


Analysing intersex rights narratives in Spain

Sexualities
2024, Vol. 0(0) 1–21
© The Author(s) 2024
Article reuse guidelines:
sagepub.com/journals-permissions
DOI: 10.1177/13634607241259537
journals.sagepub.com/home/sex


Lucas Platero 

Universidad Rey Juan Carlos, Spain

Sveta Soltseva 

Universitat Autònoma de Barcelona, Spain

Abstract

The last decade has seen significant legislative changes enacted for intersex people worldwide. In Spain, regional and national LGBTI+ laws that include the rights of intersex individuals have also been passed. Drawing on theories of how public problems are represented, this article analyses the representations of intersex rights in Spain, problematizing some of the assumptions currently embedded in political debates. An examination of the main discourses of the stakeholders involved in intersex debates between 2018 and 2023 found two primary discourse representations: (1) sex is binary by nature; and (2) intersex is an example of body diversity, tied to debates on gender self-determination and the new national LGBTI+ law. These representations have embodied consequences for intersex individuals, who are often subjected to non-consensual, irreversible and potentially harmful medical interventions. Despite the persistence of the pathologization of variations of sex characteristics, changes in legislation and key medical documents (such as identity cards and birth certificates), the emergence of intersex activism and intersex-inclusive policies indicate an important shift in intersex rights in Spain.

Keywords

Discourse analysis, intersex, policymaking, LGBTI+

Corresponding author:

Lucas Platero, Health Sciences, Department of Psychology, Universidad Rey Juan Carlos, Avenida de Atenas s/n, Madrid 28045, Spain.

Email: lucas.platero@urjc.es

Introduction

‘Intersex’ as a cultural category has been historically shaped by medical professionals, policymakers, activists and scholars (Amato, 2016), making it ‘not one but many sites of contested being [...] hailed by specific and competing interests [...], whose significance always carries the trace of an agenda from somewhere else’ (Holmes, 2009: 2). There is no single definition of intersex, but rather multiple context and actor-dependant meanings assigned to this term, with intersex being an umbrella word for not only biological, but also multiple political ‘possibilities’ (Dreger and Herndon, 2009: 201). The Organization Intersex International itself defines intersex individuals as those ‘born with sex characteristics that do not fit typical binary notions of male or female bodies’ (OII, 2023). This article uses the terms ‘intersex’ and ‘people with variations in sex characteristics’ (henceforth IVSC) instead of ‘disorders or differences in sexual development,’ since each term creates a different construction of intersex. This follows the trend of critical intersex studies and works by intersex scholars that use an affirmative language (Carpenter, 2023; Darlington Statement, 2017; Garland and Travis, 2021; Griffiths, 2018, 2023; Monro et al., 2021).

While it is estimated that up to 1.7 per cent of the population is born with some intersex traits (UNFE, 2017), intersex people have been largely silenced, either barred behind heavily medicalized jargon or generally referred to using euphemisms in mainstream media outlets (Kerry, 2011). Moreover, often unnecessary and harmful surgical procedures – commonly done during early childhood – are performed in a culture of shame that produces institutionalized silence around intersex (Davis and Murphy, 2013; Kerry, 2011; Travis, 2015). Nonetheless, despite the lack of legal protection faced by intersex people around the world (Monro et al., 2019), the past 10 years have been marked by limited, but significant changes for intersex individuals in several European countries. For instance, legislation has been enacted to prohibit intersex surgeries in Malta (2015), Portugal (2018), Germany (2021), Greece (2022) and Spain (2023) (Garland and Travis, 2023: 10). However, notwithstanding the important steps that have been made on behalf of the human rights of intersex people, diverse controversies continue to impede this progress.

Spain entered the 2020s with a series of regional laws prohibiting medically unnecessary surgeries on intersex children, requiring that operations not be performed until the person reaches an age deemed adequate for expressing informed consent (Fernández-Garrido and Medina-Domenech, 2020). Since 2012, anti-discrimination and trans-specific LGBTI+ laws have been passed in most Spanish regions, the beginning of a trend of including intersex rights in political discussions as well. Most of these laws were enacted thanks to the participation of LGBTI+ activists in dialogue with political parties (Platero, 2020b), although intersex activists were not included to the same extent (Fernández-Garrido, 2021; Suess-Schwend, 2018). In 2023, a national LGBTI+ 4/2023 law was passed by the coalition Socialist Party and Podemos government banning unnecessary genital surgeries, granting informed consent and the right to privacy and intimacy, providing training for professionals, and giving parents a year to register an intersex newborn’s gender in documents, amongst other rights.

The alliances and narratives that appeared in Spain fostered a situation in which intersex rights are now discussed alongside trans self-determination, in accordance with a new framing of intersex within human (and trans) rights (Suess-Schwend, 2018). While many young Spanish intersex activists choose to be part of the LGBTI+ movement (Kaleidos, 2020), not all intersex individuals wish to (Baró et al., 2023). Activists and intersex activist groups like Kaleidos argue that their struggles overlap with those of LGTBI+, which helps them to use collective action in the pursuit of legal reform (Garland and Travis, 2021). However, there is both an overlap and tension between intersex and LGTBI+ activism (Griffiths, 2023; von Wahl, 2021). Indeed, Garland and Travis question whether this framing is adequate to meet the broader goals of intersex people (2021: 172). Even though trans and intersex rights are two very different realities – and misunderstanding the specific needs of intersex people can be problematic (Garland and Travis, 2023) – in Spain the political debates and laws of the last 8 years have merged them. Moreover, despite these legal developments, the application of the laws is still uncertain (e.g., intersex genital mutilation has been performed even in the regions that have prohibited such practises by law) (Fernández-Garrido and Medina-Domenech, 2020; Inter et al., 2017).

Although intersex organizations have existed in Spain since the early 2000s, they acted as mutual-aid groups for families of newborns with IVSC, or were diagnosis-specific patient associations. A new kind of intersex activism was developing in Spain, making significant progress in public outreach, with the first open seminars and public talks in 2019, and making wider alliances with feminist and LGBTI+ movements (Fernández, 2023; Kaleidos, 2020). Despite this progress, which prominent Spanish intersex activists have identified as the emergence of an ‘Intersex Spring’ (Baró et al., 2023), the intersex agenda is still blurred with trans debates, and intersex voices remain underrepresented under the LGBTI+ umbrella (Carpenter, 2023; Garland and Travis, 2021; Kaleidos, 2020; Vela, 2022).

Using framing analysis and applying the approach to policy analysis as constituted by political scientist Carol Bacchi (2009), this article looks into how intersex discourses were shaped by different stakeholders between 2018 and 2023. The aim of this study is to reveal how these stakeholders construct the rights of intersex people by naturalizing the gender binary or, alternatively, body diversity, as well as how these constructions mobilize various political solutions. The goal is to provide conclusions that can be used to promote emancipatory policies for intersex individuals. 2018 was chosen as a starting point for the analysis for two reasons: (1) a new type of political intersex activism emerged that year; and (2) it coincides with increased political interest in regulating LGBTI+ rights with a national law that would include intersex rights for the first time.

The article is organized in four sections, starting with the methodology of the study, an analysis of discursive representations using Bacchi’s concept of ‘What’s the problem represented to be? (WPR)’ (2009) and critical frame analysis (Dombos et al., 2012). The next section discusses the policymakers involved in shaping intersex rights discourses and the documents analysed. This is followed by a discussion of the main discursive representations present in intersex debates that have important social and health-related repercussions for intersex people. These consequences range from, on the one hand, being

protected from invasive surgery to, on the other, the creation of policies that include the demands and needs of intersex people, provide resources and offer other possible imaginaries. The article ends with some final remarks aimed at a wide range of stakeholders.

