

Changing first name and gender as a guarantee of the principle of human dignity

ARTICLE

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Abstract

The name represents a crucial element in identifying a person both in the family and in society, generally considered immutable to preserve legal relationships. However, there are situations in life that demand an exception to this rule. This article aims to understand how changing one's first name and gender, which is a social right and guaranteed in civil registry offices, favors the construction of human dignity for transsexual, transgender, and transvestite people. This study is conducted through qualitative research using narrative interviews as an instrument for collecting information. The theoretical framework is based on the studies of Butler (2015); Bento (2014); Gagliano; Pamplona Filho (2011); Rios (2022), in addition to the legal basis based on Brasil (1988; 2002; 2022). In conclusion, it is argued that the legal system needs to progress by making the rule of name immutability more flexible, aiming to guarantee the legal security of individuals.

Keywords: Change of First Name. Law. Human Dignity.

A alteração de prenome e gênero como garantia do princípio da dignidade da pessoa humana

Resumo

O nome representa um elemento crucial na identificação da pessoa tanto na família quanto na sociedade. Geralmente, ele é considerado imutável para preservar relações jurídicas. No entanto, há situações na vida que demandam uma exceção a essa regra. O presente artigo objetiva compreender de que maneira a alteração de prenome e gênero, sendo esse um direito social e assegurado nos cartórios de Registro Civil, favorece a construção da dignidade humana de pessoas transexuais, transgênero e travestis. Este estudo é conduzido por meio da pesquisa qualitativa, tendo a entrevista narrativa como instrumento de coleta de informação. Quanto ao arcabouço teórico, este está pautado nos estudos de Butler (2015); Bento (2014); Gagliano; Pamplona Filho (2011); Rios (2022), além da base legal fundamentada em Brasil (1988; 2002; 2022). Como conclusão, argumenta-se que o ordenamento jurídico precisa progredir ao flexibilizar a regra da imutabilidade do nome, visando a garantir a segurança jurídica dos indivíduos.

Palavras-chave: Alteração de Prenome. Direito. Dignidade Humana.

1 Introductory elements: change of first name and gender as a social right

The most common way to identify ourselves in society is by our name. Usually, it is given to us even before we are born. Therefore, it ends up being something extremely important. However, it is important to note that names are assigned according to birth gender. If it is a boy, he will be registered with names that are socially and culturally considered to be for boys, and if it is a girl, the name will also be chosen based on this definition.

However, the gender assigned at birth, defined by biology, can undergo changes, shifts in direction and course, in a continuous process of self-knowledge inherent to the field of human subjectivities, changes in gender identity, thus requiring adaptation related to the way each person recognizes themselves.

Thus, it is possible to say that societies end up creating ways to regulate and materialize sex in people, and if these regulatory norms need to be repeated frequently, cited, and reiterated often, there are, however, twists and lapses in the process.

In this way, it is important to emphasize that not all bodies conform directly to the rules that regulate them, never completely adhering to the norms that impose their materializations (Butler, 2015). Corroborating this perspective, Bento (2014) argues that the invention of bodies therefore presupposes their continuous reinvention. The way in which this body is seen and recognized in different social spaces thus requires an adaptation to the way we name it and what we see.

Changing one's name according to gender is, therefore, a right that enables society to understand the performances of individuals who do not conform to their biological bodies, the names assigned to them, and the daily practices that seek to adapt body, sexuality, and gender, thereby reinventing them.

Based on this assumption, the name is intrinsically linked to gender issues, since it allows us to identify the female and male genders and, consequently, differentiate between them. Considering this element, we emphasize the importance that names have

for individuals who do not recognize themselves in those assigned to them at birth, as they are incompatible with their gender.

It is against this backdrop that we see a struggle for the inclusion of transgender people and transvestites, and the first step for these individuals is to change their names and genders. Based on this assumption, the objective of this study is to understand how changing one's first name and gender, which is a social right guaranteed by civil registry offices, contributes to the human dignity of transgender and transvestite individuals.

This research topic is relevant to the current study, considering the fact that society is undergoing continuous change in many different fields, requiring new attitudes towards human practices. In this context, it is essential to analyze the application of the principle of human dignity based on the change of first name and gender in the Civil Registry in the lives of transsexual and transvestite people.

