Malta's Inclusive Policy on Trans, Gender Variant and Intersex Students: A Critical Anticolonial Analysis

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Abstract

In 2015, the Trans, Gender Variant and Intersex Students in School Policy *was introduced under a Labour government in Malta, contributing significantly to Malta being ranked first by ILGA Europe for LGBTIQ+ rights in 2016, a position it continues to hold. Drawing on a mixed-methods study comprising 25 semi-structured interviews with trans students, educators, parents of trans students, and school administrators, alongside a quantitative survey of educators, this paper examines how the policy is understood, engaged with, and enacted in schools, and analyses both the policy itself and educators' understanding of it. Findings indicate that most educators were either unaware or insufficiently aware of the policy, while none of the trans participants knew of its existence; parents were proportionally the most familiar. Despite this limited engagement (42% of educators had not read the policy), educators articulated strong critiques, arguing that the policy unnecessarily spotlights trans individuals, is overly theoretical and abstract, and should remain a matter of school-level discretion. Crucially, this paper explicitly argues that these findings are relevant both to*

educational policy in general and to the specific dynamics of trans-focused policy. The data point, on the one hand, to a broader pattern of educator disengagement from state educational policy, characterised by policy fatigue and scepticism towards government-mandated frameworks, and, on the other, to trans-specific misunderstandings and resistance shaped by a global context of heightened media scrutiny and political contestation around trans lives. Rather than treating these dynamics as mutually exclusive, the paper contends that they operate simultaneously. Through a critique of positivistic orientations and rigid separations of theory and practice, the paper advances a hopeful dialectical alternative grounded in a critical anticolonial framework that rethinks both policy engagement and educational responsibility.

Keywords: *Malta's Trans Policy, Critical Pedagogy, Anti-colonial Theory, Educational Professionalism, Inclusive Education, Mixed Methods (Interviews and Surveys).*

Introduction

In recent years, research on transgender individuals has grown significantly (Travers, 2018). Among these studies, some specifically address the schooling experiences of transgender people (Cumming-Potvin and Martino, 2018), which shows that owing to present gender norms and stereotypes, as well as social categorizations and the way gender tends to be perceived, transgender people have experienced school as an institution of oppression, trauma, and violence (Goldstein, 2019, p. 136–137; see also Martino, Kassen, and Omercajic, 2022). At school, trans students are not given support by their own peers, and counselling services tend to be 'inadequate' (Pryor, 2015, 449). Furthermore, trans people are more likely to experience significant bullying episodes from

classmates and occasionally from school administrators (Graham, 2014, p. 278) and teachers (MAP and GLSEN, 2017, p. 3). These unacceptable conditions have given rise to high levels of absenteeism, push out, eating disorders, substance misuse, self-harm, and suicide attempts among transgender youths (Ullman, 2017; Wyss, 2004 quoted in, McBride, 2021, p. 116; Greathouse et al., 2018, p. 26). There is evidence that trans people are completely 'erased' (Namaste, 2000, p. 32) from schools, with the term erasure meaning that trangender individuals within schools are nullified, "aprocess wherein transsexuality is rendered impossible" in schools, but not only. Studies on the experiences of trans in schools reveal various reasons why trans are erased, with one major cause being inappropriate policies or a lack of policymaking within educational institutions (MAP & GLSEN, 2017).

In 2015, the Maltese Government launched the *Trans, Gender Variant and Intersex Policy, Strategy and Procedure,* 'the policy' hereafter (Agius et al. 2015), a policy that has been described as being very progressive, in fact, the issuing of this policy was one of the main reasons that Malta attained ILGA-Europe's (2016; 2024) top ranking on LGBTIQ+ rights in their 2016 report, a ranking that still holds today.

