiento al Socialismo (MAS) coalition and a wider political project centered on Indigenous inclusion, constitutional transformation, and the construction of the Plurinational State (Hummel & Velasco-Guachalla, 2024; Postero, 2017). Consequently, transgender rights became incorporated into broader projects of democratic inclusion rather than emerging as

highly visible stand-alone political issues. While opposition certainly existed, transgender rights never assumed the same degree of symbolic importance within national political debate as they did in Brazil.

The value of examining these two cases together therefore lies not in their comparability according to traditional methodological criteria, but in their ability to illuminate different political trajectories of rights expansion. Brazil illustrates a trajectory characterized by high visibility, increasing issue salience, politicization, and organized backlash. Bolivia illustrates a trajectory in which meaningful legal reform occurred under conditions of comparatively lower political salience, producing a markedly different pattern of political contention. Considered together, these cases allow the chapter to examine how differing levels of visibility and politicization shape the political consequences of transgender rights expansion after legal reforms have already been institutionalized.

More broadly, this research design reflects the chapter's theoretical objective. The goal is not to demonstrate that issue salience functions as a deterministic causal variable. Rather, the chapter uses Brazil and Bolivia to refine and illustrate a broader theoretical argument concerning the political processes linking rights expansion to backlash. By tracing how transgender rights became embedded within different political environments, the analysis seeks to demonstrate that legal reforms acquire different political meanings depending on the interaction between movement activity, political cleavages, and broader ideological conflict.

Data Sources and Analytical Strategy

To examine these political processes, the chapter integrates multiple forms of qualitative evidence. Rather than relying upon a single source of data, the analysis combines legal developments, public opinion surveys, secondary scholarly literature, and documentation

produced by human rights organizations and transgender advocacy groups. Bringing these sources together makes it possible to move beyond describing legal reforms and instead reconstruct the political environments within which those reforms became publicly visible, politically salient, and contested. This strategy follows a process-oriented approach to qualitative analysis by drawing upon different forms of evidence to examine how broader political mechanisms unfolded in each country (George & Bennett, 2005).

The first source of evidence consists of legal and institutional materials documenting the expansion of transgender rights in Brazil and Bolivia. These include the Trans Rights Indicator Project (TRIP) dataset introduced in Chapter 1, constitutional court decisions, legislative reforms, and reports produced by organizations such as ILGA World, Human Rights Watch, and the Inter-American Commission on Human Rights. Together, these materials establish the timing, scope, and institutional content of transgender rights expansion while also providing important context regarding the political pathways through which legal reforms emerged. Rather than functioning simply as descriptive accounts of legal change, these sources allow the analysis to examine how different institutional routes to reform—including judicial decisions, legislative action, and administrative policies—contributed to distinct political trajectories.

The chapter also incorporates public opinion data from the LAPOP AmericasBarometer surveys analyzed in Chapter 2. Public opinion is not treated as the principal explanatory variable. Instead, these data provide an important contextual benchmark against which the subsequent qualitative analysis is interpreted. As demonstrated previously, Brazil exhibits comparatively higher levels of public support for transgender rights than Bolivia. Conventional expectations might therefore predict that Brazil would experience comparatively less political conflict surrounding transgender rights. The empirical cases demonstrate that this expectation is

incomplete. Consequently, LAPOP data serve an important analytical purpose by illustrating that public attitudes alone cannot fully explain why rights expansion followed markedly different political trajectories in the two countries. Rather than explaining the outcomes directly, public opinion establishes the empirical puzzle motivating the chapter.

A third body of evidence consists of existing scholarship on LGBTQ+ politics, social movements, judicial politics, anti-gender mobilization, political cleavages, and Indigenous politics in Latin America. These studies provide considerably more than historical background. They allow the chapter to reconstruct the political processes through which transgender rights became incorporated into broader national debates. Scholarship on Brazil documents the expansion of LGBTQ+ social movements, the increasing politicization of gender and sexuality, the rise of evangelical political influence, and the emergence of anti-gender campaigns during the 2010s (Biroli, 2020; Carrara, 2015; Corrales, 2020; Encarnación, 2016). Scholarship on Bolivia similarly illustrates how transgender rights became embedded within broader projects of constitutional transformation, Indigenous inclusion, and plurinational citizenship rather than emerging as highly visible stand-alone political issues (Hummel & Velasco-Guachalla, 2024; Postero, 2017). Collectively, this literature provides the empirical foundation necessary for tracing differences in political salience across the two cases.

The analysis also draws upon reports produced by transgender advocacy organizations and international human rights institutions. These sources play a particularly important role because they document dimensions of political visibility that are not easily captured through legal or survey data alone. In the Brazilian case, reports produced by the Associação Nacional de Travestis e Transexuais (ANTRA), Transgender Europe (TGEU), and Human Rights Watch document not only patterns of anti-transgender violence but also the broader political

environment surrounding transgender rights. Annual reports from ANTRA systematically record violence against transgender populations while simultaneously documenting public debates, movement responses, and patterns of discrimination. Likewise, Human Rights Watch provides detailed evidence regarding legislative proposals, educational controversies, and anti-gender campaigns that illustrate the growing politicization of transgender rights during the Bolsonaro era (Human Rights Watch, 2022). These materials therefore allow violence to be interpreted not simply as an isolated social outcome, but as one component of a broader environment of political contention.

Comparable documentation serves a different purpose in the Bolivian case. Rather than emphasizing widespread public mobilization surrounding transgender rights, available scholarship and human rights reports point toward a political environment in which legal reforms generally remained embedded within broader inclusionary agendas associated with the Movimiento al Socialismo government and the construction of the Plurinational State (Hummel & Velasco-Guachalla, 2024; IACHR, 2018). Although these sources document continuing discrimination and institutional barriers experienced by transgender populations, they also reinforce the broader argument that transgender rights occupied a comparatively less visible position within national political discourse than in Brazil. Consequently, the chapter does not seek to compare levels of violence or discrimination directly. Instead, it compares the political environments within which transgender rights became publicly meaningful and the extent to which they became incorporated into broader ideological conflict.

Taken together, these sources support a process-oriented analysis of how transgender rights acquired political meaning after their adoption. The analysis focuses on three interconnected mechanisms identified in the theoretical framework: movement visibility,

political cleavages, and politicization. Rather than estimating their independent effects or comparing implementation outcomes, the chapter traces how these mechanisms interacted with institutional opportunities, competing political agendas, and broader ideological conflicts to produce distinct trajectories of rights expansion in Brazil and Bolivia.

Analysis: Illustrating the Relationship Between Rights Expansion, Salience, and Backlash

Brazil: Rights Expansion and the Politics of Visibility

Brazil represents one of the most visible and politically contested cases of transgender rights expansion in Latin America. Over the past two decades, the country adopted substantial legal and institutional protections for transgender populations while simultaneously becoming a focal point for public conflict surrounding gender, sexuality, religion, education, and national identity. Transgender rights became visible across several institutional arenas: activists pursued claims through federal agencies and courts; LGBTQ+ organizations documented violence and organized large public demonstrations; journalists and cultural figures expanded public discussion of transgender identities; and conservative actors increasingly treated gender identity as a central component of broader campaigns against so-called “gender ideology.” This combination of legal advancement and political visibility produced an uneven trajectory in which transgender people acquired stronger formal recognition while continuing to experience severe social marginalization and violence.

Brazil therefore illustrates more than a simple discrepancy between progressive laws and unfavorable social outcomes. It demonstrates how the process of securing rights can itself alter the political environment surrounding those rights. Litigation, public advocacy, government programs, movement documentation, and media attention increased recognition of transgender populations and contributed to important institutional gains. Yet these developments also made

transgender rights more recognizable as a distinct political issue. Once connected to conflicts concerning Christianity, childhood, education, family authority, and national morality, transgender inclusion became increasingly available as a target of organized countermobilization.

Legal Rights Expansion and Institutional Recognition

Brazil's contemporary trajectory of transgender rights expansion developed through a combination of executive policy initiatives, administrative changes, public health programs, and constitutional litigation. The pathway was especially judicialized because Congress repeatedly failed to enact comprehensive national legislation protecting LGBTQ+ populations. Courts consequently became central venues through which activists and civil society organizations sought to translate constitutional guarantees of dignity, equality, privacy, and non-discrimination into enforceable protections (Corrales, 2020; Encarnación, 2016).

Before the most consequential judicial rulings, the federal government had already begun creating institutional spaces for LGBTQ+ advocacy. In 2004, the federal government launched *Brasil sem Homofobia*, a national program intended to combat violence and discrimination against lesbian, gay, bisexual, travesti, and transgender populations and to promote LGBTQ+ citizenship. Developed in collaboration with civil society organizations, the program outlined proposed actions across public security, education, health, employment, culture, and access to justice (Conselho Nacional de Combate à Discriminação, 2004). Although its implementation was uneven, it represented an important shift: LGBTQ+ claims were no longer addressed solely by activists outside the state but were increasingly incorporated into federal policy discussions.

The first National LGBT Conference, held in Brasília in June 2008, further expanded institutional access by bringing government officials and civil society representatives together to

formulate proposals concerning LGBTQ+ rights and public policy. Approximately 1,000 participants attended, and the conference approved hundreds of policy proposals addressing citizenship, health, education, public security, employment, and political participation (Brasil, Presidência da República, 2008). The conference was followed in 2009 by the *Plano Nacional de Promoção da Cidadania e Direitos Humanos de LGBT*. Developed through an interministerial process and informed by civil society participation, the plan translated earlier conference proposals and the commitments of *Brasil sem Homofobia* into a broader set of federal policy objectives concerning equality, non-discrimination, health, education, employment, public security, and access to justice (Brasil, Secretaria Especial dos Direitos Humanos, 2009). These initiatives did not eliminate institutional resistance, and many proposals were never fully implemented. Nevertheless, they helped establish a national policy vocabulary through which discrimination, violence, healthcare, legal identity, and political participation could be treated as governmental responsibilities rather than exclusively private or moral questions.

Public health policy constituted another important area of institutional recognition. In 2008, the Ministry of Health formally established the *Processo Transsexualizador* within the Unified Health System through Portaria No. 1,707 and subsequently regulated the program through Portaria No. 457. Initially organized primarily around specialized hospital-based services, the program was redefined and expanded in 2013 through Portaria No. 2,803, which incorporated outpatient care and broadened access to include a wider range of transgender patients and healthcare needs (Brasil, Ministério da Saúde, 2008a, 2008b, 2013). Access remained geographically restricted, waiting periods were often lengthy, and the program retained medicalized requirements that limited its reach. Even so, the incorporation of gender-affirming

care into the national public health system recognized such treatment as a legitimate component of healthcare and placed obligations on the state to provide services to transgender patients.

The strongest legal advances emerged through the Supreme Federal Tribunal. In 2018, the Court ruled that transgender individuals possess a fundamental right to change their first name and gender classification in civil registries without undergoing surgery, receiving a psychiatric diagnosis, presenting medical certification, or obtaining prior judicial authorization (Human Rights Watch, 2018). The ruling permitted eligible individuals to pursue the change through an administrative registry process based upon their declaration of gender identity.

This decision was particularly strong for several reasons. First, it located legal gender recognition in the principles of dignity, autonomy, privacy, and self-determination rather than in medical diagnosis or bodily modification. Second, it removed financial and procedural barriers associated with litigation, surgery, and expert certification. Third, it applied nationally, replacing a fragmented system in which requirements had varied across courts and jurisdictions. Finally, it treated gender identity as a matter belonging primarily to the individual rather than to judges, physicians, psychologists, or state officials. The decision therefore did more than simplify a bureaucratic procedure. It altered the legal basis of recognition by affirming that transgender people did not need to demonstrate conformity with medical or judicial expectations in order to have their identities recognized by the state.

The Court again intervened in 2019 after determining that Congress had unconstitutionally failed to enact legislation addressing homophobic and transphobic conduct. Until Congress adopted specific legislation, the Court held that such conduct should be treated within the framework of Law No. 7,716 of 1989, Brazil's anti-racism statute (Corrales, 2020).

The ruling therefore provided a national criminal-law framework for addressing homophobia and transphobia despite continued legislative inaction.

This protection was also significant in regional terms. It did not merely prohibit discrimination in a general constitutional sense; it made certain discriminatory conduct subject to the enforcement provisions of an existing criminal statute. Moreover, the Court acted in direct response to legislative omission, preventing congressional inaction from leaving LGBTQ+ populations without a national legal remedy. Together, the 2018 and 2019 decisions provided transgender Brazilians with both an affirmative right to legal recognition and a national framework through which certain forms of anti-transgender discrimination and incitement could be punished.