Methodology

Building on Carol Bacchi's framing question 'What's the problem represented to be?' (2009), this article analyses discursive practices (Bacchi and Bonham, 2014: 181) around intersex rights in Spain. The discourses of relevant Spanish stakeholders –from politicians to medical associations to activists and intersex experts– have an impact on how public policies are articulated, with lived effects (Bacchi, 2009; López-Rodríguez, 2016) for the intersex population. These political practices, debates and policies shape the subjectivity of all citizens, not only intersex individuals, creating spaces of vulnerability for some of them.

Following López-Rodríguez (2016: 19), the article considers discourse representations as frameworks built by individuals or groups that reveal their position regarding a particular social problem. They are found in documents related to, for example, political debates, laws, manifestos, statements, articles in the press and the like. These documents contain one or several discourses that support a particular representation of how the problem is represented and what solution – embedded in the text – is proposed (Bacchi, 2009). As López-Rodríguez observes, discourse representations emerge from the critical frame analyses proposed by Verloo (2005), Lombardo et al. (2009) and Dombos et al. (2012). Discourse representations embody a reflexive evolution from policy frames, changing the research task from finding those frames to critically exposing how social actors use certain representations that produce mobilization, silences or plain common sense. For Peterson (2007), this critical perspective, with its focus on language, sheds light on how meanings are constituted in specific cultural and historical contexts. Therefore, 'discourses have social and material consequences as they are contingent articulations of elements that reproduce or challenge hegemonic representations of the world' (Peterson, 2007: 266), in which some groups are presented as 'we' (non-intersex people), while some are seen as 'the others' (intersex people) (Carpenter, 2018).

Accordingly, the methodology (1) searches for the key events that shaped the debate in Spain between 2018 and 2023, and the key stakeholders involved, a wide range that includes political parties, doctors, activists, journalists, feminists, and the Catholic Church, amongst others; (2) selects the relevant documents that contain the embedded discourse representations of the same stakeholders; these heterogeneous documents include laws, medical protocols, manifestos and the like. Although some documents, such as Catholic pastorals and the political party platforms, did discuss the gender binary and the new LGTBI+ law, as they did not engage with intersex, they were excluded from the analysis; (3) analyses the representations using direct quotations from the texts, showing the nuances and occasional contradictions present in the discourses; and (4) groups the representations by their main characteristics, identifying the problem as defined by the stakeholder (Bacchi's 'What's the problem represented to be?') and the solution to the

given problem. At times the representations were combined in some way, while in other cases they were examined in isolation.

Mapping social actors and discourses

This section discusses the stakeholders involved in shaping intersex rights discourses, including representatives from the field of medicine, intersex activists, political parties, experts in intersex studies and feminist movements. This mapping reveals who, exactly, defines the intersex problem and what solutions should be offered, in order to then select the relevant documents to analyse.

In Spain, most intersex children are treated by multidisciplinary teams in Paediatric Endocrinology in public hospitals. Consequently, the Society of Paediatric Endocrinology (henceforth SSPE) has established medical standards for intersex, with two working groups focusing specifically on the management of intersex variations. In 2018, the SSPE published its 'Management guidelines for disorders/differences in sex development (DSD)' (Guerrero-Fernández et al., 2018), the first Spanish guidelines dedicated specifically to intersex variations. The recommendations were issued by medical professionals representing eight public hospitals across Spain, and currently serve as the reference document in the field. The guidelines present the 'classification of the anomalies of sexual development' and their diagnostic algorithms, gender assignment, procedures for different intersex variations, medical and surgical interventions and the clinical transition of adult patients. The protocol builds on the 'Consensus statement on management of intersex disorders' (Lee et al., 2006) for the classification and management of intersex variations (DSD in the text), but also reflects on ethical considerations around irreversible non-consensual surgeries on intersex children, recommending that those procedures be postponed until the patients are old enough to participate in the decision-making (Guerrero-Fernández et al., 2018). However, research with practitioners has shown that surgeries like vaginoplasties and clitorectomies are still commonly performed (Fernández-Garrido, 2021; Méndez Rodríguez, 2020).

From the early 2000s to 2018, the only intersex organizations in Spain were patient mutual aid groups, coordinated around specific diagnoses and syndromes. GrApSIA, an association and support group for people affected by androgen insensitivity syndrome; AMAR, a support group for women with Rokitansky syndrome; and the Spanish Association of Congenital Adrenal Hyperplasia (CAH) (2024) were amongst these early organizations. All are members of the Spanish Federation of Rare Diseases (FEDER). These patient support groups have allowed intersex people to have an impact on clinical recommendations (Fernández-Garrido, 2021: 79; Gregori, 2015), counteracting the epistemology of ignorance that often characterizes medical praxis regarding people and their bodies, a particular target of trans and intersex activism (García-Dauder and Romero, 2012). Currently, a number of new Spanish intersex activist groups (Kaleidos; Caminar Intersex; KRISOL Pro Derechos Humanos Intersex; and I de intersex) have applied ideas from queer studies and concepts of body diversity to the social, legal and institutional barriers encountered by intersex individuals in Spain (Fernández-Garrido, 2021: 67). The activity of these intersex rights activist groups is not only linked to patient-mutual aid

associations, whose members set the intersex activist movement in motion, but also to different international intersex organizations from Latin America (Brújula Intersexual and Orquídea Intersexual, e.g.). Along with the internationalization of the intersex activist agenda, these intersex rights groups function as important shared spaces with allies, as well as intersex and non-intersex scholars working on studies in this field. These intersex activist groups also have a growing presence in the Spanish social media, and participate in public events, often supporting the inclusion of intersex rights within the framework of LGBTI+ groups.

Unlike many other countries, the Spanish government has multiple policymaking levels (national, regional, local), which correspond to a decentralized model (Soriano, 2020) that has an impact on intersex rights. As Verge and Alonso have observed, party politics has mattered more for the advancement of gender equality and LGBTI+ policies at the national level (2020: 168), and political parties of different stripes have become involved in debating and passing national and regional LGBTI+ anti-discrimination policies that include intersex rights (Platero, 2020b). At the regional level, LGBTI+ and intersex advocates 'find a shelter to promote policy innovations and uphold progressive reforms' (Verge and Alonso, 2020: 174). An analysis of the regional laws that include intersex rights reveals that the definitions of intersex in these policies are heterogeneous, emphasizing the anatomy that 'does not fit the typical definitions of male and female,' and in some regions (Valencia, Aragon, Madrid and Murcia), mentioning diversity within the intersex experience. Interestingly, this legislation on intersex rights is strongly associated with trans rights, opening a space of agency over the decisions taken about one's own body, but treating the two experiences as parallel. Lastly, some laws include a ban on genital surgeries on intersex babies (Canary Islands, Aragon, Navarre, Madrid, Murcia and Extremadura), while others recommend that they be avoided, except for reasons of health and/or as demanded by an intersex person or their family (Andalusia and Balearic Islands). The laws passed in Valencia, Catalonia and the Basque Country lack this prohibition. With regard to specific intersex policies, the Catalan law creates specialized units to study and care for people with intersex variations (Art. 49), and the Canary Island law includes compensation and effective remedy for any damages and/or losses on the basis of gender expression or identity or sexual characteristics (Art. 2c).