The aim of this paper is to analyze this policy from a critical anticolonial perspective, extrapolating implications for global education. The findings and their implications are relevant both to educational policy more broadly and to the specific dynamics of trans-focused policy. Although this study examines trans-related policy in Malta, it does not seek to otherise trans individuals; rather, its aim is to promote greater equity and awareness of inclusion for trans individuals within school settings, while eliminating their complete erasure or nullification. First, we provide some information on the Maltese context, our theoretical framework, and the methodologies we used. Next, we present our

findings, discuss them, and then make some recommendations. It has also to be noted that the terms ‘trans’ and ‘transgender’ will be used interchangeably in this study to refer to male-to-female and female-to-male transgender persons, GNC (gender non-conforming), genderqueer, gender non-binary, agender, or individuals anywhere on the gender-nonconforming spectrum, thus the ‘entire trans community’ (Martino and Omercajic 2021, 679).

Theoretical Framework and Critical Policy Analysis

The theoretical framework utilised in this paper is a critical pedagogical stance influenced by anticolonialism. Critical pedagogy is grounded in an explicit concern with politics and power (Mayo & Vittoria, 2021). It rejects the idea that education is neutral, instead emphasising that teaching and learning are always shaped by political and social forces. From this perspective, education plays a key role in either reinforcing or challenging processes of “othering” within mainstream schooling (Said, 2004). For example, othering can occur when school curricula and policies treat certain groups, such as trans students, as exceptional cases or “issues” to be managed, rather than as ordinary members of the school community, thereby positioning them as different, marginal, or outside what is considered normal. Proponents of critical pedagogy, such as Giroux (2011, p. 171), rightly claim that ‘educators must assume the responsibility for connecting their work to larger social issues’. Moreover, as Freire affirmed ‘being neutral is tantamount to siding with the dominant’ (Mayo and Vittoria, 2021, 6). Critical pedagogy is based on a social constructivist epistemology, hence knowledge is constructed through a transaction between the individual and the world, as well as through human interactions in order to create resistance, not reproduction (McLaren 2003; Darder, Baltodano, and Torres, 2009; Giroux, 2023, p. 428).

Anticolonialism builds on the core commitments of critical pedagogy and explicitly incorporates anti-racist education (Dei, 1996). Central to anticolonial theory is a reconceptualisation of colonialism, understood not simply as something foreign or historical, but as any form of domination or imposition that marginalises others (Kempf, 2010). From this perspective, colonial relations can persist within contemporary institutions such as education. Anticolonialism therefore emphasises nonviolent and ethical forms of resistance that reject domination and coercion, while also recognising, following Césaire (2000), that colonisation dehumanises both those who are colonised and those who enact it (Madeira & Correia, 2019; Srivastava, 2010). It advances alternative and oppositional ways of knowing that challenge dominant educational paradigms (Dei & Asgharzadeh, 2001), while requiring educators to remain attentive to their own positionality and the power relations that shape knowledge production (Sekyi-Otu, 2010; Kempf, 2009). Finally, anticolonial pedagogy values holistic and spiritual dimensions of learning, aiming to support students in developing a strong sense of self without resorting to deficit-based or one-size-fits-all approaches (Shahjahan, 2004).

The etymology of the English word 'policy' is derived from the Greek word 'polis', the ancient Greek city state in which citizens discussed and decided on a vision to run the city based on an understanding of the good life. Hence given its root meaning, policy and philosophical reflection are intricately related although tradiationally, in education, policy is seen as being practical while philosophy is construed as theoretical and abstract (Pinto and Portelli, 2014a ; Pinto and Portelli, 2014b). Given its philosophical nature, policy is expected to give a direction which could be general or, at times even specific, depending on its focus and content as well as the political rationale behind its development.

From our theoretical perspective, policy inevitably includes a reflective philosophical component but also a political element, in the sense that the direction offered by a policy based on its explicit or implicit understaning of the good life involves ‘the exercise of political power and the language that is used to legitimate that process’ (Olssen, Codd, and O’Neill, 2004, p. 71-2; Mayo and Vittoria, 2021). Ideally, the power relationship should be a positive and democratic one which takes into account different perspectives (McLaren, 2003; Portelli and Simpson, 2007).