These advances positioned Brazil among the countries with the most extensive formal legal protections for transgender people in Latin America not because the country had enacted a single comprehensive transgender rights law, but because its constitutional jurisprudence removed major medical and judicial barriers to gender recognition and extended national anti-discrimination enforcement to transphobic conduct. The strength of these protections should not be confused with uniform implementation. Registry officials did not always apply the recognition decision consistently, access to legal assistance remained unequal, and criminalization did not eliminate violence or institutional discrimination. Nevertheless, the scope and constitutional basis of the rulings represented a substantial transformation in the formal legal status of transgender Brazilians.

Movement Mobilization and the Expansion of Public Visibility

Legal change in Brazil was accompanied by the growth of one of Latin America's largest and most institutionally developed LGBTQ+ movement infrastructures. Organizations such as

the Associação Brasileira de Lésbicas, Gays, Bissexuais, Travestis, Transexuais e Intersexos, Grupo Gay da Bahia, and the Associação Nacional de Travestis e Transexuais pursued overlapping strategies involving litigation, legislative advocacy, government participation, public demonstrations, community organization, and the documentation of violence (Carrara, 2015; Encarnación, 2016).

The institutional history of the Brazilian transgender movement is especially important. Organizations led by travestis and transgender women emerged partly in response to police violence, HIV/AIDS policy, exclusion from employment, and the marginalization of travestis within both mainstream society and some lesbian and gay organizations (Carrara, 2015; Pelúcio, 2009). Over time, these organizations developed national networks capable of communicating with federal agencies, participating in policy conferences, documenting rights violations, and articulating claims specifically grounded in transgender experience.

ANTRA provides a particularly clear example of how movement organizations have increased both institutional recognition and public visibility. Operating through a national network of affiliated transgender organizations, ANTRA has become an important source of information concerning legal rights, political participation, healthcare, discrimination, and violence. In the absence of a comprehensive official system for recording violence against transgender people, the organization compiles cases through continuous searches of newspapers, online media, public records, reports from affiliated organizations, and information supplied through activist and professional networks (Benevides, 2025). Because ANTRA's figures are constructed from publicly reported and independently verified cases rather than from a comprehensive government registry, they should be interpreted as documented minimum counts rather than complete estimates of anti-transgender violence (Benevides, 2025).

This documentation served several political purposes. It provided journalists and international organizations with statistics, identified the racial and socioeconomic concentration of violence, challenged government undercounting, and supplied activists with evidence for policy demands. The repeated publication of national totals also made anti-transgender violence one of the most visible dimensions of transgender politics in Brazil. Rather than allowing murders to remain disconnected incidents, movement organizations framed them as manifestations of structural racism, transmisogyny, poverty, and institutional abandonment.

Large public demonstrations also contributed to visibility (Encarnación, 2016). The São Paulo LGBTQ+ Pride March grew from a relatively small mobilization in the late 1990s into an event drawing enormous crowds and extensive national and international media attention. Pride did not focus exclusively on transgender rights, and its commercial scale sometimes generated disagreement within the movement. Nevertheless, it created a recurring national spectacle through which demands concerning legal recognition, violence, family rights, discrimination, and political representation entered public discourse. Transgender activists and organizations used this broader movement space to increase recognition of gender identity and to insist that transgender-specific concerns not be subsumed under a generalized language of sexual diversity.

Public visibility also expanded through increasing transgender representation within Brazilian public life. Transgender activists, journalists, and elected officials became more prominent in national media and politics, challenging longstanding representations that had often confined transgender people to narratives of criminality, marginalization, or sex work. The elections of Erika Hilton and Duda Salabert—among the first openly transgender members of Brazil's National Congress—symbolized this growing visibility within democratic institutions and attracted extensive national media attention. Their prominence demonstrated that

transgender people were increasingly participating not only as subjects of political debate but also as political actors themselves. Greater public representation therefore expanded opportunities for transgender individuals to articulate their own experiences and policy demands while simultaneously increasing public attention to questions of gender identity and citizenship (Encarnación, 2016).

Beyond movement organizations and cultural representation, litigation itself also became a form of public communication (Corrales, 2020; Human Rights Watch, 2018). Supreme Court cases were reported nationally and required political actors to take positions on questions of gender recognition and discrimination. Each judicial victory generated not only a new legal rule but also a public debate over who possessed the authority to define gender, whether Congress had failed LGBTQ+ citizens, and whether constitutional equality required recognition of transgender identities. The institutional success of activists therefore contributed directly to the political salience of the issue.

The significance of movement activity in Brazil lies in this dual effect. Organizations secured material and legal advances while also making transgender identities, claims, and experiences increasingly visible within national political life. Social movement scholarship has long shown that movements shape agendas and collective understandings in addition to influencing policy outcomes (McAdam et al., 1996; Tarrow, 2011). Brazil demonstrates this process clearly: transgender rights became politically important not simply because courts issued progressive rulings, but because activists connected those rulings to broader narratives concerning citizenship, violence, bodily autonomy, and democratic equality.

From Visibility to Politicization

Visibility did not remain confined to advocacy organizations and rights-supporting institutions. As questions of gender identity entered schools, courts, public-health agencies, and national media, conservative religious organizations and right-wing political actors increasingly interpreted them through broader conflicts over morality and social change. Transgender rights thus moved from visibility to politicization: they became objects of sustained public disagreement and symbols through which competing political projects defined themselves (de Wilde, 2011).

Education became one of the most important arenas of this conflict. A proposed initiative known as *Escola sem Homofobia* developed written and audiovisual materials intended to promote respect and reduce discrimination based on sexual orientation in schools. Jair Bolsonaro and other conservative opponents pejoratively relabeled the materials the “gay kit,” portraying them as an effort to sexualize children, promote homosexuality, and undermine parental authority. This characterization substantially distorted the stated anti-discrimination purpose of the initiative but became a durable political symbol in subsequent campaigns against gender and sexuality education (Human Rights Watch, 2022).

The controversy proved politically consequential because it provided conservative actors with a concrete and emotionally resonant symbol around which opposition to so-called “gender ideology” could be organized. Rather than debating the materials primarily as an anti-bullying and anti-discrimination initiative, opponents presented them as evidence of a coordinated effort by feminist and LGBTQ+ actors to transform children’s identities and weaken traditional family authority (Biroli, 2020; Corrêa et al., 2018; Human Rights Watch, 2022; Miskolci & Campana, 2017). The phrase “gender ideology” subsequently appeared in campaigns against sexuality

education, municipal and state education plans, feminist policy, and transgender inclusion (Biroli, 2020; Corrêa et al., 2018; Miskolci & Campana, 2017).

The growing political influence of evangelical churches reinforced these dynamics. Brazil's evangelical population is internally diverse and should not be treated as uniformly conservative. Nevertheless, influential pastors, legislators, and media figures increasingly organized around opposition to abortion, sexuality education, same-sex relationships, and transgender recognition. Congressional caucuses and religious media networks provided institutional channels through which gender-related controversies could be amplified and connected to electoral politics.

Jair Bolsonaro's political rise intensified this process. Long before becoming president, Bolsonaro drew national attention through statements opposing LGBTQ+ rights and condemning educational efforts related to gender and sexuality. His political identity became associated with the defense of Christianity, militarized authority, parental control, and the traditional family. During the 2018 presidential campaign and his subsequent administration, gender and sexuality functioned as recurring symbols of a broader conflict between conservative nationalism and the progressive policies associated with previous Workers' Party governments.

Transgender rights were incorporated into this conflict even when particular controversies did not concern a specific transgender policy. References to bathrooms, pronouns, sexuality education, gender-neutral language, children, and bodily difference allowed political actors to present transgender inclusion as evidence of an expansive ideological threat. In this way, a relatively small population became symbolically central to political narratives concerning the future of the nation. Transgender people were not merely portrayed as recipients of particular

legal protections; their recognition became associated with a wider transformation of education, religion, family authority, and cultural norms.

This process helps explain why legal advancement and political conflict increased simultaneously. The 2018 legal-recognition ruling expanded autonomy and reduced bureaucratic exclusion, but it also intensified public debate over whether gender should be defined through biology, medicine, individual identity, or constitutional principles. The 2019 criminalization ruling strengthened legal protection, but opponents framed it as judicial activism and an encroachment on religious expression. Institutional gains thus provided additional occasions through which political actors could mobilize both support and opposition.

Chapter 2 showed that Brazil exhibited comparatively greater support for transgender rights than several other countries in the regional analysis. The Brazilian case demonstrates why public support cannot be treated as the inverse of political conflict. An issue may receive meaningful support while also becoming intensely polarizing. Indeed, the expansion of supportive constituencies, movement organizations, and legal protections may increase the incentives for opponents to mobilize when they perceive that established social hierarchies are being challenged.

Violence and the Uneven Reach of Legal Recognition

The continuing prevalence of anti-transgender violence reveals the profound limits of Brazil's formal legal advances. ANTRA documented 122 murders of trans and travesti people in 2024 (Benevides, 2025). The organization also reported that the victims were overwhelmingly travestis and transgender women and that violence was concentrated among Black and economically marginalized individuals (Benevides, 2025). These data are based primarily on

media reports and movement monitoring rather than a comprehensive state registry, meaning that the documented cases should be understood as a minimum rather than a complete count.

The 2024 total represented a 16 percent decline from the 145 murders documented in 2023, but it continued to indicate a severe and persistent pattern of lethal violence. More importantly, the profile of the victims demonstrates that violence is not distributed evenly across the transgender population. Black travestis and transgender women, particularly those living in poverty or engaged in street-based sex work, face the greatest exposure. Their vulnerability reflects the intersection of transmisogyny, racism, economic exclusion, criminalization, housing insecurity, and unequal access to state protection.

The dependence on movement-generated data is itself evidence of institutional exclusion. Police records and media reports may misgender victims, use former legal names, omit gender identity, or classify killings without recognizing possible anti-transgender motivation. Families may also conceal a victim's transgender identity. As a result, the absence of reliable national state data has required activists to perform the work of identifying, verifying, and publicizing cases.

Some cases have broken through this broader pattern of underrecognition and become national symbols of anti-transgender violence. The 2017 murder of Dandara dos Santos, a 42-year-old transgender woman in Fortaleza, received national and international attention after video footage of the assault circulated through social media. The public response to the case exposed both the severity of violence directed toward transgender women and the extent to which individual cases often become visible only when unusually graphic evidence attracts widespread media attention (Benevides & Nogueira, 2019; Lopes, 2017). Yet the fact that a

video was necessary to produce widespread attention also demonstrated how many killings remain socially and politically invisible.

Violence cannot be interpreted as a direct or automatic consequence of legal reform, movement visibility, or conservative rhetoric. Many of its structural conditions predate the recent expansion of rights. Nor should every killing be classified without evidence as a politically motivated hate crime. Nevertheless, violence unfolds within a broader environment in which transgender identities are publicly delegitimized, economically marginalized, and periodically portrayed as threats to children, families, and social order. Political rhetoric does not independently cause individual acts of violence, but it can contribute to an environment in which the dignity and legitimacy of transgender people are repeatedly placed in question.

The Brazilian trajectory therefore contains a central paradox. Transgender individuals acquired stronger constitutional recognition, expanded administrative access to identity documents, and formal protection under anti-discrimination law. At the same time, many remained excluded from formal employment, safe housing, adequate healthcare, education, and effective state protection. Legal citizenship expanded without producing equivalent substantive citizenship.

This disparity does not negate the importance of legal victories. Identity documents that reflect a person's gender can reduce exposure to humiliation, facilitate employment and travel, and improve access to public services. Anti-discrimination rulings provide tools through which activists and individuals can pursue accountability. Yet the persistence of violence demonstrates that formal recognition operates within highly unequal racial, gendered, and economic structures.

Brazil consequently illustrates how rights expansion can generate both inclusion and conflict. Movement mobilization and judicial intervention increased recognition, but they also

elevated transgender rights within national political discourse. Once these rights became connected to established conflicts concerning religion, childhood, family authority, education, and morality, they became highly salient objects of ideological struggle. Brazil's intense backlash therefore cannot be explained by legal reform alone. It emerged through the broader political process by which transgender rights became visible, symbolically meaningful, and contested.