As laws cannot remain unchanged and static in the face of civilizational development, everyone, including the legal community, must respect and ensure the social and civil rights attributed to such categories, since commonly, in their daily practices, they are subjected to processes of silencing and denial. It should be noted that the opposite does not happen with socially and legally recognized groups.

The motivation for choosing this content stems from the growing debates in the legal sphere around this issue, which is related to the inclusion of transgender people, especially with regard to the right to change their names in civil records. This discussion has mobilized society to defend the dignity of these individuals.

2 Methodological approach

Considering that name and gender are important elements of identification and representation for transgender people and transvestites, especially with regard to social interaction, we believe that a qualitative research approach was the most appropriate, as it helped us to understand the phenomena to be revealed.

According to Minayo (2001, p. 13), “qualitative research works with the universe of meanings, motives, aspirations, beliefs, values, and attitudes.” Thus, when analyzing the name as a social right, we understand that it is not enough to simply quantify, but it is also necessary to reflect on what meanings and significance are attributed by transgender people and transvestites to the right to have their name guaranteed.

Corroborating this perspective, Freitas (2007, p. 12) points out that, from a qualitative perspective, the “[...] researcher becomes a constructor of the reality researched through their capacity for interpretation, understood as a subjective creation of the participants involved in the events in the field.” Therefore, this type of research ensures us autonomy to interpret and construct reality based on the data narrated by the collaborator, based on what was experienced, since the narratives of the life stories of human groups, their reading of the world, their feelings, perceptions, and interactions with the social context in which they are situated can be understood as a qualitative research strategy (Souza, 2006).

In search of answers to the proposed research question, which is to understand how changing one’s gender name impacts the dignity of transsexual, transgender, and transvestite people, we used narrative interviews as a research tool. This approach allows us to access profound personal experiences, revealing meanings attributed to name and gender identity that would be difficult to uncover using quantitative methods. Because we believe that it provides relevant information on the subject, the statements were subsequently analyzed. According to Moreira (2002, p. 54), an interview can be defined as “a conversation between two or more people with a specific purpose in mind.” This requires the researcher not only to have a script of questions to be asked, but also the sensitivity to welcome spontaneous narratives that broaden the understanding of the phenomenon being studied.

From this perspective, the interview was conducted to ensure that the researchers had information from the interviewee. Some questions were systematized in order to guide the interview; however, we emphasize that the script was flexible, open to questions not considered in its preparation, but which were raised by the interviewee.

It is important to note that, initially, a mapping of trans men and women, as well as

transvestites, was carried out at the Civil Registry Office of Senhor do Bonfim, Bahia. Since Provision No. 73, of June 28, 2018, came into force, a total of 20 people who changed their first name and gender were registered.

Of this total, we were able to contact five people in order to present the research and invite them to record interviews. Initially, there was a clear willingness to participate. However, when we contacted them again to schedule the interviews, we did not receive a response from most of them. When there was a response, it usually indicated refusal or presented numerous difficulties, citing lack of time, long distances, among other justifications.

After receiving several negative responses, we understood that the invited individuals were not interested in recounting their life stories in relation to their name change. According to Rios (2022), there is a recurring fear among members of the LGBTQIAPN+¹ community of participating in interviews, either because of the exposure of their life story or because they do not understand that, by doing so, they will be contributing in some way to their own category.

Souza (2014) and Rios (2022) argue that narrative, as a research method, enables us to understand collective histories based on individual experiences. Thus, we emphasize that we recorded the interview with one of the guests and consider that their narrative is sufficient to help us understand the objective of the ongoing research. We emphasize that we chose to maintain the anonymity of the participant to avoid possible embarrassment. Thus, we will call him Mandacaru, a name chosen by him because it symbolizes a plant from the semi-arid region of Bahia, his place of origin, as well as the resistance of transgender people in the struggle to secure their rights.

Mandacaru was born in Senhor do Bonfim, Bahia, is 29 years old, is a university student, and identifies as a transgender man. The interview was recorded at a scheduled time and date, on October 31, 2023, respecting the interviewee's availability.