On 28 February 2023, the Spanish Parliament passed the new LGBTI+ rights law (commonly referred to as the 'New Trans Law,' since what was meant to be two different bills on LGBTI+ and trans rights were combined into one during the last political negotiations) (Spanish Government, 2022). The 4/2023 law specifically mentions intersex rights in two articles (19 and 74), which introduce non-discrimination and autonomy and reinforce the active role of intersex individuals in health-related decision-making and protection from unnecessary medical treatment and surgeries. Even with children, whose participation in the decision-making process is under the control of the public administrations, the law guarantees psychological support and assessment. Although the new legal framework is relevant, it is conditioned by its application, given that there are no sanctions for performing non-consensual and potentially harmful medical procedures on intersex children. This study did not discover any specific discussions about intersex rights per se in party platforms or other political documents; instead, they always associate

intersex with trans rights. This association of trans and intersex rights is often considered problematic, as it can invisibilize the needs of intersex people. According to intersex activist Camino Baró, ‘the trans law tried to fix something [intersex needs] without fully understanding it and, moreover, quite hastily and urgently’ (Baró et al., 2023: 63). At the same time, tackling the two situations jointly can provide an opportunity to find a shared space of struggle (Garland and Travis, 2023: 80–82) and produce ‘the feeling of belonging to a group’ (Baro et al., 2023: 264). In addition to the laws enacted, two new regional public policies are pertinent in this context: the Canary Island law regulating the rights of trans and intersex children which offers compensation for discrimination; and the 2023 Balearic Islands protocol supporting the provision of comprehensive assistance to intersex people, with the support of intersex organizations, like Kaleidos and other intersex experts.

Academic experts are another significant social actor in this arena. Intersex studies in Spain comprises a young, but growing, research area, characterized by the interdisciplinary nature of the investigations and published studies (e.g. see Cleminson and Vázquez, 2018, Cleminson and Medina, 2004; Cruz Navarro, 2020; Fernández-Garrido, 2021; García, 2015, 2017; García-Dauder, 2011; García-Dauder et al., 2016; Gregori, 2015, 2016). Spanish intersex studies are still dominated by academics who are not intersex themselves (Fernández-Garrido, 2021, 2015, 2017), with one key exception, intersex activist and researcher Mer Gómez, who published a book of interviews with intersex activists in 2022. Of the studies, García’s publications (2015, 2017) are notable for his investigation of the lack of regulations to protect intersex rights until 2015; the absence of legislation prohibiting surgeries on intersex people; and the situation surrounding informed consent, which is practically denied to IVSC patients due to the pressure of the so-called psychosocial emergency for the children involved. Nuria Gregori, in turn, published a revealing report about intersex people in Barcelona (2016), demonstrating the heterogeneity of their needs and the uneven nature of their vulnerability. Gregori (2015) also criticized the lack of specialized professionals, which exacerbates IVSC vulnerability. García-Dauder, 2011; García-Dauder and Romero, 2012) explored the challenge to dualism presented by intersex people, focusing on gender frontiers in sports (2011). Lastly, Fernández-Garrido’s doctoral thesis (2021) demonstrates how health professionals working with intersex people engage in certain emotional practices that translate into medical decisions based on non-binary bodies.

Another key actor in Spain in this arena is the feminist movement, which has played a critical role in the current. Although Spanish feminism continues to support intersex and trans rights generally speaking (Romero-Bachiller, 2022), the appearance of a division within the Socialist Party and between its feminists regarding intersex and trans rights in 2018 has had consequences for feminism on the whole, as it has broken the consensus in favour of the right to sexuality and LGTBI+ rights (Fernández-Garrido, 2023). Moreover, the social debate over the 2023 LGTBI+ law, which simplifies legal gender and name changes and aims to end the pathologization of gender-nonconforming people, caused this division to appear amongst Spanish feminists and the left wing (Alabao, 2020; Platero, 2020a). Surprisingly, given the Socialist Party’s history of promoting sexual rights like same-sex marriage (2005), some members of the PSOE – specifically then Deputy Prime

Minister Carmen Calvo – decided to endorse a growing anti-trans feminist trend, publicly opposing the bill on various occasions, and saying that it would negatively impact women’s rights, ‘putting at risk the identity criteria of 47 million people’ (Guede, 2021). This opinion found solid support amongst the country’s anti-trans feminists (including prominent feminists from the Socialist Party, former members of United Left and a few well-known academics, amongst others), resulting in the spread of anti-trans and anti-intersex materials online. Although these anti-trans feminist groups comprise a minority compared with trans and intersex inclusive feminists, they are influential and managed to split the 8 March women’s rights movement, gaining visibility in the media, the academy and in the political parties (the Socialist Party, conservative People’s Party and far-right VOX) (Platero, 2023; Romero-Bachiller, 2022; Willem et al., 2022).

Those Spanish feminists that support the new LGBTI+ law (which includes sections on intersex rights), released a manifesto in 2021 (*Feministas por los derechos trans*, 2021). These feminist groups followed the trajectory of including trans women in the feminist movement that can be traced back to the National Feminist Conferences of 1993, 2000 and 2009, if not earlier (Platero and Ortega, 2016). Remarkably, there was no apparent division in the feminist movement over bodily autonomy or the ‘trans question’ until 2018, in contrast with the development of this movement in the Global North (Fernández-Garrido, 2023; Platero, 2020a; Romero-Bachiller, 2022). In these debates, however, intersex rights have been secondary and linked to the trans debate.

The final stakeholder is the Spanish mainstream media, whose reports on intersex people are often sensationalist, using provocative titles and, frequently, erroneous information. On rare occasions, however, media reports include intersex activists and experts who bring critical ideas to the debate, as with the numerous interviews done with Camino Baró in the newspaper *El País* (2022), Iolanda Melero on the public television network RTVE (2020) and articles by expert García condemning the genital mutilation of intersex children (2017, 2020). Some news sources have attempted to provide a more critical stance by interviewing intersex people themselves and including first-hand accounts about their personal experiences, together with the opinions of medical experts who challenge the dogma of early surgical intervention (Blanco, 2017).

Document selection

13 documents were selected from social actors considered significant in shaping intersex rights discourses in Spain between 2018 and 2023 (Table 1): a national and a regional law, a regional intersex protocol, a set of medical guidelines, an interview with a medical practitioner, two support group websites, a roundtable with intersex activists, one intersex activist manifesto, one anti-trans manifesto, a feminist conference talk and two newspaper articles, one by an LGTBI+ activist and one by an intersex scholar.

Analysis of the representations

These documents reveal the following representations that illustrate the problem and the solution concerning intersex people. The representations can be grouped around two

major discourses: (1) sex is binary by nature; and (2) intersex is an example of body diversity, tied to debates on gender self-determination.

Sex is binary by nature

The first and the main representation in the debates around intersex is rooted in the understanding of sex as binary, as found in the documents drafted by feminists in the Socialist Party, anti-trans feminists, some patient support groups, medical protocols and the media. These representations have different nuances but most often appear combined, focusing on (a) the gender binary as a natural reality, in which biology must prevail; (b) the threat posed by those outside the binary to women's rights; and (c) intersex as a rare medical condition and source of curiosity and sensationalism.

The gender binary as a natural reality. Biological determinism claims are found in the political debates around the LGBTI+ 4/2003 law, which faced a strong backlash in Spanish society. Along with some feminist members of the Socialist Party, former Deputy Prime Minister Calvo released a manifesto entitled 'Arguments against the theories that negate the reality of women' (PSOE, 2020), and also made statements opposing gender self-determination (Guede, 2021). Calvo insisted on maintaining the concept of sex as inherently binary, a standpoint supported by the anti-trans feminist group *Confluencia Movimiento Feminista*, which published a statement 'Defending the rights of women, childhood, homosexual people and the freedom of expression: against the self-determination of sex,' followed by the declaration, 'In favour of a feminist agenda, against the trans laws' (Confluencia Movimiento Feminista, 2020, 2021).