Bolivia: Rights Expansion Without Comparable Salience

Bolivia presents a markedly different trajectory. The country adopted important constitutional, anti-discrimination, and gender-recognition protections despite comparatively lower public support for transgender rights and a less nationally visible LGBTQ+ movement infrastructure. Transgender inclusion generated opposition and remained institutionally incomplete, but it did not become a recurring organizing issue in national electoral politics or a central symbol of broad cultural conflict. Bolivia therefore illustrates how substantial legal reform can occur when transgender rights are incorporated into a wider project of political inclusion rather than elevated as an independent axis of ideological competition.

The Bolivian case is especially significant because its legal advances did not emerge from an obviously favorable social environment. Religious conservatism remained influential, transgender people continued to face discrimination, and movement organizations possessed fewer financial and institutional resources than their Brazilian counterparts. Nevertheless, activists obtained access to governing-party legislators and successfully framed gender recognition in terms that resonated with the broader political transformation undertaken by the Movimiento al Socialismo. The resulting reforms demonstrate how institutional openness and

coalition relationships can compensate, at least partially, for limited public salience and modest movement resources.

Constitutional Transformation and an Inclusionary Legal Framework

The political context for Bolivia's transgender rights reforms developed through the rise of Evo Morales and the MAS. Morales's election in 2005 represented a major transformation in a country historically characterized by the political and economic exclusion of its Indigenous majority. The MAS government organized its legitimacy around the language of decolonization, popular sovereignty, Indigenous recognition, redistribution, and the political incorporation of social movements (Postero, 2017).

The 2009 Constitution gave institutional form to this project by redefining Bolivia as a Plurinational State (Constitución Política del Estado, 2009). The Constitution recognized Indigenous nations and systems of governance, expanded social and collective rights, and articulated a broad commitment to equality across historically excluded groups. Significantly for LGBTQ+ populations, Article 14 expressly prohibited and sanctioned discrimination based on both sexual orientation and gender identity (Constitución Política del Estado, 2009, Art. 14). The inclusion of gender identity in the constitutional text created a formal legal principle that activists could later invoke when demanding more specific recognition.

This provision supplied more than abstract symbolic support. It placed gender identity within the Constitution's broader account of equality and linked transgender claims to the transformation of citizenship promised by the new state. Transgender activists could therefore argue that the continued denial of identity documents was inconsistent with an already established constitutional commitment rather than requiring the government to recognize an entirely new category of rights.

The 2010 Law Against Racism and All Forms of Discrimination further developed this framework (Ley No. 045, 2010). The law defined prohibited discrimination broadly and included sexual orientation and gender identity among its protected categories. Although implementation remained uneven and the law did not eliminate institutional prejudice, it reinforced the principle that gender-identity discrimination was a matter of public law rather than a private social attitude.

These reforms demonstrate concretely how the wider inclusionary project created an opening for transgender claims. The constitutional process did not center primarily on transgender rights. Its dominant concerns involved Indigenous sovereignty, racial hierarchy, state restructuring, resource governance, and social citizenship. Yet by creating a broad language of pluralism, equality, and recognition, the process supplied legal and political tools that transgender activists could adapt to their own demands.

The Gender Identity Law and Activist-Party Access

Bolivia's most consequential transgender-specific reform was Law No. 807, the Gender Identity Law, enacted in 2016 (Ley No. 807, 2016). The law established an administrative procedure through which transgender adults could modify their name, sex designation, and photograph in official records. Applicants did not have to undergo gender-affirming surgery. Once the change was approved, public and private institutions were required to update identity-related documents, and the administrative process was designated confidential.

The scope of the law helps explain why it represented such an important advance. Identity documents affect access to employment, banking, education, voting, healthcare, travel, and nearly every routine interaction with public administration. When a person's appearance and gender identity do not correspond with the information on official documents, ordinary

transactions can expose them to questioning, humiliation, denial of service, or violence. Law No. 807 therefore addressed not merely a symbolic designation but a bureaucratic barrier reproduced across multiple institutions.

The original language of Article 11 was particularly expansive (Ley No. 807, 2016, Art. 11). It stated that the change of name, sex designation, and image would permit the individual to exercise fundamental, political, labor, civil, economic, and social rights in accordance with the assumed gender identity. It also required institutions to recognize the updated identity and prohibited routine use of documents displaying the former identity. These provisions sought to make legal recognition effective across institutional settings rather than confining it to the civil registry.

The political pathway to reform was rooted in the relationship between activists and MAS legislators. Hummel and Velasco-Guachalla (2024) show that Bolivian transgender activists leveraged access to ruling-party officials and the participatory channels surrounding a party with strong ties to social movements. Activists did not need to generate a mass national constituency for transgender rights before gaining legislative attention. Instead, they cultivated relationships with sympathetic political actors, participated in drafting and negotiation, and situated the proposal within the MAS government's established commitments to non-discrimination and the inclusion of marginalized groups.

This process offers a concrete illustration of what it means for transgender rights to become incorporated into a wider political project. Activists could present the Gender Identity Law as an extension of constitutional principles the government had already endorsed. The argument was not solely that transgender people constituted a separate constituency deserving a specialized benefit. Rather, denying accurate documents was framed as inconsistent with the

Plurinational State's commitment to dignity, equality, and the recognition of populations historically excluded by state institutions.

Movement organizations also pursued the reform through relatively targeted institutional engagement. Groups including transgender-led organizations and broader LGBTQ+ networks worked with legislators and officials rather than relying exclusively on nationally visible demonstrations. Their influence came from political access and strategic framing, not from possessing the largest movement infrastructure or commanding sustained media attention.

This pathway does not imply that public mobilization was absent or that activists operated without risk. Transgender advocates had spent years documenting discrimination, building organizations, and pressing for recognition. The crucial distinction is that reform did not require transgender rights to become a dominant national controversy before legislative action became possible. Institutional access allowed the issue to advance while remaining comparatively contained within policy and human-rights networks.

Contestation and the Limits of the Reform

Bolivia's Gender Identity Law did encounter organized opposition. Conservative religious actors and some legislators challenged the law, and in 2017 the Plurinational Constitutional Tribunal restricted part of Article 11 (Tribunal Constitucional Plurinacional, 2017). The decision partially invalidated the provision addressing the broader legal effects of recognition, producing continuing uncertainty over the extent to which an amended sex designation permits transgender people to exercise civil, political, family, and other rights in accordance with their recognized gender identity (Tribunal Constitucional Plurinacional, 2017; IACHR, 2018).

This episode is important because it prevents the Bolivian case from being mischaracterized as a story of uncontested inclusion. Rights expansion produced legal resistance, and the scope of recognition was subsequently narrowed. Transgender activists protested the decision and sought clarification, demonstrating that institutional gains remained vulnerable.

At the same time, the form and scale of contention differed from Brazil. The challenge focused heavily on the legal effects of Law No. 807 rather than becoming a permanent and highly visible organizing theme of national electoral competition. Transgender rights did not consistently dominate presidential rhetoric, education controversies, party identity, or mass political mobilization. Opposition existed, but it did not acquire the same sustained national salience.

The implementation of the law also provides evidence of its practical consequences. Transgender Bolivians began using the administrative procedure to update their official documents, demonstrating that reform moved beyond formal enactment (Tribunal Supremo Electoral, 2016; IACHR, 2018). Each completed change potentially reduced the daily mismatch between legal documentation and lived identity. Nevertheless, the number of beneficiaries remained limited relative to the likely transgender population, and individuals continued to encounter bureaucratic inconsistency, employment discrimination, healthcare barriers, and social exclusion.

The case therefore reflects both the possibilities and constraints of institutional incorporation. Activists secured a consequential legal mechanism without first transforming transgender rights into a central national issue. Yet lower salience also meant that implementation problems and subsequent restrictions may have attracted less sustained public

scrutiny. Limited visibility can reduce countermobilization, but it can also restrict the political pressure available to defend and deepen reforms.

Competing Cleavages and the Containment of Salience

The broader organization of Bolivian politics helps explain why transgender rights did not acquire the same national prominence as in Brazil. During the period surrounding constitutional reform and Law No. 807, Bolivia's major political conflicts centered on Indigenous authority, racial hierarchy, regional autonomy, class inequality, natural-resource control, constitutional restructuring, and the political power of the MAS (Postero, 2017).

Conflicts surrounding the nationalization of hydrocarbons, the distribution of resource revenues, the autonomy demands of the eastern lowland departments, and the meaning of the Plurinational State occupied substantial political and media attention. These debates concerned the basic structure of the state and the redistribution of power among Indigenous movements, regional elites, social organizations, and national institutions. Transgender rights entered a political system already dominated by these foundational conflicts.

The MAS inclusionary project created space for transgender claims, but it also shaped how those claims were publicly interpreted. Because the government had already committed itself to expanding recognition for groups excluded by the colonial and republican state, transgender activists could situate legal identity within an established language of dignity and non-discrimination. The reform appeared as one component of a larger agenda rather than as an isolated attempt to redefine the nation's moral order.

This framing did not guarantee acceptance. Indigenous politics and transgender politics should not be treated as naturally aligned, and the MAS government itself was neither uniformly progressive nor consistently supportive of LGBTQ+ demands. Conservative religious beliefs

existed within both government and social-movement constituencies. The importance of the broader inclusion project lies not in ideological harmony but in the political opportunities it created: constitutional language, participatory channels, movement-party relationships, and a governing narrative that made recognition claims institutionally legible.

The Bolivian experience therefore gives empirical content to the idea of competing political cleavages. Political attention is finite, and issues become nationally salient when political actors repeatedly connect them to the divisions organizing electoral and ideological conflict. In Brazil, transgender rights became linked to highly mobilized conflicts surrounding evangelical power, education, childhood, family values, and conservative nationalism. In Bolivia, political competition was more consistently structured around indigeneity, economic redistribution, regional authority, and the legitimacy of the plurinational project.

As a result, transgender rights remained politically secondary even when they produced meaningful legal change. They did not become a central marker through which the government and opposition defined their competing visions of the nation. This relative peripherality helps explain why the Gender Identity Law could advance despite modest aggregate public support and why opposition, although real, did not develop into a comparably sustained national anti-transgender campaign.

Rights Expansion Under Conditions of Lower Salience

Bolivia consequently illustrates a trajectory of rights expansion without comparable salience, rather than rights expansion without conflict. The distinction is important. The passage of Law No. 807 provoked opposition, and its scope was subsequently limited. Transgender Bolivians continued to face discrimination and institutional exclusion. The case does not

establish that lower visibility produced substantive equality or that Bolivia offered a uniformly inclusive environment.

Instead, it demonstrates that public attitudes, legal reform, and political salience are analytically distinct. A country may exhibit comparatively limited public support while still adopting significant reforms when activists possess institutional access and can align their claims with a governing project. Likewise, unfavorable attitudes do not automatically generate organized national backlash. For countermobilization to become sustained, political actors generally must transform an issue into a visible symbol of a broader ideological threat.

In Bolivia, transgender rights were less frequently framed as an assault on the nation, the family, childhood, or religion. They remained more closely associated with administrative recognition, constitutional equality, and the inclusion of a marginalized population. This framing did not eliminate opposition or discrimination, but it appears to have provided fewer opportunities for political actors to transform transgender rights into a recurring mass-mobilization strategy.

The contrast with Brazil is therefore not simply that one country experienced backlash while the other did not. Both experienced contestation, and both retained substantial gaps between formal rights and lived inclusion. The more consequential difference concerns the scale and political location of that contestation. In Brazil, transgender rights became increasingly central to broader ideological conflicts. In Bolivia, they remained more contained within institutional and legal arenas and nested within a larger inclusionary project.

Bolivia thus supports the chapter's central argument by demonstrating how rights can advance without becoming equally salient as independent political issues. Activist-party alliances supplied a pathway to reform; constitutional recognition made transgender claims

compatible with an established language of inclusion; and competing national cleavages limited the issue's position within electoral and cultural conflict. The result was a significant, though incomplete and contested, expansion of transgender rights under conditions of comparatively limited public politicization.

Illustrative Insights: Rights Expansion, Salience, and Backlash

Considered together, Brazil and Bolivia demonstrate that legal rights expansion does not produce uniform social or political consequences. Both countries adopted consequential reforms, but those reforms entered different political environments and became meaningful through different processes. In Brazil, legal recognition occurred alongside sustained public mobilization, judicial visibility, media attention, and growing ideological conflict. In Bolivia, reform emerged through activist-party alliances and remained embedded within a wider project of constitutional transformation and political inclusion.