¹ The acronym LGBTQIAPN+ refers to a broad spectrum of gender identities and sexual orientations, including lesbian, gay, bisexual, transgender, queer, intersex, asexual, pansexual, non-binary, and other identities. The "+" at the end of the acronym recognizes the diversity and inclusion of other identities that may not be explicitly mentioned.

3 The name: a right to be guaranteed

In Brazil, the right to a name is guaranteed by the Civil Code of 2002, specifically in Chapter II of Title I of the General Part, which deals with personality rights, covering articles 11 to 21, referring to personality rights (Brasil, 2002). Article 16 deals with one of the main rights of human personality — the right to personal identity — and states that “every person has the right to a name, including a first name and a surname.”

Given this premise, it can be said that names are imbued with individually and socially constructed meanings and significance, far from being mere labels or clusters of letters. It is through our names that we identify ourselves and are identified by others. The name, in addition to being the means of the individual’s relationship with the legal and social world, is an instrument of self-recognition. And, as Caetano Veloso (2018) would say, “Maurício, Lucila, Gildásio, Ivonete, Agripino, Gracinha, Zezé, people who mirror life, sweet mystery,” we understand that the name is what projects us into life, like a shining mirror.

The name is therefore one of the main rights of the individual’s personality, being registered at the Civil Registry Office. Ceneviva (2010) argues that the Civil Registry is the main source of statistical reference for the state, being the basis for governments to decide their administrative and political measures.

Furthermore, Article 29, § 1 of the Public Records Act states: “changes or abbreviations of names shall be recorded in the civil registry of natural persons.” Thus, we can say that the name, through the Civil Registry, confers legal identity on individuals. However, considering contemporary phenomena linked to sexual and gender subjectivities, we emphasize that this identity cannot be treated as static, ready-made, and finished, but rather as a process, since identity concerns the way in which each person would like to be identified, and it is necessary to take into account issues of gender and sexual orientation.

Human dignity is a fundamental principle for a democratic society, safeguarding the rights and duties of everyone in general. According to Leandro Cunha (2018), human dignity is an inherent right of every human being, regardless of the existence of any kind of

constitutional provision, and should be considered a structural element and a fundamental legal value. Transgender people and transvestites have been seeking, in the legal sphere, to ensure the recognition of their social identity in a dignified and legitimate manner.

In this sense, it is important to note that the promulgation of the 1988 Federal Constitution of Brazil represents significant advances in the consolidation of fundamental rights for all of society. Among these rights, the right to equality, freedom, and security was established.

When considering this context, we believe it is pertinent to analyze whether what is guaranteed by law as a fundamental principle of Brazilian society is merely rhetorical praise or whether it actually guides the actions of the agencies and powers responsible for its implementation, especially in relation to people who are in situations of greater social vulnerability, more directly, the social categories that have been victims of prejudice and discrimination, including the LGBTQIAP+ community. Pablo Stolze Gagliano and Rodolfo Pamplona (2011) consider the right to human dignity as the highest principle of the legal system. This is because it is a basic and essential right common to all, contributing not only to survival but also providing quality of life, given that transgender people are socially excluded and discriminated against.

Everyone, at some point in their lives, has felt strange or different. Our society is indeed labeled with all its standards of how we should or should not be. Often, we notice that we are different and see our right to dignity being taken away in the family environment.

According to Rios (2022), in the work: *O estranho que habita em mim: subjetivações de gênero na educação* (*The stranger that lives in me: gender subjectivities in education*), it is in the family that this binary gender segregation begins, by determining names, colors for boys and girls, and assigning toys and games based solely on biological gender. This happens because it is precisely in the family institution that we establish our first bond with a social group. It is, therefore, in the family that we experience the first feelings of acceptance — or denial — of sexualities that transgress cisheteronormative norms.

Considering the perspective of transgender people and transvestites, it is common

for them to feel strange at some point in their lives, that is, to be viewed as socially strange, both in terms of gender identity and sexuality.

We understand, therefore, how important it is to guarantee civil rights to transgender people and transvestites. However, it is important to emphasize that, in guaranteeing these rights, we are not privileging certain social categories, we are simply enforcing what is theirs by fact and by law, but which has historically been denied.