Both Socialist feminists and anti-trans groups identify female genital mutilation as a harmful practice because the subjects were born female, but completely overlook non-consensual surgeries on intersex children. Their critique of trans surgeries, access to hormonal treatment and the right of self-determination make the issue of intersex rights an uncomfortable debate for some, as challenging intersex genital mutilation based on so-called aesthetic binary reasoning would inherently call binary sex into question. This discomfort is associated with the intentional use of avoidant and silencing arguments and topics in their rhetoric. Intersex people are only mentioned by the *Confluencia Movimiento Feminista* (2020) and Amelia Valcárcel (2022) to diminish the frequency, or deny the existence, of intersex variations in the population, and intersex genital mutilation is not discussed.

Secondly, the discursive medical presentations in the 'Management guidelines for disorders/different sex development (DSD)' (2018), produced by the Society of Paediatric Endocrinology, and an interview with a paediatric surgeon (Méndez-Rodríguez, 2020) are rooted in the binary understanding of sex, with intersex being viewed as a disorder that requires medical intervention:

A reconstructive surgery is when you have to dismantle what nature did not do as it was supposed to do and you have to try to reproduce what normal nature does; it is a highly

regulated surgery. And highly ... well, appreciated surgery that has many challenges, but it is something that the paediatric surgeon, in general, likes (Méndez-Rodríguez, 2020).

While an attempt to employ less pathologizing terminology is made in the title of the guidelines by using the term ‘differences of sex development,’ this effort does not go beyond the introduction. Intersex variations are referred to as ‘anomalies’ and/or ‘disorders’ throughout the rest of the document. This position is further articulated at the end of the guidelines, where the authors discuss activism, terminology and whether intersex belongs to LGBTI+:

In our social context, there is a surge of a globalizing idea promoted, at least in the beginning, by the LGBT movements, that considers DSD or intersex as variations and rejects their conception as possible pathologies that may need diagnoses and treatments (Guerrero-Fernández et al., 2018: 57).

According to the authors, non-pathological expressions may be ‘psychologically beneficial’ for intersex individuals who do not need medical treatment, but rejecting the pathologizing conceptions altogether would deprive patients of life-saving medical treatment (just as some congenital adrenal hyperplasia cases result in cerebral salt wasting syndrome¹). While the ethical considerations around irreversible surgeries are considered in the guidelines, which advise that such procedures not be performed before the patient reaches the age of informed consent, the text nonetheless states that it is ‘not always possible [to do so] because these early interventions have to rely on a broad agreement between professionals and families’ (p. 40).

Similarly, the support groups (such as AMAR and the Spanish CAH Association) promote early surgical correction of the genitals as well as other medical procedures. In their view, patient organizations must raise the awareness of doctors who, in turn, need to provide backing for patients and their families. The views of intersex people in patient support groups align with the mainstream medical protocols. These arguments pose a problem for intersex people individually, weakening any criticism of current structural medical procedures.

On balance, according to most of these stakeholders, the problem is that some people, like intersex (and trans), have a medical problem and wish to break with the natural binary order by demanding self-determination. The solution, too, is medical: re-establish this natural order and under no circumstances give into the demands for self-determination.

The threat posed to women’s rights. As discussed above, both Socialist Party feminists and anti-trans groups have utilized a biological framework for intersex rights. Moreover, these groups have stated that the recognition of more rights for non-binary people poses a threat to women’s rights, to the point that they will be erased (Confluencia Movimiento Feminista, 2020, Valcárcel, 2022). Indeed, this idea of ‘the erasure of women’ has been widely disseminated on Spanish social media, in television interviews, in the Socialist feminist manifesto against the LGTBI+ law, by the far-right VOX party and in other documents that do not directly address intersex rights. In this specific respect, the

erasure of women is related to the supposed disappearance of spaces reserved for them, and the appearance of men supposedly disguised as women in those spaces (Arranz, 2021). Therefore, in accordance with Bacchi's WPR framework, women's rights are being threatened, and the solution involves reinforcing the female biological identity against those who are pretending to be women.

Intersex as a rare medical condition and a source of curiosity. The representation of intersex as a medical condition that requires intervention is very common, found not only in medical protocols like the ones described above, but also in the media, which often portray stories of intersex individuals in sensationalistic terms. However, exceptions can be found in the interviews with LGBTBI+ activists (Rioja, 2019) and intersex experts (García, 2020).

The main consequences of representations that highlight the binary nature of sex is that intersex (as well as trans) people are viewed as a deviance or exception from the norm, one that can only be understood from a medical point of view. Hence, the solution to the problem that intersex people pose is that the female/male division must be reinforced, which not only diminishes the size and significance of the intersex reality, but also lessens how it can challenge sex and gender norms that are currently taken for granted.

Intersex as body diversity

The second representation identified contests biological determinism and focuses on body diversity and self-determination, is embedded in the documents where intersex activists and advocates present their own arguments in manifestos, interviews and debates. These representations contain different nuances that focus on body diversity and self-determination. Additionally, the body diversity statements have two representations: firstly, intersex is a sign of body diversity that often challenges gender binarism; and secondly, medical interventions done on intersex people to standardize their bodies and make them fit the binary norm are detrimental.

In the 2020 Kaleidos debate, Iolanda Melero argued that 'those who are called intersex, in general, are men or women who embody a difference among many others,' adding that 'intersex is a biological reality.' In the same debate, Ana Belén Francia remarked that 1.7 per cent of the population is intersex, 'but despite being a large group, nobody knows an intersex person, nobody knows what the "I" in the LGBTBI+ movement is.' Regarding the inclusion of intersex in the LGBTBI+ campaign, activist Mer Gómez remarked:

All the letters in the acronym have things in common, even though each one stands for something different. There are links, for example, that all of them do not fit in the heterosexual matrix, in the male-female dualism (Kaleidos, 2020).

The lack of knowledge about intersex people and their needs is a major problem, as, according to Francia, 'the greatest discrimination takes place when your existence is not even known,' and intersex people 'need to be seen, showing that [they] are everywhere, breaking the silence.' The Adriano Antinoo LGBTBIQ (2020) Manifesto of 26 October also stressed that the embodied diversity of intersex people remains invisible, is perceived

as different and is stigmatized. The current emergence of intersex mobilization was explained by Laura Vila K. in the 2020 Kaleidos debate thus: ‘losing the fear of public exposure and being in conversation with friends, being out is key: I see the future with hope [...] I see the opportunities to see our bodies differently, our relationships and desires in a different light’. In addition, President Uge Sangil of the Federation of LGBTI+ Organizations (FELGTB), called for the human rights of intersex people to be respected in response to his perception that intersex is taboo in Spain (Rioja, 2019). Sangil also remarked on the lack of knowledge about intersex people, and labelled early medical surgeries a castration.

Applying a perspective with different nuances, some mutual support groups argue that intersex women are women, that being a woman is not determined by anatomy (uterus, typical-size clitoris, etc.) and defending their right to choose motherhood: ‘In the absence of a uterus or having a very small one, we talk about the impossibility of pregnancy, but not the impossibility of being a woman’ (AMAR, 2023). Interestingly, this is the only discursive representation in which bodily agency is not linked to a critique of medical practices. Instead, it defends the right to choose, using the feminist claim ‘as women, we have the right to choose if we want to adopt, use surrogacy or not have children’ (AMAR, 2023).