This contrast challenges approaches that implicitly treat rights expansion as a linear movement from legal exclusion toward social inclusion. Legal adoption is not the endpoint of political change. Once protections are institutionalized, political actors continue to compete over their meaning, legitimacy, and relationship to broader understandings of citizenship, morality, family, and national identity. Rights expansion therefore initiates new political processes rather than resolving existing conflicts.

The central insight emerging from the two cases concerns the role of issue salience. Legal reforms do not generate organized backlash merely because they exist. Rights become more vulnerable to countermobilization when they acquire sufficient public visibility to function as recognizable political issues and when political actors successfully connect them to wider

ideological conflicts. Issue salience therefore helps mediate the relationship between rights expansion and backlash.

Brazil illustrates how this process can unfold. Movement advocacy, litigation, public demonstrations, media engagement, and violence documentation increased awareness of transgender rights and contributed to major legal victories. As transgender rights became more recognizable, however, conservative actors connected them to established conflicts concerning religion, education, childhood, morality, and the family. Visibility developed into politicization because transgender inclusion became embedded within dominant cleavages already organizing political competition.

Bolivia illustrates that legal reform can follow a different path. Transgender rights expanded through institutional alliances and were framed within broader projects of equality, plurinational citizenship, and democratic recognition. Because they remained comparatively less visible as independent political issues, they did not become equally available as central symbols of national ideological conflict. Lower public support therefore did not produce the same level of organized countermobilization observed in Brazil.

The two cases also demonstrate that social movements shape more than policy outcomes. Existing scholarship emphasizes the role of movements in securing institutional change through advocacy, litigation, framing, and coalition building (McAdam et al., 1996; Tarrow, 2011). Brazil and Bolivia suggest that movements also influence the political visibility of the reforms they pursue. Brazilian organizations combined institutional advocacy with extensive public mobilization, documentation, and media engagement, helping place transgender rights prominently within national discourse. Bolivian activists relied more heavily on institutional

access and alliances within an established governing coalition, enabling significant reform without producing comparable public visibility.

Neither strategy can be evaluated solely according to whether legal reform occurred. Both produced important institutional gains. What differed was the political environment surrounding those gains. Public visibility strengthened recognition and movement capacity in Brazil, but it also increased exposure to organized opposition. Institutional incorporation facilitated reform in Bolivia while limiting the extent to which transgender rights became a stand-alone object of national political conflict.

Political cleavages further shaped these outcomes. Issues do not become politically central solely because movements raise them or because governments legislate them. They become salient when they intersect with the enduring divisions through which political actors organize conflict and mobilize constituencies. In Brazil, gender and sexuality became connected to cleavages surrounding evangelical political power, secularism, family values, education, and national identity. In Bolivia, political competition remained more strongly structured by indigeneity, class, constitutional transformation, territorial conflict, and the Plurinational State.

These configurations influenced whether transgender rights became politically consequential beyond the reforms themselves. Brazilian conservative actors could frame transgender inclusion as evidence of a broader threat to religious morality and traditional social institutions. In Bolivia, transgender rights were more readily situated within an existing discourse of inclusion and recognition. Political cleavages therefore shaped not only attitudes toward transgender rights, but also whether those rights became central enough to generate sustained countermobilization.

The cases consequently reveal a complex relationship between visibility and inclusion. Greater visibility can support recognition by drawing attention to discrimination, increasing movement capacity, and placing marginalized populations on public and institutional agendas. Yet visibility can also create opportunities for opposition. When rights become recognizable symbols of broader social change, political actors may mobilize against them even when the specific legal reforms enjoy some degree of public acceptance.

The distinction between visibility and politicization is therefore critical. Visibility increases public recognition and attention, whereas politicization occurs when an issue becomes incorporated into broader ideological competition and is used by political actors to mobilize support and opposition. The experiences of Brazil and Bolivia demonstrate that visibility alone does not inevitably produce backlash. In Brazil, visibility strengthened legal recognition, movement capacity, and public awareness while also enabling conservative actors to transform transgender rights into symbols of wider cultural conflict. In Bolivia, lower salience did not eliminate discrimination or ensure meaningful inclusion, but transgender rights remained less available as recurring objects of organized national opposition. Visibility may therefore create the conditions under which backlash becomes possible, but the broader political environment determines whether that visibility develops into sustained political contestation.

Taken together, Brazil and Bolivia suggest that issue salience constitutes an important mechanism connecting rights expansion to divergent political trajectories. Legal reforms create opportunities for recognition. Social movements and institutional actors shape the visibility of those reforms. Political cleavages play a significant role in determining whether visibility develops into sustained politicization. Organized backlash becomes more likely when

transgender rights are transformed into symbols of broader conflicts concerning morality, religion, citizenship, or national identity.

These findings do not imply that low salience is normatively preferable to visibility. Political invisibility may reduce organized opposition, but it can also leave discrimination unrecognized, restrict movement capacity, and limit the substantive implementation of formal rights. Likewise, high visibility can expose transgender populations to countermobilization while simultaneously strengthening public recognition, political participation, and institutional accountability. The relationship between visibility and inclusion is therefore neither linear nor uniformly positive.

The broader implication is that the consequences of transgender rights expansion cannot be understood solely through the content of legal reforms or the distribution of public attitudes. Rights become politically consequential through the processes by which they are framed, made visible, and incorporated into national political conflict. Brazil and Bolivia demonstrate that comparable advances in legal recognition can produce different trajectories because rights enter different political environments and acquire different symbolic meanings.

Rights expansion should therefore be understood as a dynamic political process rather than a discrete legal achievement. Social movements shape whether rights become visible, political cleavages structure whether that visibility becomes salient, and politicization influences whether legal recognition generates organized backlash. Understanding transgender rights requires examining not only whether formal protections exist, but also how those protections become situated within broader struggles over identity, morality, citizenship, and social change.

Conclusion

This chapter set out to explain why comparable advances in transgender rights have generated markedly different political trajectories across Latin America. Building upon the findings of Chapters 1 and 2, I argued that understanding transgender rights requires moving beyond legal protections and public opinion to examine the political processes through which rights become publicly visible, politically salient, and contested. Through the illustrative cases of Brazil and Bolivia, the chapter demonstrates that the consequences of rights expansion depend not only on whether legal reforms are adopted, but also on how those reforms become embedded within broader ideological conflicts and national political agendas.

The analysis revealed two distinct political trajectories of transgender rights expansion. Brazil illustrates a context in which legal recognition developed alongside sustained social movement mobilization, increasing media visibility, judicial activism, and expanding public debate surrounding gender and sexuality. These developments generated important legal advances and increased recognition for transgender populations, but they also transformed transgender rights into one of the country's most politically contentious social issues. Conservative political actors increasingly incorporated transgender rights into broader conflicts surrounding religion, education, family values, and national identity, contributing to sustained countermobilization within a broader political environment in which persistent anti-transgender violence, institutional exclusion, and delegitimizing rhetoric coexisted with formal legal advances.

Bolivia followed a markedly different trajectory. Despite comparatively lower levels of public support and a less visible LGBTQ+ movement infrastructure, the country adopted one of Latin America's most significant legal recognition reforms through the 2016 Gender Identity

Law. Rather than becoming a highly visible object of national political conflict, however, transgender rights remained embedded within broader projects of democratic inclusion associated with the Movimiento al Socialismo government, Indigenous recognition, and the construction of the Plurinational State. Consequently, legal reform occurred without generating the same degree of sustained political contention observed in Brazil. Although discrimination and exclusion undoubtedly persist, transgender rights themselves remained comparatively less salient within national political discourse.

Taken together, these findings challenge conventional understandings of rights expansion. Existing scholarship has substantially advanced our understanding of why LGBTQ+ rights diffuse across countries through democratization, judicialization, international norm diffusion, and transnational advocacy (Corrales, 2020; Encarnación, 2016; Keck & Sikkink, 1998; Simmons, 2009). While these perspectives remain indispensable for explaining legal adoption, they provide only a partial explanation of what happens after rights become institutionalized. The cases examined here demonstrate that legal protections do not operate independently of political context. Rather, they acquire political meaning through processes of visibility, framing, contestation, and ideological struggle. Rights expansion should therefore be understood not simply as an institutional outcome, but as the beginning of an ongoing political process.

More broadly, this chapter contributes to scholarship on social movements and democratic inclusion by extending existing understandings of movement influence. Research on social movements has traditionally emphasized the capacity of collective action to secure policy change and institutional reform (McAdam et al., 1996; Tarrow, 2011). The findings presented here suggest an additional mechanism. Social movements also shape the political visibility of

rights. Through litigation, coalition building, public advocacy, framing, media engagement, and the documentation of discrimination and violence, movements influence whether rights become publicly salient and symbolically connected to broader ideological conflicts. Consequently, movement success cannot be evaluated solely through policy outcomes. The political environments that movements help construct may simultaneously facilitate inclusion while creating opportunities for organized countermobilization.

The chapter likewise contributes to scholarship on anti-gender politics by situating backlash within a broader process of politicization. Existing research has demonstrated how conservative actors increasingly mobilize against feminist and LGBTQ+ rights by framing them as threats to religion, family structures, childhood, and national identity (Biroli, 2020; Corrêa et al., 2018; Zaremborg et al., 2021). The findings presented here suggest that these forms of backlash are neither automatic nor inevitable consequences of legal reform. Instead, they emerge when rights become sufficiently salient to function as symbols within broader ideological conflicts. Backlash therefore reflects not simply opposition to legal protections themselves, but opposition to the broader political meanings attached to those protections.

The principal theoretical contribution of this chapter is the identification of issue salience as a mechanism linking rights expansion to divergent political trajectories. Existing scholarship has generally examined legal reform, public opinion, social movements, and backlash as relatively distinct phenomena. This chapter instead conceptualizes them as interconnected stages of a broader political process. Rights diffuse through domestic and international institutional mechanisms. Social movements shape the visibility of legal reforms, while political cleavages condition whether that visibility develops into sustained politicization.

Politicization transforms rights into objects of ideological conflict. Backlash emerges when rights become sufficiently visible to symbolize broader social and political change. In this sense, issue salience mediates the relationship between rights expansion and backlash, helping explain why countries experiencing comparable legal advances may nevertheless follow markedly different political trajectories.

The findings presented here also reinforce the broader argument developed across the dissertation. Chapter 1 demonstrated that transgender rights protections expanded substantially throughout Latin America despite considerable cross-national variation. Chapter 2 showed that public support for transgender rights likewise varies systematically across demographic, religious, socioeconomic, and ideological groups. Chapter 3 adds a third dimension by demonstrating that legal protections and public attitudes alone cannot explain the political consequences of rights expansion. Instead, legal recognition, public opinion, and political salience represent distinct—though closely related—dimensions of transgender rights politics. Understanding one without the others provides only a partial explanation of transgender inclusion.

This chapter also points toward several promising directions for future research. While Brazil and Bolivia have been employed here as illustrative cases, future scholarship could examine the relationship between legal reform, public opinion, and issue salience more systematically across a larger number of countries. One particularly promising avenue would involve developing comparative indicators of political salience based on media coverage, legislative debates, elite political rhetoric, social movement activity, protest events, or broader public discourse. Such measures would make it possible to evaluate more directly the theoretical argument advanced here—that the political consequences of rights expansion are mediated by

the degree to which rights become publicly visible and politically contested. In doing so, future research could extend existing scholarship on rights diffusion, social movements, and anti-gender politics while providing a more systematic understanding of how legal reforms acquire political meaning across different institutional and cultural contexts.

Ultimately, the expansion of transgender rights across Latin America represents one of the region's most significant democratic and human rights transformations. Yet, as the cases of Brazil and Bolivia demonstrate, legal reforms do not unfold in political vacuums. Rights acquire political meaning through processes of mobilization, visibility, framing, and contestation that differ across national contexts. Understanding transgender rights therefore requires attention not only to how rights diffuse, but also to how they become politically salient after their adoption.

This chapter has demonstrated that political institutionalization constitutes a third and distinct dimension of transgender and non-binary rights development. Legal protections and public support help explain important aspects of rights expansion, but they cannot fully account for the political trajectories rights follow after their adoption. Together, Chapters 1, 2, and 3 show that transgender and non-binary rights become institutionalized through interconnected yet analytically distinct legal, social, and political processes. The final chapter integrates these three dimensions into a broader theoretical framework of rights institutionalization and considers their implications for scholarship on transgender and non-binary rights, democratic inclusion, and human rights more broadly.