Oliveira (2022, p. 153) points out that, from the moment we are born, we are labeled, we arrive in a society with rules about how we should or should not be, live, or exist. “We are born, we grow up, and we develop in a social paradigm that seeks at all costs to standardize and determine who we are,” which hinders our trajectory based on our individualities. However, the legal system has been striving to achieve quality of life for all. Recently, the approval of Law No. 14,382/2022 allows anyone to change their first name and gender, a procedure carried out at civil registry offices.

In 2018, the Federal Supreme Court (STF, 2018) decided that it would no longer be necessary to present a medical report, judicial authorization, or proof of sex reassignment surgery to change one’s name and gender. This decision represented a major achievement and a step forward in the Brazilian legal system, although there are still adjustments to be made throughout this process.

That same year, the National Council of Justice (CNJ), through provision 73/2018, gave instructions on how this procedure should be carried out in civil registry offices across the country. This is one of the greatest achievements of the LGBTQIAPN+ community in Brazil, as it is a basic right that had never been guaranteed until then. Our name and gender are our identity, our identification. It is how we see ourselves and how we are seen in the world. Ensuring this right means recognizing people, valuing them, and preserving their place in our society.

Currently, the body responsible for regulating our right to a name is the Civil Registry, with offices in all Brazilian municipalities. In 2017, Law No. 13,484/2017, the Public Records Law, ensured that all Brazilians, regardless of any other condition, had their birth records registered in notary offices throughout the country, guaranteeing rights and

duties as Brazilian citizens, as provided for in the Federal Constitution of Brazil.

This is described in the Federal Constitution, in its Article 5, LXXXVI and LXXVII 1, II, and Article 1, II.

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Article 5 All persons are equal before the law, without distinction of any kind, guaranteeing Brazilians and foreigners residing in the country the inviolability of the right to life, liberty, equality, security, and property, under the following terms: LXXVI – are free of charge for those recognized as poor, in accordance with the law: (See Law No. 7,844, of 1989)
a) civil birth registration (Brasil, 1988).

It is important to note that, in 2022, we had another breakthrough, which is Law No. 14,382, which amends Article 56 of the Public Records Law (Brasil, 1973), allowing anyone, regardless of gender, to change their name without judicial authorization or justification. This lack of justification gives everyone autonomy over what is best for them individually.

Art. 56. Once they reach the age of majority, registered individuals may personally request a change of their first name without justification, regardless of any court decision, and the change will be recorded and published electronically.

§ 1 The change of first name without justification may be made extrajudicially only once, and its revocation will depend on a court ruling.

§ 2 The registration of the change of first name shall mandatorily contain the previous first name, the numbers of the identity document, the registration number in the Individual Taxpayer Registry (CPF) of the Special Secretariat of the Federal Revenue of Brazil, the passport number, and the voter registration number of the registered person, which data shall be expressly included in all certificates requested.

§ 3 Once the change procedure has been completed, the civil registry office where the change was processed shall, at the applicant's expense, officially notify the issuing agencies of the identity document, CPF, and passport, as well as the Superior Electoral Court, preferably by electronic means.

§ 4 If there is suspicion of fraud, falsification, bad faith, vitiated consent, or simulation regarding the real intention of the applicant, the civil registry official shall refuse the rectification on reasonable grounds. (NR) (Brasil, 1973).

According to the article described, the Civil Registry has a very important social function, ensuring basic and necessary rights, which, at some point in our history, were not so relevant. Our name is our introduction, our identity, therefore, considering the fact that people change, especially in the field of subjectivities inherent to gender, sexuality, and sexual orientation, we understand that the name needs to be adapted, however, as the article itself points out, we must follow the rules, taking into account the fact that we live in a society that enacts laws with the well-being of all people in mind.

Our name guarantees our individuality and uniqueness in collective spaces. This designation embodies the particularity that each person has for themselves and for the state, which extends its protection to everyone in particular, as well as to third parties, in order to generate greater legal certainty. The right to identity allows each person to be fully recognized for who they actually identify as.