Lastly, self-determination representations can be found in the LGBTI+ 4/2023 law, the Balearic Islands Protocol of comprehensive assistance to intersex people, the Canary Islands LGBTI+ law, and intersex debates, as well as in the feminist manifesto supporting trans rights. The 4/2023 law includes self-determination for trans and intersex people, a long sought-after demand. On the other hand, the only policies in which we found a profound participation of intersex groups and activists in the policymaking are the Canary Islands LGTBI+ Law (provides grants economic compensations for those people that have suffered discrimination on the grounds of their identity or sexual characteristics), and the Balearic Islands Protocol (which introduces a new medical model, aware raising campaigns, training for professionals, among other intersex positive actions). The inclusion of intersex appears to be a significant move towards recognition and towards redistribution, although it must be accompanied by a complete understanding of intersex people’s needs (Griffiths, 2023). Otherwise, this inclusion could well remain at a symbolic level that does not translate into concrete actions (Garland and Travis, 2023).

Conclusion

The debates around intersex rights in Spain analysed in this article show that intersex is still a little known reality in Spain, often understood as a taboo and a medical condition that requires surgical correction. Intersex rights are still not a central issue in Spanish LGBTI+ debates generally speaking (Kaleidos, 2020; Suess-Schwend, 2018). Accordingly, intersex rights are largely discussed and legislated as a subsection of LGBTI+ rights, a powerful movement that does not sufficiently facilitate recognition and redistribution strategies for intersex people (Garland and Travis, 2023; Griffiths, 2023: 17). The application of the ‘What’s the problem represented to be’ methodology reveals how intersex rights are constructed in two simultaneous representations. The dominant representation becomes the convention wisdom within a biological framework that considers intersex a disorder that requires medical intervention

and leaves the gender binary intact. The second, minority representation, related to body diversity, promotes a shift in social perceptions and policymaking to eliminate the barriers facing intersex people.

Because of these representations, many intersex individuals have come to accept not only their intersex bodies, but also the possibility of becoming activists (or experts consulted during policymaking), rather than merely patients. This has changed how their experiences are understood beyond the disorder framework. These findings are in line with von Wahl's work (2021), who argues that morphing intersex rights from a private medical experience into a public claim of human rights allows for strategic alliances with LGBTI+ and inclusive feminists. These two opposing frameworks, biological and body diversity, are self-serving constructions and, as such, can influence society to transform how intersex is viewed. Understanding that the biological framework is not irrevocable suggests that it is possible to not only imagine how to change interventions with intersex individuals and mobilize to that end, but also to better understand human diversity.

The discussion of the LGBTI+ 4/2003 law that took place between 2020 and 2023 created a scenario in which stakeholders had to debate not only trans or intersex rights, but the gender binary itself. In these debates, the biological representation was dominant, expressed by several participants despite their differences in medical protocols, by anti-trans feminist groups and by some intersex mutual support groups. In these representations, gender binarism is understood to be natural, normal and unquestionable. In their opinion, those outside this binarism are seen as a threat (against women, children and society), a disorder to be cured, and also a rare condition that is not relevant to mainstream debates over gender or sexuality rights. The consequence of this dominant representation is that intersex rights are susceptible to being undermined, despite the inclusive legislation now in place, and it is likely that doctors will continue with their established praxis.

As Carol Bacchi observed, silences are relevant in the analysis of social debates (2009), and the discussion of intersex rights is characterized by an intense silence. The analysis here did not include some important stakeholders in Spain – the Conservative Party, the far-right party VOX party, the Catholic pastorals² – because they either did not discuss intersex directly, or it only appeared as part of the LGBTI+ acronym within a larger debate on trans rights and the gender binary. These conservative stakeholders defend the gender binary that is being challenged, while viewing intersex people as an unintelligible medical minority. One such example of a stakeholder who does not support the LGTBI + law is Cuca Gamarra, a representative of the conservative People's Party, who stated that she 'does not agree with gender self-determination' because it 'entails the erasure of women from the policies that are promoted to protect us' (Monforte Jaén, 2021). Santiago Abascal from the far-right VOX party, in turn, has asserted that 'any man can be a woman in legal terms, including any rapist or aggressor, while having their genitals intact and being able to enter female bathrooms' (Abascal, 2021). In the same vein, the archbishop of Granada went on record saying that 'whoever is born a male or female will always remain as such', despite the 'hormones that they are given' or 'the surgeries they undergo' (Martínez, 2021). In the case of anti-trans feminists, intersex was a minor topic (Confluencia Movimiento Feminista, 2020; Valcárcel, 2022). Amongst these groups, two trends were identifiable: (1) intersex rights were not debated at all, while

trans rights were rejected (PP, VOX, anti-trans feminists in the PSOE, Catholic Church), with a focus on the importance of binary sex as natural and normal; or (2) intersex rights were debated along with trans rights and gender self-determination (Podemos, Socialist Party and other regional and left-wing parties). The consequence of the silence around intersex is that it perpetuates the medical understanding of intersex realities, resulting in harmful medical procedures being carried out on healthy children, difficulties in access to gender-affirming therapy for trans people and intersex individuals who are trans, prevalent institutional discrimination, as well as sensationalistic representations in the media that further harm people with variations in sex characteristics.

Contrary to these representations, self-portrayals of intersex people in manifestos, interviews and debates call for the right to body diversity and criticize pathologization, breaking the silence imposed by other social actors. The representations of body diversity and/or self-determination and the critique of medical interventions allow for a human rights approach to intersex rights, in line with current international debates in the field. Although this critical approach is minoritarian in Spain, it is growing, producing new activism, events and cultural representations (Kaleidos, 2020). With regard to emancipation, the LGBTI+ law 4/2003 includes rights for intersex people, in tune with some regional trans-specific legislation that equates trans and intersex rights with self-determination. In this regard, understanding intersex rights is part of LGBTI+ activism, but it comes with particular demands, as the specificities of intersex people's needs are often overlooked. Intersex activists themselves have expressed ambivalence about being inserted into LGBTI+ laws. On the one hand, activists do not generally want to be included in laws without specific intersex actions (Vela, 2022), and are concerned about how LGBTI+ Law 4/2003 might be interpreted by the medical community (Baró et al., 2023). On the other hand, they are aware that being part of the LGBTI+ acronym has benefitted them with regard to the prohibition of premature surgeries (June, 2023). Although intersex people generally do not participate in policymaking and believe that policymakers lack a complex understanding of intersex lives (Baró et al., 2023: 63), when they are invited to participate, this has resulted in intersex-inclusive legislation, as in the Canary Islands and Balearic Islands, reaffirming the findings of Verge and Alonso (2020) that regional policies can result in innovations for the LGBTI+ community. This significant and inspiring change in the intersex landscape has the potential to both impact activism and promote specific intersex policies. Since most of these advances have taken place in the last 4 years, further research in this area is highly warranted.

Declaration of conflicting interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/or publication of this article.

Funding

The author(s) disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: This work was undertaken as part of INIA, Intersex – New Interdisciplinary Approaches' Innovative Training Network supported by a grant from the European

Commission's Marie Skłodowska-Curie Actions program under grant number 859869. This publication reflects only the views of the authors and, in relation to the INIA project, the funder is not responsible for any use that may be made of the information it contains.