CHAPTER 4: Summary and Conclusions

Revisiting the Puzzle of Rights Institutionalization

The expansion of transgender rights represents one of the most significant developments in contemporary human rights politics. Across the globe, states have increasingly recognized gender identity within constitutions, legislation, judicial decisions, and international human rights frameworks, extending formal protections to populations that have historically been excluded from full citizenship and legal recognition. These developments are frequently interpreted as evidence of expanding democratic inclusion and progressive institutional change. Yet, as this dissertation has argued, legal recognition alone provides only a partial understanding of how rights become embedded within society. The adoption of formal protections does not necessarily produce widespread public acceptance, meaningful implementation, or political stability. Instead, rights often develop unevenly across legal institutions, social attitudes, and political discourse, creating complex and sometimes contradictory trajectories of inclusion.

This dissertation set out to explain how transgender and non-binary rights become institutionalized across law, society, and politics in Latin America. While previous scholarship has made important contributions to understanding the diffusion of LGBTQ+ rights, transgender and non-binary rights have received comparatively less sustained attention and are frequently subsumed within broader LGBTQ+ scholarship despite raising distinct questions about citizenship, legal recognition, and state authority. Moreover, comparatively little attention has been devoted to explaining how transgender and non-binary rights evolve after their legal adoption or why countries experiencing similar legal reforms frequently follow markedly different social and political trajectories. Addressing these gaps required moving beyond the

study of legal change alone and instead examining the interconnected processes through which transgender and non-binary rights become institutionalized across multiple dimensions of democratic life.

Drawing upon longitudinal legal data, cross-national public opinion surveys, and qualitative case-study analysis, this dissertation demonstrates that the institutionalization of transgender rights is neither singular nor linear. Instead, rights expand through multiple, interconnected processes that unfold at different rates and are shaped by distinct institutional, social, and political dynamics. Formal legal protections may diffuse rapidly through courts, legislatures, and international human rights institutions while public attitudes remain divided. Public support may increase without corresponding advances in legal protections or institutional implementation. Likewise, legal recognition itself may increase the political visibility of transgender rights, creating new opportunities for democratic inclusion while simultaneously generating organized opposition and ideological conflict. Understanding rights expansion therefore requires moving beyond legal adoption as the primary measure of progress and toward a broader conception of institutionalization that encompasses law, society, and politics.

Across the three empirical chapters, several consistent patterns emerge. Chapter 1 demonstrated that transgender rights expanded substantially throughout Latin America between 2000 and 2021, but that this expansion was characterized by uneven diffusion, institutional layering, and persistent cross-national divergence. Rather than following a uniform trajectory, legal reforms clustered during particular periods, developed unevenly across legal domains, and produced distinct pathways of institutional development. Some countries emerged as global leaders in transgender legal protections, while others experienced only modest reforms or remained largely stagnant. These findings challenged the assumption that rights expansion

proceeds through a single, linear process, instead revealing a region characterized by both remarkable legal innovation and enduring institutional inequality. In doing so, the chapter also demonstrates that transgender rights deserve analytical attention independent of broader LGBTQ+ rights because their legal development has followed distinctive regional trajectories and institutional pathways.

Chapter 2 shifted attention from legal institutions to the individuals who ultimately shape the social legitimacy of rights. The findings demonstrated that support for transgender and non-binary rights varies systematically across education, religious affiliation, socioeconomic position, age, and other dimensions of social location. At the same time, the absence of strong ideological polarization suggests that transgender rights in Latin America are structured less by conventional partisan divisions than by competing moral, cultural, and institutional frameworks. These results reinforce the conclusion that legal recognition alone does not ensure widespread social acceptance. Rather, globally diffused human rights norms are interpreted, negotiated, and sometimes resisted within locally embedded systems of meaning, producing uneven patterns of social institutionalization across the region. These findings also contribute to a relatively limited comparative literature on public support for transgender and non-binary rights in Latin America by identifying the social foundations of support across thirteen countries rather than within a single national context.

Finally, Chapter 3 extended the analysis beyond legal protections and public attitudes to examine the political consequences of rights expansion. Through the illustrative cases of Brazil and Bolivia, the chapter demonstrated that comparable legal advances may generate markedly different political trajectories depending upon how transgender rights become incorporated into broader public discourse. Rather than treating backlash as an inevitable consequence of rights

expansion, the analysis argued that issue salience plays a critical mediating role between legal recognition and political contestation. Rights become politically consequential not simply because they are adopted, but because they become publicly visible, symbolically meaningful, and incorporated into broader ideological conflicts. In doing so, the chapter demonstrated that political institutionalization represents a distinct dimension of rights development that cannot be reduced to either legal protections or public opinion alone. By comparing Brazil and Bolivia, the chapter also demonstrates that transgender rights cannot be understood solely through levels of legal protection or public support, highlighting the importance of political context for explaining why similar legal reforms generate divergent experiences of visibility, backlash, and violence.

Taken together, these findings converge on a broader conclusion. The expansion of transgender rights cannot be understood solely through the presence or absence of legal protections, the distribution of public attitudes, or the emergence of political conflict considered independently. Each captures only one dimension of a broader process through which rights become institutionalized within democratic societies. Examining these dimensions together reveals that inclusion is not a single achievement reached through legal reform but an ongoing process through which rights are continually negotiated, legitimized, contested, and redefined. The central contribution of this dissertation, therefore, lies not simply in documenting the expansion of transgender rights in Latin America, but in demonstrating that rights institutionalization itself is a multidimensional process whose legal, social, and political dimensions frequently evolve together, diverge, and reshape one another over time.

Theoretical Contributions

Beyond its empirical findings, this dissertation contributes to both scholarship on transgender and non-binary rights and broader sociological debates concerning human rights,

citizenship, institutional change, and democratic inclusion. Existing scholarship has substantially advanced understanding of why rights expand, emphasizing the importance of international norm diffusion, transnational advocacy networks, judicialization, democratization, and domestic political mobilization in promoting legal reform (Corrales, 2022; Finnemore & Sikkink, 1998; Keck & Sikkink, 1998; Simmons, 2009). At the same time, scholarship on public opinion, social movements, and anti-gender politics has provided valuable insight into the social and political conditions that shape support for minority rights and the emergence of conservative countermobilization (Ayoub, 2016; Burstein, 2003; McAdam et al., 1996; Tarrow, 2011). While these bodies of literature have generated important explanations for individual components of rights expansion, they have generally examined legal reform, public opinion, and political contestation as distinct phenomena. This dissertation demonstrates that these processes are better understood as interconnected dimensions of a broader process of rights institutionalization.

The central theoretical contribution of this dissertation is the argument that rights institutionalization is fundamentally multidimensional. Applying this framework to transgender and non-binary rights also demonstrates why legal recognition alone provides an incomplete measure of progress for populations whose citizenship, bodily autonomy, and legal personhood remain subject to continuing political negotiation. Rather than conceptualizing rights expansion as a singular process culminating in the adoption of legal protections, the findings demonstrate that rights become institutionalized across at least three analytically distinct dimensions: legal institutionalization, social institutionalization, and political institutionalization. Legal institutionalization concerns the incorporation of rights into constitutions, legislation, judicial decisions, and administrative procedures. Social institutionalization concerns the degree to which those rights become accepted, legitimized, or resisted by citizens. Political institutionalization

concerns the ways in which rights become incorporated into public discourse, electoral competition, movement mobilization, and broader ideological conflict. Although these dimensions frequently influence one another, they do not necessarily develop simultaneously, nor do they inevitably move in the same direction.

Conceptualizing institutionalization in this manner helps resolve several apparent contradictions that have emerged throughout the dissertation. The legal expansion of transgender rights documented in Chapter 1 does not necessarily imply corresponding levels of public support observed in Chapter 2, nor do favorable public attitudes necessarily prevent the emergence of organized political backlash examined in Chapter 3. Instead, these findings demonstrate that institutionalization is characterized by asynchronous development across multiple arenas. Legal systems, public opinion, and political discourse each follow their own trajectories while remaining interconnected through broader processes of democratic change. Understanding rights therefore requires examining the relationships among these dimensions rather than treating any one of them as a sufficient indicator of inclusion.

This framework also extends scholarship on international norm diffusion. Existing diffusion research has convincingly demonstrated how globally institutionalized understandings of human rights spread through international organizations, advocacy networks, courts, and state institutions (Finnemore & Sikkink, 1998; Meyer et al., 1997; Simmons, 2009). However, diffusion is often evaluated primarily through the adoption of formal legal reforms. The findings presented here suggest that diffusion should instead be understood as initiating a broader process of institutionalization rather than completing it. Internationally circulating norms may successfully influence legal systems while remaining only partially internalized by citizens or

becoming politically contested after their adoption. In this sense, legal diffusion represents the beginning of institutional change rather than its endpoint.

Similarly, this dissertation contributes to historical institutionalist understandings of gradual institutional change. Historical institutionalism has long emphasized that institutional transformation occurs through layering, sequencing, and gradual adaptation rather than abrupt replacement (Mahoney & Thelen, 2010; Pierson, 2000; Thelen, 2004). The findings presented here reinforce this perspective by demonstrating that transgender rights expanded unevenly across different legal domains and through distinct institutional pathways. More importantly, however, the dissertation suggests that layering extends beyond legal institutions themselves. Rights become layered not only across constitutions, statutes, and administrative systems, but also across social norms and political institutions. Consequently, institutional development should be understood as occurring simultaneously across multiple societal arenas rather than exclusively within formal legal structures.

The findings also refine sociological understandings of the relationship between global norms and domestic societies. World Society scholarship has argued that globally institutionalized cultural models encourage states to adopt increasingly standardized policies recognizing marginalized populations as legitimate rights-bearing subjects (Meyer et al., 1997; Meyer, 2010). While this perspective helps explain the remarkable expansion of transgender rights observed across Latin America, the dissertation demonstrates that globally diffused norms are neither uniformly internalized nor uniformly interpreted. Instead, citizens negotiate these norms through locally embedded moral, religious, cultural, and historical frameworks. Public support for transgender rights therefore reflects not simply the diffusion of global equality norms, but the interaction between internationally circulating models of personhood and

competing institutional logics operating within domestic societies. This finding reinforces recent scholarship emphasizing that global cultural diffusion is characterized by negotiation, adaptation, and selective incorporation rather than automatic convergence (Charles, 2020; Rotem & Boyle, 2024; Velitchkova, 2015). Applied to transgender and non-binary rights, this perspective helps explain why countries that increasingly share internationally recognized legal frameworks continue to exhibit substantial variation in public support, political incorporation, and the everyday experience of inclusion. In doing so, the dissertation extends scholarship on transgender and non-binary rights by demonstrating that the global diffusion of rights norms cannot be understood solely through legal convergence, but must also be evaluated through their uneven social and political institutionalization.

Perhaps the most distinctive theoretical contribution emerges from Chapter 3's analysis of political institutionalization. Existing scholarship has extensively examined backlash as a response to expanding rights, particularly within research on anti-gender politics and conservative mobilization (Biroli, 2020; Corrêa et al., 2018; Corrales, 2020). This dissertation does not reject those explanations. Rather, it seeks to specify more precisely the political process through which backlash becomes possible. The findings suggest that backlash should not be understood as an inevitable consequence of legal reform itself. Instead, legal protections become politically consequential through intermediate processes of movement visibility, issue salience, and politicization. Rights first diffuse through legal institutions, then become publicly visible through advocacy, litigation, and media attention, and finally acquire broader political significance when incorporated into existing ideological conflicts. This perspective contributes to an emerging literature on transgender rights by suggesting that variation in political outcomes

reflects not only differences in legal reform, but also differences in how transgender rights become symbolically and politically incorporated into national debates.

This reconceptualization has broader implications for understanding democratic inclusion. Rights are often evaluated according to whether they have been legally recognized or formally implemented. Yet the findings presented throughout this dissertation suggest that democratic inclusion remains incomplete when any dimension of institutionalization lags substantially behind the others. Legal protections without social legitimacy may produce fragile forms of inclusion vulnerable to uneven implementation. Social acceptance without legal recognition leaves marginalized populations dependent upon informal tolerance rather than enforceable rights. Political incorporation may increase visibility and democratic representation while simultaneously exposing marginalized groups to intensified ideological conflict. Democratic inclusion should therefore be understood as an ongoing process requiring the continual alignment—and realignment—of legal institutions, public legitimacy, and political incorporation.