Given the countless anxieties faced by transgender people and transvestites, resulting from the lack of identity and social recognition in various institutions, such as the family, school, and the job market, it is understood that the right to a name is a relatively simple issue, but one with a major impact. The discrepancy between the sex registered at birth and the gender identity experienced causes psychological and social confusion. This mismatch between the civil name and gender identity exposes these people to humiliating and unnecessary situations, aggravating the suffering of an already marginalized community.

After years of struggle, the transgender community has achieved the right to self-declare their gender on the Civil Registry. And, to avoid uncertainty on the part of registrars, a number of provisions have been issued to regulate the procedure, requiring nothing more than the express interest of the person concerned.

4 Dissident childhood: a different boy

From an early age, boys and girls are expected to reproduce behaviors and practices that are consistent with the gender labels/expectations imposed on them before

birth. Thus, the child's body must recognize the gender assigned to them, and during the ultrasound exam, depending on the identification of the genitals, it is stated: "This is a boy" or "This is a girl." According to Rios (2022), there is a social construct inherent in gender identities and sexualities, which begins well before birth and is reinforced by social institutions such as family, school, church, among others. We understand that such impositions end up restricting people from expressing their desires, as well as the way they recognize themselves. On this subject, in his narrative, Mandacaru argues:

My childhood was very chaotic emotionally. For as long as I can remember, I have always seen myself as a man. I can't pinpoint a specific moment when I realized I was a man. What changed over time was my understanding of what I would do with the fact that I would not wake up the next day with the everyone seeing me in the same way (Mandacaru, interview on October 31, 2023).

We live in a society that has based human relationships solely and exclusively on cisheteronormativity, forcing children who do not fit this model to live their childhoods in a "chaotic" way. Dissident bodies are subjected to a permanent state of chaos and confusion. It is within this chaos that transgender boys and girls must reinvent themselves on a daily basis, seeking new ways to reexist, as we can see in the excerpt from Mandacaru's narrative described above.

According to Butler (2013), the discursive production of forms such as gender norms is embodied and represented as a performance, that is, this discourse produces material effects in the social field, thus producing intelligible bodies and incomprehensible bodies. She states:

[...] if language acts on us before we act, and continues to act every moment we act, then we must think about gender performativity first as a "gender assignment" – all the ways in which we are, so to speak, called by a name and gendered before we understand anything about how gender norms act upon us and shape us, and before we have the ability to reproduce those norms in ways we can choose. Choice, in fact, comes late in this process of performativity (Butler, 2013, p. 44-45).

Children's bodies, then, are produced in a scenario of intense disputes between the most diverse institutions, discourses, knowledge, and regulatory practices. Since

gender and sexuality are privileged instances of surveillance and control, as well as investment, this perspective is noticeable in the narrative of Mandacaru, which allows us to infer that the way we experience masculinity and femininity is repeatedly taught, suggested, and promoted socially and culturally.

But until we can understand our corporealities, considering that a way of constituting our subjectivities is imposed on us, as previously pointed out, we seek to find answers, to understand why we are different and why we are seen as different. According to Rios (2022, p. 125):

The lives of LGBTQIA+ people are in a state of permanent vulnerability; we die every day, in different parts of the world. They kill us because we claim the right to exist, and when one is considered strange and deviant, demanding the right to life often means dying for the simple fact of existing.

The permanent state of social vulnerability to which we are subjected causes us to seek answers, with the aim of being socially accepted, as Mandacaru told us in his narrative: “The most memorable moments for me in childhood, before pre-adolescence, were my desperate pleas for God to ‘transform’ me into a man.” It is important to note that this “turning into a man” presupposes a sociocultural stereotype of what it means to be a man, since Mandacaru has always seen himself as such.

The non-acceptance of other forms of gender subjectivity construction, according to Butler (2015), causes us to punish ourselves at all times for not performing our gender as expected, which is why it is so important to ensure that dissident children live and develop freely, with their rights respected.

4.1 Call me by my name: meanings and significance of changing first names and gender for transgender people

A name is one of the fundamental rights of a human being, an attribute of personality that is decisive for the construction of identity. A name is the most direct way that people have to relate to each other and, consequently, to constitute themselves. We are taught to relate to our name from an early age and, with and through it, we learn to live

in society. At home, at school, on the street, at work, in our social lives, we relate to each other based on our names.