ORCID iDs

Lucas Platero  <https://orcid.org/0000-0002-7196-6983>

Sveta Solntseva  <https://orcid.org/0000-0002-7974-1471>

Notes

1. Intersex activists have never claimed to eliminate intersex access to medical treatment when health risks are involved. However, salt-wasting CAH is being used as a 'medical trope' to separate the discussion of ethical issues related to purely cosmetic early medical procedures from life-threatening conditions when interventions are necessary (Fernández-Garrido, 2021: 363).
2. See for instance Reig Pla and López de Andújar Cánovas del Castillo (2016)

References

- Abascal S (2021) La Ley Trans, una Amenaza para Mujeres y Niños. *El Mundo*, 1 July. Available at: <https://www.elmundo.es/espana/2021/07/01/60ddf552e4d4d8b6788b458a.html> (10 March 2024).
- Adriano Antinoo LGTBIQ (2020) 26 october manifiesto: intersex international visibility. Accessible at: <https://adriano-antinoo.blogspot.com/2020/10/manifiesto-26-de-octubre-dia.html> (accessed 10 March 2024).
- Alabao N (2020) El feminismo de las élites busca recuperar la centralidad perdida. Interview carried out by Sato Díaz on the. *Cuarto Poder*. 29 October.
- Amar (2023) ¿Qué opciones tenemos? [What choices do we have]. Website. Available at: <https://www.amarokitansky.com/2011/05/que-opciones-tenemos.html> (accessed 10 March 2024).
- Amato V (2016) *Intersex Narratives: Shifts in the Representation of Intersex Lives in North American Literature and Popular Culture*. Bielefeld, Germany: Transcript Verlag.
- Arranz R (2021) Lidia Falcón: "El 'lobby trans' es una secta mutante". *Vox Populi*, Accessible at: <https://www.vozpopuli.com/espana/lidia-falcon-trans-feminismo.html> (accessed 10 March 2024).
- Asociación Española de Hiperplasia Suprarrenal Congénita (2024) Website. Available at: <https://hiperplasiasuprarrenalcongenita.org/> (accessed 10 March 2024).
- Bacchi C (2009) *Analysing Policy: What's the Problem Represented to Be?* London, UK: Pearson Education.
- Bacchi C and Bonham J (2014) Reclaiming discursive practices as an analytic focus: political implications. *Foucault Studies* 17(1): 179–192. DOI: [10.22439/fs.v0i17.4298](https://doi.org/10.22439/fs.v0i17.4298).
- Balearic Islands Government (2023) Protocolo de atención integral a personas intersexuales (con un desarrollo sexual diferente —DSD—). Available at: https://www.caib.es/pidip2front/ficha_convocatoria.xhtml?jsessionid=yVyIg88qW40uHad6kzrO6t77DFcwAwZUwLpyMR19.sapplin24?lang=es&urlSemantica=strongbalears-ya-dispone-del-primer-protocolo-de-atencioacuten-integral-a-personas-intesexualesstrong (accessed 10 March 2024).
- Baró C, Platero L, Pujol J, et al. (2023) Glimpsing the intersex spring: a conversation with Camino Baró. In: Montengro M, Pujol J, Platero L, et al. (eds) *Intersex Studies: A Multidisciplinary Exploration*. Barcelona, Spain: Servei de Publicacions UAB, 59–70.
- Blanco C (2017) Polisemia genital. *El País*. 6 July.

- Carpenter M (2018) The “normalization” of intersex bodies and “othering” of intersex identities in Australia. *Journal of Bioethical Inquiry* 15: 487–495.
- Carpenter M (2023) Intersex human rights in a time of instrumentalization and backlash. In: Tirado Chase A, Mahdavi P, Banai H, et al. (eds) *Human Rights at the Intersections*. London, UK: Bloomsbury Academic, 169–179.
- Cleminson R and Medina R (2004) ¿Mujer u hombre? Hermafroditismo, tecnologías médicas e identificación del sexo en España, 1860–1925. *Dynamis: Acta Hispanica ad Medicinae Scientiarumque Historiam Illustradam* 24(1): 53–91.
- Cleminson R and Vázquez F (2018) *Sexo, Identidad y Hermafroditas en el Mundo Ibérico, 1500–1800*. Madrid, Spain: Ediciones Cátedra.
- Confluencia Movimiento Feminista (2020) En defensa de los derechos de las mujeres, de la infancia, de las personas homosexuales y de la libertad de expresión: contra la autodeterminación de sexo. Manifiesto. 10 November. Available at: <https://movimientofeminista.org/wp-content/uploads/2020/11/DOCUMENTO-POLITICO.-CONTRA-LA-AUTODETERMINACION-DE-SEXO-V.pdf> (accessed 10 March 2024).
- Confluencia Movimiento Feminista (2021) A favor de la agenda feminista y contra las leyes trans. Manifiesto. 26 June. Available at: <https://movimientofeminista.org/manifiesto-26j/> (accessed 10 March 2024).
- Cruz Navarro N (2020) The value of andrology medical–surgical training programs for urology residents. *Actas Urológicas Españolas* 44(5): 340–344.
- Darlington Statement (2017) ‘The Darlington statement’ intersex human rights Australia. [online] 10 March <https://ihra.org.au/darlington-statement/> (accessed 10 March 2024).
- Davis G and Murphy EL (2013) Intersex bodies as states of exception: an empirical explanation for unnecessary surgical modification. *Feminist Formations* 25(2): 129–152.
- Dombos T, Krizsan A, Verloo M, et al. (2012) *Critical Frame Analysis: A Comparative Methodology for the ‘Quality in Gender + Equality Policies’ (QUING) Project Working Paper Series*. Budapest, Hungary: Central European University.
- Dreger AD and Herndon AM (2009) Progress and politics in the intersex rights movement feminist theory in action. *A Journal of Lesbian and Gay Studies GLQ* 15(2): 199–200.
- Feministas por los Derechos de las Personas Trans (2021) Manifiesto. 13 January. Available at: <https://feministasporderechostrans.wordpress.com> (accessed 10 March 2024).
- Fernández J (2023) Mer Gómez: “Si la biomedicina asumiera que los cuerpos intersex son sanos, desmontaría el sistema sexo-género”. *Pikara Magazine*. 15/03/23.
- Fernández Garrido S (2023) Terf. In: Alegre L, Pérez Sedeño E and Sánchez N (eds) *Enciclopedia Crítica de Género*. Arlington County, VA: Arpa, 301–316.
- Fernández Garrido S and Medina-Domenech RM (2020) ‘Bridging the sexes’: feelings, professional communities and emotional practices in the Spanish intersex clinic. *Science As Culture* 29(4): 546–567. DOI: [10.1080/09505431.2020.1718088](https://doi.org/10.1080/09505431.2020.1718088).
- Fernández-Garrido S (2021) *La clínica intersexual como “zona de contacto.” Binarismo sexual, saberes expertos y otras Artesanías Biológicas en la clínica española contemporánea*. PhD Thesis. Universidad de Granada, Granada, Spain.
- García DJ (2015) Rara avis. La intersexualidad en el discurso médico-jurídico. Eunomía. *Revista en Cultura de la Legalidad* 8(1): 54–70.
- García DJ (2017) Politización de la vida y medicalización de la política: la producción del cuerpo intersexual. *Eikasía: Revista de Filosofía* 75(1): 139–157.