From a technical aspect, the literature on the nature of policy also distinguishses between policy as a document and policy as enactment and one which involves the direct or indirect involvement of those in the field; in the case of education, educators, students, and the community (Ozga, 2021). These two major understandings of policy are not mutually exclusive. When a policy is published, a ‘policy document’ is the result. The substantial and possibly controversial issue is how this is conceived in the first place. What should be the purpose of the document? Should it be narrowly prescriptive and dogmatic? Should it allow for interpretation, in a sense being a re-enactment of what is conceived in the policy as long as it does not go againt the spirit of the policy? Should it involve those in the field?

From our theoretical perspective, we understand policy to be a relational concept: one that involves an interaction between the vision and details of the document, and those for whom the policy is intended. Whether one likes it or not, a policy, including an educational one, will be read, interpreted, and acted upon in different ways since the role of a policy is not prescriptive but exists to give guidance to human beings within instutions, persons who are 'unfinished' and who therefore deal with different situations differently (Freire, 1998). As we see it, it is the responsibility of educators to bring a policy to life in their

daily work with students and the community, this driven by a deep sense of permanent searching leading to transformation (Freire, 1998). As it happens with anything that involves the human predicament, policy can be misconstrued or even rejected or resisted, or it can be embraced and interpreted according to its intention within the individual context of educators.

From a critical anti-colonial perspective, policy is never neutral; it is inherently philosophical and political. Policy enactment also depends on meaningful relationships among the major actors involved. These relationships are shaped by, and oriented toward, a particular understanding of the good life. In this study, that understanding explicitly rejects colonial and oppressive social arrangements and instead affirms ways of living that are critical, democratic, inclusive, and equitable (Steinberg, 2021).Consistent with our theoretical framework, we also hold that policy enactment is best seen not as a linear one-to-one rational/positivist process; policy is organic and involves a strong element of interpretation (Hay, 2024; Olssen, Codd, and O'Neill, 2004; Ozga, 2021; Pinto and Portelli, 2014b).

In this paper, we analyse the Maltese Trans Policy. Following Olssen, Codd and O'Neill (2004), policy analysis can be understood in two main ways. The first, often called "analysis *for* policy" focuses on examining the social, political, and other contextual factors that inform policy development. The second, known as "analysis *of* policy,"[1] involves critically examining an existing policy. Olssen, Codd and O'Neill further distinguish two approaches within *analysis of policy*: *policy advocacy* and *information for policy*. Policy advocacy aims to make specific recommendations for change, while information for policy focuses on gathering and analysing data to inform possible policy revisions. This paper adopts the latter approach, drawing on data from a larger study conducted by the first author.

This paper on the Maltese Trans Policy forms part of a larger study dealing with the experiences of transgender youth to determine to what extent their perceptions of their experiences are consistent with those conceived by their parents, teachers, and school administrators in Malta. Moreover, this data provided relevant information about the policy. Semi-structured interviews were conducted with 5 transgender students, 7 parents, 6 teachers, and 7 school administrators. A survey was also carried out with 152 teachers. The survey also posed two significant questions on the policy, mainly if educators were aware of the government's launching of the trans policy in 2015 and whether they agreed with this policy.

The Maltese context and an overview of the Trans Policy

Malta is an island in the centre of the Mediterranean Sea, with a dense population of 519,562 (NSO, 2023, p. 12–16) and a long history of colonialism (Vella, 2015). It obtained its independence in 1964, became a republic in 1974 and a full member of the European Union in 2004 (Fenech, 2024, 4). As a result, it has often been argued that Malta is living in a postcolonial era (Xuereb, 2022). Nonetheless the effects of colonialism are still extremely resonant through 'white privilege, exclusion and racism' (Fenech, 2024, p. 2). Malta also has a strong history of Catholicism which has exerted political influence and the reproduction of colonialism (Fenech, 2012, p. 224). When the Labour Party came to power in 2013, it introduced further important civil rights including laws to protect trans individuals, making Malta one of the most progressive countries on LGBTIQ+ and trans rights in Europe (ILGA-Europe 2024). The most significant legislation is the *Gender Identity, Gender Expression and Sex Characteristics Act* (2015), which regulates the process of legal gender recognition. Additionally, Malta's anti-conversion practice law, the *Affirmation of Sexual Orientation, Gender Identity, and Gender Expression Act* (2016), is also highly relevant.