More broadly, the theoretical framework developed here extends beyond the specific case of transgender rights. Although transgender rights provide a particularly revealing empirical context because they directly challenge legal classification systems, bureaucratic institutions, and contemporary debates surrounding identity and citizenship, the multidimensional model of rights institutionalization developed throughout this dissertation may also help explain the trajectories of other historically marginalized populations. The extension of citizenship to women, racial and ethnic minorities, Indigenous peoples, migrants, people with disabilities, and other excluded groups has likewise unfolded unevenly across legal, social, and political dimensions. Examining these processes through a multidimensional framework may therefore provide a more

comprehensive understanding of how democratic societies negotiate inclusion, legitimacy, and equality over time.

Ultimately, this dissertation argues that rights should not be understood as static legal achievements but as evolving institutional relationships between states, societies, and political actors. Legal reforms may establish new possibilities for inclusion, but the broader institutionalization of rights depends upon how those reforms become socially accepted, politically interpreted, and continually renegotiated within democratic life. By reconceptualizing rights institutionalization as a multidimensional process rather than a singular legal event, this dissertation offers a broader framework for understanding the dynamics of human rights expansion, democratic inclusion, and political conflict in contemporary societies.

Empirical and Practical Implications

Beyond its theoretical contributions, this dissertation has important implications for understanding the future of transgender rights, democratic inclusion, and human rights policy in Latin America and beyond. Collectively, the findings demonstrate that legal reform alone is an incomplete measure of social progress. While formal legal protections remain an essential foundation for expanding citizenship and protecting marginalized populations, they should not be interpreted as synonymous with substantive inclusion. Instead, legal recognition represents only one component of a broader institutional process through which rights become accepted, implemented, and sustained. Appreciating this distinction has important consequences not only for scholarship but also for policymakers, advocates, courts, and international human rights organizations seeking to advance equality through legal reform. For scholarship on transgender and non-binary rights, these findings caution against evaluating progress exclusively through the adoption of legal protections.

Perhaps the clearest empirical implication emerging from this dissertation is that legal progress and social progress should not be assumed to move in tandem. Chapter 1 documented remarkable advances in transgender legal protections throughout much of Latin America, establishing the region as one of the world's most important sites of transgender rights innovation. Yet Chapters 2 and 3 demonstrate that these legal gains coexist with substantial variation in public support, political mobilization, and the broader social environments in which transgender people live. Consequently, evaluating progress exclusively through the adoption of legislation or judicial decisions risks overstating the extent to which rights have become embedded within everyday social and political life. Future assessments of democratic inclusion should therefore consider multiple dimensions of institutionalization rather than relying solely on formal legal indicators.

The findings likewise suggest that public opinion deserves greater attention within scholarship on human rights implementation. Much of the existing literature has focused primarily on the adoption of legal protections or the strategic behavior of political elites and advocacy organizations. While these processes remain indispensable for understanding rights expansion, this dissertation demonstrates that citizens themselves play a central role in shaping the durability and legitimacy of rights. Public attitudes influence how legal protections are interpreted, implemented, defended, and contested long after they have been formally adopted. Societies in which rights enjoy broad social legitimacy are likely to provide more stable foundations for implementation than societies where legal reforms remain highly contested. Public opinion should therefore be understood not simply as an outcome of legal change but as an important component of rights institutionalization itself.

The dissertation also highlights the importance of distinguishing between opposition to rights and the politicization of rights. Contemporary public debates frequently portray backlash as an inevitable consequence of expanding protections for historically marginalized populations. The findings presented here suggest a more nuanced interpretation. Legal reforms do not automatically generate organized opposition. Rather, rights become politically contentious through processes of visibility, framing, and issue salience that incorporate them into broader ideological conflicts. This distinction carries important implications for scholars of democratic politics as well as for advocates seeking to expand legal protections. Political conflict should not be interpreted as evidence that rights expansion has failed; nor should the absence of visible conflict necessarily be interpreted as evidence of broad social inclusion. Instead, both visibility and contestation are themselves products of broader political processes that shape how rights are understood within democratic societies.

These findings also encourage a more nuanced understanding of Latin America's position within global human rights scholarship. The region is often portrayed either as an international leader in LGBTQ+ rights or as a region characterized primarily by violence and discrimination. This dissertation demonstrates that neither characterization alone adequately captures the complexity of contemporary transgender rights politics. Latin America simultaneously contains some of the world's most progressive legal frameworks, substantial cross-national variation in public attitudes, innovative forms of movement mobilization, and persistent patterns of political contestation and violence. Rather than representing a paradox requiring resolution, these seemingly contradictory developments illustrate the multidimensional nature of rights institutionalization. They underscore the importance of examining legal institutions, social

legitimacy, and political dynamics together rather than treating any single dimension as representative of broader regional progress.

For policymakers and human rights practitioners, these findings suggest that legal reform should be viewed as the beginning rather than the culmination of rights-based change. Constitutional recognition, legislative reform, and judicial decisions remain indispensable mechanisms for protecting marginalized populations, but they are unlikely to achieve their full potential in the absence of broader efforts to strengthen public legitimacy and institutional implementation. Educational initiatives, public awareness campaigns, administrative capacity building, and sustained engagement with civil society all become important components of rights institutionalization because they influence whether formal legal protections become meaningful within everyday social life. Policies designed to advance equality should therefore recognize that legal change, public legitimacy, and political incorporation are mutually reinforcing dimensions of long-term democratic inclusion.

The findings also carry implications for social movements and advocacy organizations. Throughout the dissertation, movements emerge not only as agents of legal change but also as producers of political visibility. Through litigation, coalition building, public education, media engagement, and strategic framing, movements help define how rights are understood within society and whether they become incorporated into broader political debates. At the same time, increased visibility may expose marginalized populations to new forms of political contestation. This should not be interpreted as an argument against visibility or public advocacy. Indeed, many of the legal advances documented throughout this dissertation would not have occurred without sustained activism by transgender communities and their allies. Rather, the findings suggest that movement success involves navigating a complex political environment in which increased

recognition may simultaneously create new opportunities for inclusion and new opportunities for organized resistance. Recognizing this duality allows for a more sophisticated understanding of the strategic challenges facing contemporary human rights movements.

More broadly, the dissertation contributes to ongoing conversations concerning the future of democratic citizenship. Expanding the boundaries of citizenship has historically involved extending legal recognition to populations previously excluded from full participation in political and social life. Yet the findings presented here demonstrate that formal inclusion does not eliminate contestation over the meaning of citizenship itself. Instead, democratic societies continually renegotiate the boundaries of belonging, legitimacy, and equality through legal institutions, public discourse, and political conflict. The politics surrounding transgender rights therefore reflect broader democratic processes through which societies determine who belongs, whose identities are recognized, and which forms of difference are incorporated into public life.

Ultimately, the empirical findings of this dissertation suggest cautious optimism. The remarkable expansion of transgender rights documented throughout Latin America demonstrates that institutional change is possible, even within contexts characterized by longstanding social inequalities and political resistance. At the same time, the persistence of uneven public support, selective implementation, and organized backlash reminds us that democratic inclusion remains an ongoing process rather than a completed achievement. Rights are neither permanently secured through legal adoption nor permanently foreclosed by political contestation. Instead, they continue to evolve through the interaction of institutions, citizens, and political actors, reminding us that the pursuit of equality is best understood as a continual process of democratic negotiation rather than a final institutional destination.

Future Directions and Concluding Reflections

While this dissertation has examined transgender rights through the specific context of Latin America, the framework developed here suggests a broader research agenda for the study of rights institutionalization. Future scholarship would benefit from moving beyond analyses that treat legal adoption as the principal outcome of interest and instead examining how rights evolve simultaneously across legal institutions, public attitudes, and political processes. Understanding why these dimensions converge in some contexts while diverging in others represents an important next step for research on human rights, democratic development, and citizenship.

One promising direction involves developing systematic comparative measures of political institutionalization. Whereas legal protections can be documented through legislation and judicial decisions, and public support can be measured through survey research, the political salience of rights remains comparatively difficult to operationalize. Future studies might examine media coverage, legislative debate, party platforms, protest activity, advocacy campaigns, elite rhetoric, or social media discourse to better understand how rights become politically visible and incorporated into broader ideological conflicts. Such measures would make it possible to evaluate more systematically the argument advanced throughout this dissertation: that the political consequences of rights expansion depend not simply on legal recognition itself, but on the degree to which rights become publicly visible, politically meaningful, and contested within democratic life.

Future research should also continue investigating the relationship between legal institutionalization and lived experience. Although this dissertation demonstrates that legal recognition, public legitimacy, and political incorporation frequently develop unevenly, understanding how these dimensions shape the everyday experiences of transgender and non-

binary people requires additional qualitative and community-based research. Ethnographic studies, interview-based research, and collaborative approaches with transgender communities can provide important insight into how legal reforms are experienced in practice, how institutions implement—or fail to implement—formal protections, and how individuals navigate environments characterized by varying degrees of social acceptance and political visibility. Integrating these perspectives would further strengthen sociological understandings of how rights become meaningful beyond their formal legal expression.

The framework proposed here may also prove valuable beyond the study of transgender rights. Throughout modern history, democratic societies have repeatedly expanded the boundaries of citizenship by extending legal recognition to populations previously excluded from full political and social participation. Yet these expansions have rarely unfolded as singular legal events. Women's rights, civil rights, Indigenous rights, disability rights, and immigrant rights have likewise developed unevenly across legal institutions, public attitudes, and political discourse. Examining these trajectories through a multidimensional framework of rights institutionalization offers opportunities for comparative research that connects diverse struggles for equality while recognizing the distinct institutional pathways through which different forms of inclusion emerge.

More broadly, the findings presented throughout this dissertation invite reconsideration of how democratic progress itself is understood. Democratic development is often evaluated according to the expansion of formal legal protections, suggesting that legal recognition represents the culmination of struggles for equality. The evidence presented here points toward a more dynamic understanding of democratic inclusion. Rights do not simply accumulate through legislation or judicial decisions. They are continually interpreted, negotiated, contested,

defended, and redefined through interactions among institutions, citizens, social movements, and political actors. Democratic inclusion therefore remains an ongoing process rather than a completed institutional achievement.

This perspective carries particular significance at a moment when questions surrounding gender identity have become increasingly visible within political debate around the world. In many democratic societies, transgender rights have emerged as symbols through which broader conflicts over citizenship, identity, religion, education, and the role of the state are expressed. These developments remind us that the expansion of rights is never solely a legal process. Rights acquire meaning through the political and social contexts in which they are debated, defended, and contested. Understanding these broader processes is therefore essential not only for explaining the evolution of transgender rights, but also for understanding the changing nature of democratic citizenship itself.

Ultimately, this dissertation has argued that transgender rights offer a powerful lens through which to examine one of the defining sociological questions of modern democracy: how societies determine who belongs, whose identities are recognized, and how the boundaries of citizenship are continually reconstructed over time. By integrating legal analysis, public opinion research, and comparative political inquiry, the dissertation demonstrates that rights institutionalization is best understood as a multidimensional process unfolding across law, society, and politics. Legal protections create opportunities for inclusion, but they do not determine the extent to which rights become socially legitimate or politically secure. Instead, rights remain embedded within ongoing processes of institutional negotiation that shape both their possibilities and their limits.

The expansion of transgender rights across Latin America reflects one of the most significant transformations in the region's contemporary democratic development. At the same time, the findings presented here demonstrate that this transformation is neither complete nor uniform. Rights continue to evolve through the interaction of legal institutions, public attitudes, political conflict, and social mobilization. Understanding these interactions requires moving beyond narrow conceptions of legal reform toward a broader sociology of rights institutionalization. In doing so, this dissertation advances scholarship on transgender and non-binary rights by demonstrating that legal protections, public support, political salience, and backlash represent interconnected but distinct dimensions of institutional development. More broadly, it contributes to wider debates concerning human rights, citizenship, democratic inclusion, and institutional change. More fundamentally, it suggests that the enduring challenge of democracy is not simply the expansion of rights, but the continual work of transforming those rights into lived, legitimate, and enduring forms of inclusion.