- García DJ (2020) Las mutilaciones genitales de las personas intersex deben cesar. *20 minutos*, 26 October. Available at: <https://blogs.20minutos.es/1-de-cada-10/2020/10/26/las-mutilaciones-genitales-intersex-deben-cesar/> (accessed 10 March 2024).
- García-Dauder S and Romero C (2012) Los desplazamientos políticos de las categorías médicas: actores, discursos y relaciones en la controversia ‘disorders of sex development’ versus ‘intersex’. In: Pérez Sedeño E and Ibañez E (eds). *Cuerpos Y Diferencias*. Madrid, Spain: Plaza y Valdés, 231–240.
- García-Dauder S (2011) Las fronteiras do sexo no esporte: tecnologias, corpos sexuados e diferenças. *Revista Internacional Interdisciplinar INTERthesis* 8(2): 1–17. doi: [10.5007/1807-1384.2011v8n2p1](https://doi.org/10.5007/1807-1384.2011v8n2p1)
- García-Dauder S, Gregori Flor N and Hurtado García I (2016) Usos de lo psicosocial en la investigación y tratamiento de las intersexualidades/DSD. *Universitas Psychologica* 14(5): 1649–1666.
- Garland F and Travis M (2021) Queering the queer/non-queer binary: problematising the “I” in the LGBTI+. In: Raj S and Dunner P (eds) *The Queer Outside in Law*. London, UK: Palgrave Macmillan, 165–185.
- Garland F and Travis M (2023) *Intersex Embodiment. Legal Frameworks beyond Identity and Disorder*. Bristol, UK: Bristol University Press.
- Gregori NF (2015) *Encuentros y des-encuentros en torno a las intersexualidades/DSD: narrativas, procesos y emergencias*. PhD Thesis. Universitat de València, Valencia, Spain.
- Gregori NF (2016) *Diagnóstico de las Diferentes Realidades, Posicionamientos y Demandas de la Población Intersexual o con DSD (Diferencias del Desarrollo Sexual) en Barcelona*. Barcelona, Spain: Ayuntamiento de Barcelona.
- Griffiths DA (2018) Diagnosing sex: intersex surgery and ‘sex change’ in Britain 1930–1955. *Sexualities* 21(3): 476–495. DOI: [10.1177/1363460717740339](https://doi.org/10.1177/1363460717740339).
- Griffiths DA (2023) Georgina somerset, British intersex history, and the I in LGBTIQI. *Journal of Homosexuality* 71: 1177–1200. DOI: [10.1080/00918369.2022.2164234](https://doi.org/10.1080/00918369.2022.2164234).
- Guede A (2021) Calvo arremete contra la ley trans: “pone en riesgo los criterios de identidad del resto de 47 millones de españoles”. *20 Minutos*, 4 February. <https://www.20minutos.es/noticia/4570092/0/calvo-arremete-contra-la-ley-trans-pone-en-riesgo-los-criterios-de-identidad-del-resto-de-47-millones-de-espanoles/>
- Guerrero-Fernández J, Azcona-San Julián C, Barreiro Conde J, et al. (2018) Guía de actuación en las anomalías de la diferenciación sexual (ADS)/desarrollo sexual diferente (DSD). Medical Guidelines. Available at: https://www.seep.es/images/site/gruposTrabajo/enlaces/GUIA_MANEJO_ADS_DSD_SEEP.PDF (accessed 10 March 2024).
- Holmes M (ed) (2009) *Critical Intersex*. Farnham, UK: Ashgate.
- Inter L, Bauer M and Truffer D (2017) Intersex genital mutilations. In: Human Rights Violations of Children with Variations of Sex Anatomy. NGO Report to the 5th and 6th Periodic Report of Spain on the Convention on the Rights of the Child (CRC). Zurich, Switzerland: Brújula Intersexual, StopIGM.org and Zwischengeschlecht.org.
- Kaleidos (2020) Visibilidad INTERSEX. Conversatorio intersex [intersex debate]. 14 November. Available at <https://kaleidosintersex.com/visibilidad-intersex-2/> (accessed 10 March 2024).
- Kerry S (2011) Representation of intersex in news media: the case of Kathleen Worrall. *Journal of Gender Studies* 20(3): 263–277.
- Lee PA, Houk CP, Ahmed SF, et al. (2006) International Consensus Conference on Intersex organized by the Lawson Wilkins Pediatric Endocrine Society and the European Society for

- Paediatric Endocrinology. Consensus statement on management of intersex disorders. International Consensus Conference on Intersex. *Pediatrics* 118(2): e488–500. DOI: [10.1542/peds.2006-0738](https://doi.org/10.1542/peds.2006-0738).
- Lombardo E, Meier P and Verloo M (eds) (2009) *The Discursive Politics of Gender Equality: Stretching, Bending and Policy-Making*. London, UK: Routledge.
- López-Rodríguez S (2016) Políticas públicas y distribución de vulnerabilidad: el caso del discurso político sobre el aborto en España. In: Caterina La Barbera M and Cruells M (coords) *Igualdad de género y no discriminación en España: evolución, problemas, perspectivas*. Madrid, Spain: Centro de Estudios Políticos y Constitucionales, pp. 319–342.
- Martínez J (2021) Cuando se pierde a Jesucristo, lo primero que se enturbia es la razón. Pastoral. 4 June. Available at: <https://www.archidiocesisgranada.es/index.php/noticias/cuando-se-pierde-a-jesucristo-lo-primero-que-se-enturbia-es-la-razon> (accessed 10 March 2024).
- Méndez Rodríguez P (2020) *Intersexualidad: análisis crítico a las prácticas biomédicas y propuestas de cambio*. Master dissertation. Universitat Autònoma de Barcelona, Bellaterra, Spain.
- Monforte Jaén M (2021) (26) PP y Vox hacen frente común contra la ley trans en la semana del Orgullo mientras Cs se distancia de ellos. Público. 26 June. <https://www.publico.es/politica/ley-trans-pp-vox-frente-comun-ley-trans-semana-orgullo-cs-distancia.html>
- Monro S, Crocetti D and Yeadon-Lee T (2019) Intersex/variations of sex characteristics and DSD citizenship in the UK, Italy and Switzerland. *Citizenship Studies* 23(8): 780–797. DOI: [10.1080/13621025.2019.1645813](https://doi.org/10.1080/13621025.2019.1645813).
- Monro S, Carpenter M, Crocetti D, et al. (2021) Intersex: cultural and social perspectives. *Culture, Health and Sexuality* 23(4): 431–440. DOI: [10.1080/13691058.2021.1899529](https://doi.org/10.1080/13691058.2021.1899529).
- Organization Intersex International (2023) Website. Available at: <https://oiiinternational.com/> (accessed 10 March 2024).
- Peterson E (2007) The invisible carers: framing domestic work(ers) in gender equality policies in Spain. *European Journal of Women's Studies* 14(3): 265–280.
- Platero L (2020a) Conocer nuestras genealogías. In: *Feminismo O Barbarie*. Madrid, Spain: Kaótica Libros, pp. 27–50.
- Platero L (2020b) Redistribution and recognition in Spanish transgender laws. *Politics and Governance* 8(3): 253–265.
- Platero L (2023) Strange bedfellows: anti-trans feminists, VOX supporters and biologicist academics. *DiGeSt - Journal of Diversity and Gender Studies* 10(2): 125–130. DOI: [10.21825/digest.89997](https://doi.org/10.21825/digest.89997).
- Platero RL and Ortega EA (2016) Building coalitions: the interconnections between feminism and trans* activism in Spain. *Journal of Lesbian Studies* 20(1): 46–64.
- PSOE (2020) Argumentos contra las teorías que niegan la realidad de las mujeres. Manifiesto 4 June.
- Reig Pla JA and López de Andújar Cánovas del Castillo JM (2016) Reflexiones pastorales sobre la «Ley de Identidad y Expresión de Género e Igualdad Social y no Discriminación de la Comunidad Autónoma de Madrid. Pastoral. 21 April. Available at: https://www.obispadoalcala.org/pdfs/Reflexiones_sobre_Ley_Identidad_Genero_Madrid.pdf (accessed 10 March 2024).
- Rioja L (2019) La presidenta de la FELGTB asegura en Logroño que la intersexualidad es un tema tabú. *La Rioja*, 25 March. <https://www.larioja.com/la-rioja/presidenta-riojana-felgtb-20190325135159-nt.html>
- Romero-Bachiller C (2022) Interseccionalidad en tiempos de transfobia, o los peligros de leer las luchas feministas como olimpiadas de la opresión. In: Everter S and Molini A (eds) *La Praxis Feminista En Clave Transformadora*. Castellón de la Plana, Spain: Servei Publicacions Universitat Jaume I, 81–99.