At school, for example, we are encouraged to identify the letters of our name and learn to write it. When we learn, we celebrate; the feeling is that we have learned who we are. This is not without reason, as it is our name that represents us civilly and socially.

That is why changing one's name and gender has such a special meaning for transgender men and women, since it is not merely a change of name, but a process of self-recognition.

So, the first step is to choose a name, something important for a transgender person, so that they can feel welcome and accepted. Therefore, caution is needed when choosing, as this has an impact on social and personal acceptance. Some even choose to keep their birth name, while others prefer to choose a name that better represents them. This choice should reflect their sense of acceptance and belonging, validating their identity.

The damage is even greater when transgender people are deprived of their rights, as the inadequacies of their name expose them to unnecessary embarrassment. Sampaio and Coelho (2012, p. 343-344) point out that:

Flávio explains the ways of dealing with the most diverse situations as “a way of getting through this thing, but it hurts, it hurts. I don't want my name as it is; I want a masculine name that represents me as a man” (Flávio). This situation is compounded by the difficulty of entering and remaining in the labor market, even for those who have completed university education, as is the case with another of these individuals. Often, assuming transsexuality implies abandoning work. The men say that, as a means of survival, they turn to self-employment, when they can, or else they submit to working for brothels, not as prostitutes, but advertising the place. Working in a tire repair shop is another option presented by Flávio, but, according to him, it is extremely difficult because of sexism. When they cannot find any work, the alternative that often remains is drug trafficking, which, according to Flávio, is not uncommon.

Not accepting or understanding the process of bodily transformation ultimately causes harm, which is why it is so important for social institutions to ensure other ways of establishing gender identity. In his narrative, Mandacaru told us how difficult it was not to recognize himself in his own body and not to know that there were other possibilities for

recognizing himself.

Because of all these internal issues, I was diagnosed with depression at age 14. Until I was 19, with the mindset of people at that time, I thought I felt that way because I liked women and I didn't know anyone who was openly gay, neither boys nor girls. I started to meet people after I turned 16, but even then it was distant. At 19, I moved to Petrolina to attend college and ended up spending more time with lesbian girls, which made me understand that none of them felt that way. Around the same time, between 2013 and 2014, information about the subject began to appear in the media, especially in 2014 when Thammy, Gretchen's son, publicly came out. At the time, I came across an article about Polish model Oliwier Mastalerz, and it was a turning point in my life. It was something that allowed me to understand and accept that I would live my true identity (Mandacaru, interview on October 31, 2023).

However, emotions can vary from person to person. Some may feel relieved, but authentic and free when adopting a name that better reflects who they are inside. Others may face a period of adjustment, as changing one's name can involve emotional and social adjustments, including the process of getting those around them used to their new name and identity.

In general, it is an individual and unique journey for each trans person. It is important to offer support, respect, and accept the name and identity that the person has chosen, helping in the transition process and recognizing the importance of this step for them. Everyone has the right to a name, which is important for identifying each person before the state. The name, therefore, is the most expressive manifestation of our personality, of what constitutes us (Venosa, 2003).

Changing one's name and gender can be a challenging process, facing legal, social, and emotional obstacles. It requires courage and perseverance to overcome these challenges and assert oneself as the person one wishes to be. Mandacaru began his process by communicating to those closest to him how he would like to be recognized socially, gradually occupying the spaces he had dreamed of.

So, I told my friends and my brothers: I chose my name. And finally, I told my father. [...]. For my friends, it was nothing new. I don't think it would be a surprise to anyone who knows me. I never saw myself as anything other than a man, so it was just a

normal step for them. For my siblings, I'm not sure. It was the beginning of COVID-19, so it had to be via WhatsApp. They gave me a lot of support and tried to call me by the right name right away. They asked me about my name, etc. Of my relatives, I only told my grandfather and my father. My grandfather was cool about it, gave me words of support, he just gets confused with the name. But that's to be expected, given his age. Besides, for many years, I was his only 'granddaughter.' With my father, it was different. For many reasons. But as soon as I managed to change my ID card, he decided to call me by my correct name (Mandacaru, interview on October 31, 2023).