REFERENCES

- Alexander, A., Bohigues, A., & Piscopo, J. M. (2023). Opening the attitudinal black box: Three dimensions of Latin American elites' attitudes about gender equality. *Political Research Quarterly*, 76(3), 1265–1280. <https://doi.org/10.1177/10659129221133101>
- Allport, G. W. (1954). *The nature of prejudice*. Addison-Wesley.
- AmericasBarometer. (2023). *AmericasBarometer 2023 survey data*. Latin American Public Opinion Project (LAPOP), Vanderbilt University. <https://www.vanderbilt.edu/lapop/>
- Amnesty International. (2017, October 10). *Paraguay: Ministry of Education and Science resolution threatens human rights*. Amnesty International.
- Ayoub, P. M. (2016). *When states come out: Europe's sexual minorities and the politics of visibility*. Cambridge University Press.
- Bacigalupo, A. M. (2004). The struggle for Mapuche shamans' masculinity: Colonial politics of gender, sexuality, and power in southern Chile. *Ethnohistory*, 51(3), 489–533.
- Bacigalupo, A. M. (2007). *Shamans of the foye tree: Gender, power, and healing among Chilean Mapuche*. University of Texas Press.
- Benevides, B. G., & Nogueira, S. N. B. (2019). *Dossiê dos assassinatos e da violência contra travestis e transexuais no Brasil em 2018*. Associação Nacional de Travestis e Transexuais.
- Benevides, B. G., & Nogueira, S. N. B. (2021). *Dossiê dos assassinatos e da violência contra travestis e transexuais brasileiras em 2020*. Associação Nacional de Travestis e Transexuais.
- Benevides, B. G. (2025). *Dossiê: Assassinatos e violências contra travestis e transexuais brasileiras em 2024*. Associação Nacional de Travestis e Transexuais.
- Berry, F. S., & Berry, W. D. (1990). State lottery adoptions as policy innovations: An event history analysis. *American Political Science Review*, 84(2), 395–415. <https://doi.org/10.2307/1963526>
- Bettiza, S. (2023, September 23). *"The state says our kids don't exist": How LGBT life is changing in Italy*. BBC News.
- Biroli, F. (2020). The backlash against gender equality in Latin America: Temporality, religious patterns, and the erosion of democracy. *LASA Forum*, 51(2), 22–26.
- Boli, J., & Thomas, G. M. (Eds.). (1999). *Constructing world culture: International nongovernmental organizations since 1875*. Stanford University Press.

- Bolivia. (2009). Constitución Política del Estado. Gaceta Oficial del Estado Plurinacional de Bolivia.
- Bolivia. (2010). Ley No. 045 contra el racismo y toda forma de discriminación. Gaceta Oficial del Estado Plurinacional de Bolivia.
- Bolivia. (2016). Ley No. 807 de identidad de género. Gaceta Oficial del Estado Plurinacional de Bolivia.
- Brasil, Ministério da Saúde. (2008a). *Portaria N° 1.707, de 18 de agosto de 2008: Institui, no âmbito do Sistema Único de Saúde, o Processo Transsexualizador.*
- Brasil, Ministério da Saúde. (2008b). *Portaria SAS/MS N° 457, de 19 de agosto de 2008: Regulamenta o Processo Transsexualizador no âmbito do Sistema Único de Saúde.*
- Brasil, Ministério da Saúde. (2013). *Portaria N° 2.803, de 19 de novembro de 2013: Redefine e amplia o Processo Transsexualizador no Sistema Único de Saúde.*
- Brasil, Presidência da República. (2008). *Anais da I Conferência Nacional de Gays, Lésbicas, Bissexuais, Travestis e Transexuais: Direitos humanos e políticas públicas—O caminho para garantir a cidadania GLBT.* Secretaria Especial dos Direitos Humanos.
- Brasil, Secretaria Especial dos Direitos Humanos. (2009). *Plano Nacional de Promoção da Cidadania e Direitos Humanos de LGBT.* Presidência da República.
- Burstein, P. (2003). The impact of public opinion on public policy: A review and an agenda. *Political Research Quarterly*, 56(1), 29–40.
<https://doi.org/10.1177/106591290305600103>
- Cabral, M., & Viturro, P. (2016). (Trans)forming the law: The gender identity law in Argentina. In S. Stryker & A. Aizura (Eds.), *The transgender studies reader 2* (pp. 483–490). Routledge.
- Cárdenas, M. E. (2018). *Constituting Central American—Americans.* Rutgers University Press.
- Carrara, S. (2015). Moralities, rationalities, and policies of sexual diversity in Brazil. In J. Corrales & M. Pecheny (Eds.), *The politics of sexuality in Latin America: A reader on lesbian, gay, bisexual, and transgender rights* (pp. 131–148). University of Pittsburgh Press.
- Carrillo, H. (2017). *Pathways of desire: The sexual migration of Mexican gay men.* University of Chicago Press.
- Charles, M. (2020). Gender equality and the rise of liberal feminism in world society. *Social Forces*, 99(2), 473–499. <https://doi.org/10.1093/sf/soaa023>

- Chaux, E., León, M., Cuellar, L., & Martínez, J. (2021). Public opinion toward LGBT people and rights in Latin America and the Caribbean. *Oxford Research Encyclopedia of Politics*.
- Collins, P. H. (2000). *Black feminist thought: Knowledge, consciousness, and the politics of empowerment* (2nd ed.). Routledge.
- Conselho Nacional de Combate à Discriminação. (2004). *Brasil sem homofobia: Programa de combate à violência e à discriminação contra GLTB e promoção da cidadania homossexual*. Ministério da Saúde.
- Coppedge, M., Gerring, J., Knutsen, C. H., Lindberg, S. I., Teorell, J., Alizada, N., et al. (2021). *V-Dem dataset v11.1*. Varieties of Democracy (V-Dem) Project.
- Corrales, J. (2015). *LGBT rights and representation in Latin America and the Caribbean: The influence of structure, movements, institutions, and culture*. LGBT Representation and Rights Initiative, University of North Carolina at Chapel Hill.
- Corrales, J. (2020). The expansion of LGBT rights in Latin America and the backlash. In M. J. Bosia, S. M. McEvoy, & M. Rahman (Eds.), *The Oxford handbook of global LGBT and sexual diversity politics*. Oxford University Press.
- Corrales, J. (2022). *The politics of LGBTQ rights expansion in Latin America and the Caribbean*. Cambridge University Press.
- Corrêa, S. (2018, February 13). *Gender ideology: Tracking its origins and meanings in current gender politics*. Global Policy Journal.
- Corrêa, S., Paternotte, D., & Kuhar, R. (2018). *The globalisation of anti-gender campaigns*. International Politics and Society.
- Crenshaw, K. (1989). Demarginalizing the intersection of race and sex. *University of Chicago Legal Forum*, 139–167.
- Crenshaw, K. (1991). Mapping the margins: Intersectionality, identity politics, and violence against women of color. *Stanford Law Review*, 43(6), 1241–1299.
- Currah, P., Juang, R. M., & Minter, S. P. (Eds.). (2006). *Transgender rights*. University of Minnesota Press.
- Currah, P., & Moore, L. J. (2009). "We won't know who you are": Contesting sex designation in New York City birth certificates. *Hypatia*, 24(3), 113–135.
<https://doi.org/10.1111/j.1527-2001.2009.01038.x>
- de Wilde, P. (2011). No polity for old politics? A framework for analyzing the politicization of European integration. *Journal of European Integration*, 33(5), 559–575.

- De la Cadena, M. (2010). Indigenous cosmopolitics in the Andes: Conceptual reflections beyond "politics." *Cultural Anthropology*, 25(2), 334–370. <https://doi.org/10.1111/j.1548-1360.2010.01061.x>
- De Meyer, S., Jaruseviciene, L., Zaborskis, A., Decat, P., Vega, B., Cordova, K., & Michielsens, K. (2014). A cross-sectional study on attitudes toward gender equality. *Global Health Action*, 7(1). <https://doi.org/10.3402/gha.v7.24089>
- Díez, J. (2015). *The politics of gay marriage in Latin America*. Cambridge University Press.
- Encarnación, O. G. (2016). *Out in the periphery: Latin America's gay rights revolution*. Oxford University Press.
- Feenstra, R. C., Inklaar, R., & Timmer, M. P. (2015). The next generation of the Penn World Table. *American Economic Review*, 105(10), 3150–3182.
- Finnemore, M., & Sikkink, K. (1998). International norm dynamics and political change. *International Organization*, 52(4), 887–917. <https://doi.org/10.1162/002081898550789>
- Flores, A. R. (2015). Attitudes toward transgender rights: Perceived knowledge and secondary interpersonal contact. *Politics, Groups, and Identities*, 3(3), 398–416. <https://doi.org/10.1080/21565503.2015.1050414>
- Flores, A. R., Herman, J. L., Gates, G. J., & Brown, T. N. T. (2018). *How many adults identify as transgender in the United States?* The Williams Institute.
- Flores, A., & O'Neill, J. (2020). Transgender-specific policy: Gender identity inclusion in public accommodations. *Oxford Research Encyclopedia of Politics*.
- Frank, D. J., & McEneaney, E. H. (1999). The individualization of society and the liberalization of state policies on same-sex sexual relations, 1984–1995. *Social Forces*, 77(3), 911–943. <https://doi.org/10.1093/sf/77.3.911>
- Frank, D. J., Camp, B. J., & Boutcher, S. A. (2010). Worldwide trends in the criminal regulation of sex, 1945 to 2005. *American Sociological Review*, 75(6), 867–893. <https://doi.org/10.1177/0003122410388493>
- Friedland, R., & Alford, R. R. (1991). Bringing society back in: Symbols, practices, and institutional contradictions. In W. W. Powell & P. J. DiMaggio (Eds.), *The new institutionalism in organizational analysis* (pp. 232–263). University of Chicago Press.
- Gay, D. A., Lynxwiler, J. P., & Smith, P. (2015). Religiosity, spirituality, and attitudes toward same-sex marriage. *SAGE Open*, 5(3). <https://doi.org/10.1177/2158244015602520>
- George, A. L., & Bennett, A. (2005). *Case studies and theory development in the social sciences*. MIT Press.
- Gerring, J. (2007). *Case study research: Principles and practices*. Cambridge University Press.

- Gilardi, F. (2010). Who learns from what in policy diffusion processes? *American Journal of Political Science*, 54(3), 650–666. <https://doi.org/10.1111/j.1540-5907.2010.00452.x>
- Gonsalves, T. (2025). (Trans)national gender expertise and the politics of recognition. *American Sociological Review*, 90(6), 1021–1059. <https://doi.org/10.1177/00031224251388654>
- Graff, A., Kapur, R., & Walters, S. D. (2019). Introduction: Gender and the rise of the global right. *Signs*, 44(3), 541–560. <https://doi.org/10.1086/701152>
- Green-Pedersen, C., & Mortensen, P. B. (2015). Avoidance and engagement: Issue competition in multiparty systems. *Political Studies*, 63(4), 747–764.
- Groves, R. M., Fowler, F. J., Couper, M. P., Lepkowski, J. M., Singer, E., & Tourangeau, R. (2009). *Survey methodology* (2nd ed.). Wiley.
- Hadler, M., & Symons, J. (2018). World society divided: Divergent trends in state responses to sexual minorities and their reflection in public attitudes. *Social Forces*, 96(4), 1721–1756. <https://doi.org/10.1093/sf/soy019>
- Hafner-Burton, E. M., & Tsutsui, K. (2005). Human rights in a globalizing world: The paradox of empty promises. *American Journal of Sociology*, 110(5), 1373–1411. <https://doi.org/10.1086/428442>
- Herek, G. M. (2000). The psychology of sexual prejudice. *Current Directions in Psychological Science*, 9(1), 19–22. <https://doi.org/10.1111/1467-8721.00051>
- Henriquez, N. R., & Ahmad, N. (2021). "The message is you don't exist": Exploring lived experiences of rural LGBTQ people utilizing health care services. *SAGE Open Nursing*, 7. <https://doi.org/10.1177/23779608211051174>
- Holston, J. (2008). *Insurgent citizenship: Disjunctions of democracy and modernity in Brazil*. Princeton University Press.
- Horswell, M. J. (2005). *Decolonizing the sodomite: Queer tropes of sexuality in colonial Andean culture*. University of Texas Press.
- Htun, M., & Weldon, S. L. (2012). *The civic origins of progressive policy change*. Cambridge University Press.
- Human Rights Watch. (2009). "Not worth a penny": Human rights abuses against transgender people in Honduras. Human Rights Watch.
- Human Rights Watch. (2018). *Brazil boosts transgender legal recognition*. Human Rights Watch.
- Human Rights Watch. (2021). *World report 2021: Guatemala*. Human Rights Watch.