- Soriano S (2020) *Derechos e igualdad territorial en la evolución del Estado Social Autonómico*. Valencia: Tirant Lo Blanch.
- Spanish Government (2021) Ley 2/2021, de 7 de junio, de igualdad social y no discriminación por razón de identidad de género, expresión de género y características sexuales. Available at: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-11382 (accessed 10 March 2024).
- Spanish Government (2022) Ley para la igualdad real y efectiva de las personas trans y para la garantía de los derechos de las personas LGTBI. Available at: https://www.congreso.es/public_oficiales/L14/CONG/BOCG/A/BOCG-14-A-113-5.PDF (accessed 10 March 2024).
- Suess-Schwend A (2018) Derechos de las personas trans e intersex. Revisión del marco legislativo en el contexto español desde una perspectiva de despatologización y derechos humanos. In: Ponencias, 28 extraordinario XXVII congreso 2018, Strasbourg, France, 27–28 March 2018.
- Travis M (2015) Accommodating intersexuality in European Union anti-discrimination law. *European Law Journal* 21(2): 180–199.
- UNFE (2017) *Fact Sheet Intersex*. New York, NY: UNFE. Available at: <https://www.unfe.org/wp-content/uploads/2017/05/UNFE-Intersex.pdf> (accessed 10 March 2024).
- Valcárcel A (2022) *Aclaraciones necesarias sobre las categorías sexo y género*. Universidad Autónoma de México, March 24th, 2022. México: Universidad Autónoma de México. Available at: <https://www.youtube.com/watch?v=EpiyXz1fO-8>.
- Vela J (2022) Laura Vila Kremer: “La majoria té una idea molt desdibuixada de les intersexualitats”. *Xarxanet*. 8/04/2022. Accesible at Laura Vila: “Hi ha una idea desdibuixada de les intersexualitats” (10 March 2024).
- Verge T and Alonso A (2020) The competitive territorial dynamics of the Spanish ‘state of autonomies’ through a gender lens. In: Vickers J, Grace J and Collier C (eds) *Handbook on Federalism, Diversity and Gender*. Cheltenham, UK: Edward Elgar, 166–179.
- Verloo M (2005) Mainstreaming gender equality in Europe. A critical frame analysis approach. *The Greek Review of Social Research* 117(1): 11–34.
- von Wahl A (2021) Lessons on opportunity hoarding and gender binarism: building an alliance of women’s, trans and intersex movements. *European Journal of Politics and Gender* 4(2): 255–271.
- Willem C, Platero L and Tortajada I (2022) Trans-exclusionary discourses on social media in Spain. In: Krijnen T, Nixon PG, Ravenscroft M, et al. (eds) *Intimacies and Identities on Social Media*. London, UK: Routledge, pp. 185–200.

Lucas Platero is an assistant professor at Rey Juan Carlos University (Spain), Psychology Department, and director of publications for the University Press at Bellaterra Publishing House. His academic journey is strongly linked to his activist life, gradually shifting his social activism to activism based on academic research, to which he has made multiple contributions. In 2020, Platero received the Emma Goldman Award, supporting innovative research and knowledge on feminist and inequality issues in Europe.

Sveta Solntseva is a social psychologist and researcher specializing in queer studies, migration, queer migration, and intersex studies. From 2021 to 2024, they worked as a research fellow on the Marie Skłodowska-Curie project INIA (Intersex: New Interdisciplinary Approaches). Their personal project focused on intersex cultural representations and subjectivities.

Appendix

Table 1. Stakeholders, documents analysed and principal representations found.

Stakeholders	Document analysed (type of document/title)	Discourse representations
Socialist Party and Podemos	National trans and LGBTI+ law 4/2023 (Spanish Government, 2022)	Self-determination of trans and intersex people Intersex rights as non-discrimination
Socialist Party, Més per Mallorca and Més per Menorca	Balearic islands protocol of comprehensive assistance to intersex people (Balearic Islands Government, 2023 , Spanish Government, 2021)	Self-determination of intersex people Participation of intersex people as experts Intersex experience is a sign of body diversity New intervention model
Socialist Party, Podemos, Nueva Canarias, and La Gomera Socialist Group	Canary islands LGTBI+ law (Spanish Government, 2022)	Self-determination of intersex people Intersex experience is a sign of body diversity Intersex people that have been discriminated against must be compensated
Spanish Society of Paediatric Endocrinology	Guidelines: 'Management guidelines for disorders/different sex development (DSD)' (Guerrero-Fernández et al., 2018)	Intersex as a disorder of sexual development
Medical practitioners	Interview with a paediatric surgeon (Méndez Rodríguez, 2020)	Intersex as a disorder of sexual development
Spanish Association of Congenital Adrenal Hyperplasia (CAH)	CAH website	Intersex people require medical support Doctors must provide information and support to families and patients Doctors need to become more aware of intersex people and their needs
AMAR patient support group for women with Rokitansky syndrome	AMAR website	Intersex women are women despite their embodiment Medical procedures help intersex women
Kaleidos intersex activist group	'Intersex debate' (Kaleidos, 2020)	Intersex experience is a sign of body diversity Intersex is also a biological reality Intersex is not a third gender Intersex is often invisible

(continued)

Table 1. (continued)

Stakeholders	Document analysed (type of document/title)	Discourse representations
Adriano Antinoo association intersex activists	Manifiesto: 'international intersex visibility day' (Adriano Antinoo, 2020)	Intersex experience is a sign of body diversity Intersex people are not sick and do not require medical interventions to standardize their bodies Intersex people must be able to choose for themselves if they want to undergo body modifications, and which ones, without medical coercion Intersex people must be free to exercise their right to self- determination
Anti-trans feminist groups	Manifiesto: 'In defence of the rights of women, children, homosexual people and for the freedom of expression: against the self-determination of sex' (Confluencia Movimiento Feminista, 2020)	Binary sex difference is natural Intersex bodies are an 'uncomfortable' topic as they challenge binary sex; the number of intersex people is insignificant
Feminist professor Amelia Valcárcel	National autonomous university of Mexico conference talk (Valcárcel, 2022)	Intersex people do not exist; one sex always prevails
LGBTI+ activism	Newspaper article: 'The president of the Spanish LGBTI+ federation, FELGTB, declares in logroño that intersex is a taboo' (Rioja, 2019)	Intersex is taboo Intersex experience is a sign of body diversity Genital surgeries on intersex people are castrations
Experts in intersex studies in the mainstream media	Newspaper article: 'Genital mutilation of intersex people must end' (García, 2020)	Genital surgeries on intersex babies are a violation of human rights Intersex people lack legal protection against the mutilation of their bodies