In 2015, as part of the *Respect for All Framework* (Gauci and Pisani, 2014, p. 7; Falzon, 2016, p. 3; Cassar, p. 2018) Malta's Ministry for Education and Employment launched the *Trans, Gender Variant and Intersex Students in School Policy* (Agius et al. 2015), including comprehensive strategies and procedures for implementation in primary, middle, and secondary schools. The aim of the policy, was 'to improve student learning behaviour and well-being and the conditions that support these' and to address 'teachers, school management and administrative bodies, indicating their responsibility to embrace a socially inclusive framework' (Cassar, 2018, p. 8). The policy adopts a 'whole school approach philosophy'[2] and has three objectives: 1) creating an environment that is 'inclusive, safe and free from harassment and discrimination […] for all'; 2) promoting 'the learning of human diversity that is inclusive of trans, gender variant, and intersex students, thus promoting social awareness, acceptance and respect'[3] ; and 3) ensuring 'a school climate that is physically, emotionally and intellectually safe for all'[4]. As its main values, the policy speaks of inclusivity, diversity, equity, and social justice.[5] The policy also highlights the fact that 'the incidence of trans, gender variant and intersex children and young people in Malta is difficult to determine' but makes the important point that the 'number of [a] particular group should not have a bearing on their access to human rights'.[6] It also cites 'the EU charter for fundamental rights, Article 14 that education must be accessible to all on an equal basis[7], as well as Article 32 of the Constitution of Malta, which includes 'anti-discrimination provisions on the grounds of sex, sexual orientation and gender identity among others'.[8] The policy supports the needs of those who advocate for the well-being and rights of 'parents, teachers, psychologists, social workers, counsellors'[9] as well as the need for ''counselling when identity affirmation is proving difficult'.[10] Moreoever, it points out that ''there are a growing number of students who are choosing to transition … while in school'

and clarifies that ‘teachers, school counsellors, and school administrators need to provide information, resources, be supportive, help other students understand and build inclusive environments’.[11] It also speaks about using ‘inclusive language’ and highlights the idea that ‘schools should seek to increase cooperation and collaboration among home, school, inclusive and specialist services, LGBTIQ community organisations and the community-at-large’.[12]

The Policy also includes procedures to facilitate its implementation ‘to provide a uniform way of tackling issues’ (Cassar, 2018, p. 3). It states that:

> when school support staff is approached by a student or parent regarding a change in gender identity […] the school staff […] would discuss with the student how they wish the school to support them, whilst being particularly sensitive to the involvement of parents (Agius et al, p. 4).

Should ‘the student wish school support, the head of school, together with the student and parents, and other care professionals’ would then create a ‘school support management plan’[13] that includes psychological services. In addition, it specifically states that ‘the student is to be addressed with their preferred name and pronoun,’ making it clear that ‘school staff should not enforce a strict dress code against trans, gender variant and intersex students’ while also making it clear that ‘with respect to all toilets and changing facilities, students shall have access to facilities that correspond to their gender identity’[14]. The same holds when it comes to physical education classes and other sports activities. School documentation must also be updated ‘to reflect a change in legal name or gender upon receipt of documentation that such change has been authorised by the courts’.[15] Finally, ‘schools should be vigilant for any bullying, harassment or discrimination against trans, gender variant, and intersex students’.[16]

The strategy also provides a list of the 'measures' that must be taken by the 'head of school designate [and] member of staff' to improve the lives of trans, gender variant, and intersex students, such as ''intervening to stop bullying, name calling and gender stereotyping',[17] by addressing the issues, taking appropriate and timely decisions to make students feel safe. For each outcome, there is a timeline for implementation; for the three outcomes of bullying, the timeline was the scholastic year 2015–2016.[18] The strategy also contains, a section that considers a whole school approach, another for parents, one for students, and another focusing on overall responsibility.