When we refer to name and gender change, an important step, without a doubt, is to guarantee this right legally. However, considering Mandacaru's narrative, it is possible to infer that this moment concerns a process of self-acceptance, as well as acceptance by the people around us, so it is clear that, after making the decision, he surrounds himself with people he trusts.

After communicating with those closest to him, Mandacaru decides to officially change his name and gender at the Civil Registry. This moment is the realization of something that has always been, that is, the official recognition by society of what has always constituted him.

In his narrative, it is clear how important it is when the justice system and the competent authorities somehow end up making this moment less painful.

The Public Defender's Office was running a campaign to help transgender people change their name and gender. So I got in touch and was immediately welcomed. I believe it was in early 2021. It was very quick. As soon as the Public Defender's Office approved the process, I went to the registry office and managed to get it done in a few days. I thought it would be a lot of bureaucracy, but it was very smooth (Mandacaru, interview on October 31, 2023).

In most cases, fear of bureaucracy deters transgender people from changing their first name and gender. However, in some cases, an incentive campaign can be the push needed to overcome this fear — as was the case with Mandacaru.

Although changing one's first name and gender is a guaranteed civil right, the pursuit of this change is still limited. Many transgender people and transvestites who wish to exercise this right believe that the process is complex, which makes it difficult to access name and gender changes. However, as Mandacaru pointed out, the justice system has

been striving to simplify this process, making it more agile and accessible, with a view to ensuring that transgender people have the right to be who they are.

5 Final elements: considerations

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Throughout this research, we were inevitably influenced by our personal and collective experiences as deviant, dissident, and strange children, often being referred to by female names. When we came across Mandacaru's narratives, we asked ourselves: what if it were one of us?

The fact is that, upon coming into contact with transgender men and women, countless feelings began to emerge. Even the fact that many refused to participate, as we pointed out in the methodology, made us rethink even more about the identity constitution of these people. It was not just a matter of fear of telling their stories, but of not wanting to relive it all again.

Returning to the objective of the research, which is to understand how changing one's first name and gender, a social right guaranteed by civil registry offices, contributes to the human dignity of transsexual, transgender, and transvestite people, we infer how important and necessary it is to publicize and ensure this right, especially to those who are further away from urban centers, where information takes longer to reach. For transgender people, it is essential to safeguard the right to a name as a fundamental principle, ensuring the protection of their gender.

The judicial system is constantly evolving, seeking to increasingly reflect the reality of society. Our name is the essence of our identity, claiming dignity and respect for those who seek to change it. In beginning this study, we highlight the deep connection between the name and our perception of identity, and how this affects the guarantee of our rights. We analyze the historical and legal progress that supports this issue.

Thus, this study becomes relevant from both a social and academic point of view. It gives social visibility to ensure respect and acceptance of transgender people, aiming to make this reality an effective practice. In the analysis of this study, the principle of human

dignity to enable a transgender person to change their name is evident.

The prioritization of social inclusion and respect for transgender people, within a context that seeks equality and preserves individual dignity, must prevail over society's right to know an individual's transgender status. This prevents the person from remaining in situations of segregation and discrimination, perpetuating a position in which they have always been placed.

There is a movement focused on respect for people who experience transsexuality or identify as transgender, seeking equality in all aspects. The change of name and gender socially represents the recognition of the dignity and human rights of these people, promoting their inclusion in different social spheres.

In this regard, we emphasize that Brazilian legislation needs to progress in making the rule of name immutability more flexible, adapting it to the progress of society, in which the name plays a crucial role in identity and individuality, aiming to guarantee the legitimacy of individuals and their integration into society and state structures.

Thus, we understand that changing a person's civil name, considering individual circumstances, is perceived as a change capable of bringing real benefits to transsexual, transgender, and transvestite people without causing harm to third parties. Above all, this change is carried out with respect for the human dignity of the people involved.

We conclude that changing one's first name and gender not only legally formalizes the identity of transgender people, but also validates their existence in the social fabric, paving the way for recognition, belonging, and inclusion. It is, therefore, a change with real and profound impacts, which must be ensured as a legitimate expression of human dignity.

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