- Human Rights Watch. (2022). *"I became scared, this was their goal": Efforts to ban gender and sexuality education in Brazil*. Human Rights Watch.
- Hummel, C., & Velasco-Guachalla, X. V. (2024). Activists, parties, and the expansion of trans rights in Bolivia. *Comparative Politics*, 56(3), 321–343.
- ILGA World. (2024). *ILGA World database: Brazil*. ILGA World.
- Inglehart, R., & Norris, P. (2003). *Rising tide: Gender equality and cultural change around the world*. Cambridge University Press.
- Inglehart, R., & Norris, P. (2019). *Cultural backlash: Trump, Brexit, and authoritarian populism*. Cambridge University Press.
- Inter-American Commission on Human Rights. (2015). *Violence against lesbian, gay, bisexual, trans and intersex persons in the Americas*. Organization of American States.
- Inter-American Commission on Human Rights. (2018). *Advances and challenges toward the recognition of the rights of LGBTI persons in the Americas*. Organization of American States.
- Inter-American Commission on Human Rights. (2020). *Trans and gender-diverse persons and their economic, social, cultural, and environmental rights*. Organization of American States.
- Jones, P. E., Brewer, P. R., Young, D. G., Lambe, J. L., & Hoffman, L. H. (2018). Explaining public opinion toward transgender people, rights, and candidates. *Public Opinion Quarterly*, 82(2), 252–278. <https://doi.org/10.1093/poq/nfy009>
- Keck, M. E., & Sikkink, K. (1998). *Activists beyond borders: Advocacy networks in international politics*. Cornell University Press.
- Kelley, J., & De Graaf, N. D. (1997). National context, parental socialization, and religious belief. *American Sociological Review*, 62(4), 639–659.
- Kollman, K. (2016). *The same-sex unions revolution in Western democracies*. Manchester University Press.
- Levitsky, S., & Roberts, K. M. (2013). *The resurgence of the Latin American left*. Johns Hopkins University Press.
- Lewis, D. C., Flores, A. R., Haider-Markel, D. P., Miller, P. R., Tadlock, B. L., & Taylor, J. K. (2017). Degrees of acceptance: Variation in public attitudes toward segments of the LGBT community. *Political Research Quarterly*, 70(4), 861–875.
- Lipset, S. M., & Rokkan, S. (1967). *Party systems and voter alignments: Cross-national perspectives*. Free Press.

- Lopes, M. (2017, March 23). A horrific murder has awakened Brazil's transgender community. *The Washington Post*.
- Lugones, M. (2007). Heterosexualism and the colonial/modern gender system. *Hypatia*, 22(1), 186–209.
- Mahoney, J., & Thelen, K. (Eds.). (2010). *Explaining institutional change: Ambiguity, agency, and power*. Cambridge University Press.
- Malta, M., Cardoso, R., Montenegro, L., et al. (2019). Sexual and gender minorities' rights in Latin America and the Caribbean. *BMC International Health and Human Rights*, 19, Article 31. <https://doi.org/10.1186/s12914-019-0217-3>
- Marshall, T. H. (1950). *Citizenship and social class and other essays*. Cambridge University Press.
- McAdam, D., McCarthy, J. D., & Zald, M. N. (Eds.). (1996). *Comparative perspectives on social movements*. Cambridge University Press.
- McAdam, D., Tarrow, S., & Tilly, C. (2001). *Dynamics of contention*. Cambridge University Press.
- McCann, M. (1994). *Rights at work: Pay equity reform and the politics of legal mobilization*. University of Chicago Press.
- Meyer, J. W. (2010). World society, institutional theories, and the actor. *Annual Review of Sociology*, 36, 1–20. <https://doi.org/10.1146/annurev.soc.012809.102506>
- Meyer, J. W., Boli, J., Thomas, G. M., & Ramirez, F. O. (1997). World society and the nation-state. *American Journal of Sociology*, 103(1), 144–181. <https://doi.org/10.1086/231174>
- Miranda, V. (2010). Transgender rights in Latin America: The case of gender identity laws. *Latin American Policy*, 1(2), 258–276.
- Miskolci, R., & Campana, M. (2017). "Ideologia de gênero": Notas para a genealogia de um pânico moral contemporâneo. *Sociedade e Estado*, 32(3), 725–747.
- Movement Advancement Project. (2019). *Equality maps: Transgender nondiscrimination laws*.
- Mutz, D. C. (2011). *Population-based survey experiments*. Princeton University Press.
- Nakagawa, S., & Wotipka, C. M. (2021). Education and the internalization of global gender norms. *Studies in Comparative International Development*, 56(4), 521–545. <https://doi.org/10.1007/s12116-021-09328-0>
- O'Flaherty, M., & Fisher, J. (2008). Sexual orientation, gender identity and international human rights law: Contextualising the Yogyakarta Principles. *Human Rights Law Review*, 8(2), 207–248. <https://doi.org/10.1093/hrlr/ngn009>

- Ong, A. (1996). Cultural citizenship as subject-making: Immigrants negotiate racial and cultural boundaries in the United States. *Current Anthropology*, 37(5), 737–762.
- Ozgen, Z., & Koenig, M. (2022). When global scripts do not resonate: International minority rights and local repertoires of diversity in southern Turkey. *Qualitative Sociology*, 45, 149–187. <https://doi.org/10.1007/s11133-021-09504-0>
- Padilla, M., Hirsch, J. S., Muñoz-Laboy, M., Sember, R., & Parker, R. (Eds.). (2010). *Love and globalization: Transformations of intimacy in the contemporary world*. Vanderbilt University Press.
- Page, B. I., & Shapiro, R. Y. (1983). Effects of public opinion on policy. *American Political Science Review*, 77(1), 175–190.
- Pelúcio, L. (2009). *Abjeção e desejo: Uma etnografia travesti sobre o modelo preventivo de AIDS*. Annablume.
- Pierson, P. (2000). Increasing returns, path dependence, and the study of politics. *American Political Science Review*, 94(2), 251–267.
- Pierotti, R. S. (2013). Increasing rejection of intimate partner violence: Evidence of global cultural diffusion. *American Sociological Review*, 78(2), 240–265. <https://doi.org/10.1177/0003122413480363>
- Postero, N. (2017). *The Indigenous state: Race, politics, and performance in plurinational Bolivia*. University of California Press.
- Przeworski, A., & Teune, H. (1970). *The logic of comparative social inquiry*. Wiley-Interscience.
- Quijano, A. (2000). Coloniality of power, eurocentrism, and Latin America. *Nepantla: Views from South*, 1(3), 533–580.
- Raudenbush, S. W., & Bryk, A. S. (2002). *Hierarchical linear models: Applications and data analysis methods* (2nd ed.). Sage.
- Rivera Cusicanqui, S. (2012). Ch'ixinakax utxiwa: A reflection on the practices and discourses of decolonization. *South Atlantic Quarterly*, 111(1), 95–109. <https://doi.org/10.1215/00382876-1472612>
- Rosenbaum, P. R. (2010). *Design of observational studies*. Springer.
- Rosenberg, G. N. (1991). *The hollow hope: Can courts bring about social change?* University of Chicago Press.
- Rotem, N., & Boyle, E. H. (2024). Multiple scripts, multiple institutions: Introducing complexity into the understanding of women's empowerment. *International Journal of Comparative Sociology*, 65(1), 3–25. <https://doi.org/10.1177/00207152241244540>

- Shipan, C. R., & Volden, C. (2008). The mechanisms of policy diffusion. *American Journal of Political Science*, 52(4), 840–857. <https://doi.org/10.1111/j.1540-5907.2008.00346.x>
- Simmons, B. A., Dobbin, F., & Garrett, G. (2006). Introduction: The international diffusion of liberalism. *International Organization*, 60(4), 781–810. <https://doi.org/10.1017/S0020818306060267>
- Simmons, B. A. (2009). *Mobilizing for human rights: International law in domestic politics*. Cambridge University Press.
- Smith, A. E., & Boas, T. C. (2024). Religion, sexuality politics, and the transformation of Latin American electorates. *British Journal of Political Science*, 54(3), 816–835.
- Snijders, T. A. B., & Bosker, R. J. (1999). *Multilevel analysis: An introduction to basic and advanced multilevel modeling*. Sage.
- Spade, D. (2011). *Normal life: Administrative violence, critical trans politics, and the limits of law*. South End Press.
- Speed, S. (2008). *Rights in rebellion: Indigenous struggle and human rights in Chiapas*. Stanford University Press.
- Stephen, L. (2002). Sexualities and genders in Zapotec Oaxaca. *Latin American Perspectives*, 29(2), 41–59.
- Swank, E., & Fahs, B. (2013). An intersectional analysis of gender and race. *Sex Roles*, 68(11–12), 660–674.
- Swindle, J. (2023). Pathways of global cultural diffusion: Mass media and people's moral declarations about men's violence. *Sociology of Development*, 9(3), 287–315. <https://doi.org/10.1525/sod.2023.9.3.287>
- Symons, J., & Altman, D. (2015). International norm polarization: Sexuality as a subject of human rights protection. *International Theory*, 7(1), 61–95. <https://doi.org/10.1017/S1752971914000314>
- Tarrow, S. (2011). *Power in movement: Social movements and contentious politics* (3rd ed.). Cambridge University Press.
- Thelen, K. (2004). *How institutions evolve: The political economy of skills in Germany, Britain, the United States, and Japan*. Cambridge University Press.
- Thompson, J. (2023). Rural identity and LGBT public opinion in the United States. *Public Opinion Quarterly*, 87(4), 956–977.
- Tourangeau, R., & Yan, T. (2007). Sensitive questions in surveys. *Psychological Bulletin*, 133(5), 859–883. <https://doi.org/10.1037/0033-2909.133.5.859>

- Transgender Europe (TGEU). (2023). *Trans murder monitoring report*. Transgender Europe.
- Tribunal Constitucional Plurinacional de Bolivia. (2017). Sentencia Constitucional Plurinacional 0076/2017. Tribunal Constitucional Plurinacional.
- Tribunal Supremo Electoral. (2016). Instructivo para la aplicación de la Ley de Identidad de Género. Estado Plurinacional de Bolivia.
- United Nations Human Rights Council. (2011). *Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity* (A/HRC/19/41). United Nations.
- Vaggione, J. M. (2017). La Iglesia Católica frente a la política sexual: La configuración de una ciudadanía religiosa. *Cadernos Pagu*, 50.
- Vaggione, J. M. (2018). Sexuality, law, and religion in Latin America. *Religion & Gender*, 8(1), 14–31. <https://doi.org/10.18352/rg.10246>
- Velitchkova, D. (2015). World culture, uncoupling, institutional logics, and recoupling: Practices and contradictions in human rights implementation. *Sociological Forum*, 30(2), 444–465. <https://doi.org/10.1111/socf.12169>
- Westbrook, L., & Schilt, K. (2014). Doing gender, determining gender: Transgender people, gender panics, and the maintenance of the sex/gender/sexuality system. *Gender & Society*, 28(1), 32–57. <https://doi.org/10.1177/0891243213503203>
- Williamson, M. (2024). A global analysis of transgender rights. *Perspectives on Politics*, 22(3), 799–818.
- World Bank. (2021). *World development indicators*. World Bank.
- Yogyakarta Principles. (2007). *The Yogyakarta Principles: Principles on the application of international human rights law in relation to sexual orientation and gender identity*. <https://yogyakartaprinciples.org/>
- Yogyakarta Principles Plus 10. (2017). *The Yogyakarta Principles plus 10: Additional principles and state obligations on the application of international human rights law in relation to sexual orientation, gender identity, gender expression and sex characteristics*. <https://yogyakartaprinciples.org/>
- Zaremborg, G., Tabbush, C., & Friedman, E. J. (2021). Feminism(s) and anti-gender backlash: Lessons from Latin America. *International Feminist Journal of Politics*, 23(4), 527–534.
- Zhou, M. (2013). Public support for international human rights institutions: A cross-national and multilevel analysis. *Sociological Forum*, 28(4), 775–799. <https://doi.org/10.1111/socf.12059>