In short, the policy document provides clear, just and inclusive values, relevant international and local information, an explicit aim and objectives, the role and responsibility of educators, a set of measures needed with relevant procedures and timelines.

Methodology

As noted earlier, the study is based on both a qualitative and quantitative methodology. A qualitative aspect recognizes the centrality of meanings that different participants attribute to their lived experiences, thereby necessitating detailed descriptions (Corbin and Strauss, 2015). The intent is to establish an 'in-depth synthesis, analysis, and interpretation of what it means to live as members of groups and in human societies' (Durdella, 2017, p. 6). Open-ended semi-structured interviews were adopted, which provided information and insights into participants' viewpoints (Bryne, 2004). Semi-structured interviews allow participants to share their ideas, both positive and negative, vis-à-vis the topic. We developed a set of questions to guide the interview and then piloted it with one person from each category who offered feedback to improve the questions. Thematic analysis, 'a method for identifying themes and patterns of meaning across a dataset in relation to a research question,' was used to analyze

the collected data (Braun and Clarke, 2013, p. 175).

Trans students in the study, aged 18 to 26, finished school in or after 2016, that is, a year after the policy was published. They have a variety of gender differences. Parents in the study, aged 30 to 50, have trans children either still at school or who had finished school in or after 2016. They also showcase Catholic, independent, and state schools. Teacher and school administrator (SA) participants working with trans students in schools, all having at least a Bachelor's degree in education, come either from church, state, or independent schools.

The study also included a closed-ended survey with educators. 152 responded to the 45 questions included. The results of the surveys provided a broader picture of the views of the educators about trans students and their parents, professional development, and the Policy itself.

Regarding ethical concerns, no form of coercion or deception was involved, and participant autonomy was respected. Demographic information about the participants was concealed to protect them, and their names were pseudonymized. All participants were given a letter with detailed information about the study; before the interview, they signed a consent form which, among other things, made it very clear that they had the right to decline to answer any question and to leave the study at any time. All questions were approved by the University of Toronto ethics board.

An important question that concerned us was whether we, as outsiders — that is, as two researchers who are not trans — could actually conduct research on 'insiders'. We believe that ethically, we are justified to carry out this research because during the whole research process, following Eve Tuck (2009), we never took a damaged-centred approach. This means that we never saw our

trans participants as people who were damaged and needed us to repair them; instead, we always took a 'desire-based framework' where our main concern was to 'understanding complexity, contradiction, and the self-determination of lived lives' (Tuck, 2009, 416). A desire-based framework works to depathologize 'the experiences of dispossessed and disenfranchised communities'.[19] From an insider/outsider perspective, it is important to clarify that transgender people are only one of the groups included in this study. Although we express solidarity with transgender advocacy efforts, we do not claim to represent or speak for transgender people. Our contribution is confined to documenting their accounts and the forms of support they requested.

Findings

For a policy to be enacted properly, it is crucial that the major actors are at least aware of it, and ideally, also knowledgeable of its details. In our case the major actors are the teachers and school administrators. From the 5 teachers interviewed it results that only 3 were aware and moderately knowledgable of the policy. From the 7 school administrators interviewed only 3 were aware and moderately knowlegable of the policy. From the 152 educators that responded to the survey 87 were aware of it while 65 were not aware of it. In the latter case, the average score was 3.28 out of 5, showing moderate awareness. The same is almost confirmed from the results of the participants interviewed as in total 13 participants were aware while 13 others were not aware of the policy. Unfortunately none of the trans students interviwed were in fact aware of the policy let alone knowledgeable about it. Proportionately, it was the parents who were most aware of the policy as only 2 out of 6 interviewed were not aware of the policy. Notwithstanding these findings, the teachers and school

administrators interviewed pronounced some very strong views about the policy, ironically especially from those who did not read the policy.

There could be several reasons for the lack of awareness in the policy. It is not uncommon among educators not to be aware of policies particularly maybe because they find policies to be prescriptive (MacBeath, 2008). Both the interviews and the survey responses revealed a lack of preparation for the enactment of the policy. Participants noted the lack of professional development on the topic at hand. Moreover, the survey seems to be showing that the majority of educators do not feel that their teacher education preparation taught them how to deal with trans students. Only 31 out of 152 respondents, that is only 20% felt they were well prepared in their programs. Moreover, in general only 23 out of 152 respondents, that is only 15% felt they are prepared to deal with the reality of trans students in schools. Hence teachers who do not feel well prepared in an area, may most likely disregard the policy dealing with it.

In contrast it seems from our survey that several of the parents positively remarked about the importance of the policy which is deemed to be definitely needed. For example, Shirley read the policy in detail and said: 'If schools had followed the policy, it will be great, but they don't always… I mean — and it's just a guideline at the end of the day. It's not a law.' It seems that while she is grateful that the policy exists, she feels it would have more impact in the reality of schools if it had the staus of a law rather than simply a guideline. Another parent, Lilian also conceived of the policy as a guideline which, she laments, 'needs to be implemented more in schools.' She also notes that in the Church school were her own children attended and where she still teaches, 'till today the policy was never discussed at school, it is not being implemented by the school leadership team, and the policymakers don't follow it up to ensure it is being

implemented. So, the authorities never check that the policies are being adhered to.' The latter remark by Lilian may also indicate another reason why educators are not aware of the policy. In contrast, Shirley makes the point that the school councillor in her child's school, who was supposed to know about the policy, did not and yet when she reminded the councillor of her obligation 'she was very open to having a meeting.'

And yet, to be fair, some teacher participants seemed knowledgeable of the policy remarked that 'having the policy written in 'black on white'' is very positive since, in Lara's view, 'people will now follow it … now these students will be acknowledged. My fear was that these students would remain forgotten and be lumped with the rest.' Another teacher, Francois, seemed equally enthused about the existence of the policy since in his view 'it was needed since it deals with the reality of the school.'

Unfortunately, however, not all teachers and school administrators interviewed seemed to have have a positive view of the policy even if they have not read it. Three objections have been identified in the data collected. First, and may be the most alarming one, is the view expressed by Antonella, a school administrator in a government school and who confessed that she had not read the policy. In her view a policy on trans students is not needed since by having such a policy has the effect of 'creating a spotlight that you're different … and the worst thing that you can do, in my opinion, is to put a spotlight and to tell them that they're different because they've had enough of being different … that is their suffering … that they are perceived as different.' In her view, it is better not to identify the issue so the trans students do not feel different. However, such reasoning indicates that she is not aware that the students themselves already feel different and without such a policy they will feel more enstranged. And without such a policy, would the head of schools feel

compelled to deal with bullying and the rest of the problems faced by trans students as identified in the literature and by the parents and trans participants in this study?

The second criticism is that the policy is conceived as being 'too theoretical and abstract.' Lara, for example, seems to complain that the policy is too theoretical in not providing practical solutions to problems that teachers have to face regarding trans students in school. Genoveffa, a school administrator, who declared that she never read the policy in detail, also appears to criticises the policy for not providing 'concrete actions' to take when dealing with problems related to trans. And Dante, a primary school administrator, repeats that 'the policy is theoretical, in the air. We need something that guides us what to do concretely, giving us detailed actions.' Moreover, Dante also believes that the policy is not relevant to primary schools since he believes 'those of us in Primary, as Head of Schools and Administrators, tend to think that it is too early to have such children. We assume it is not intended for us, that this policy concerns Secondary, do you understand?' Antonella and Clara (both SAs) agree that the policy is not applicable to primary education. Moreover, according to Dante the people who wrote the policy did not know enough about gender and education: 'You cannot just propose what needs to be done without being aware of the realities of schools.' In the same breath, Dante makes the point that teachers of Personal Social and Career Development (PSCD), who are supposed to teach issues of gender and sexuality in Malta, don't know about gender despite the fact that, according to the policy, issues of gender, gender identity, and gender expression should be taught in school.

The third arguably criticism is one that has been made with regard to policies in general. Ludovico, a school administrator who is knowledgeable about the policy and supports it, is concerned that the policy may be shelved

and no proper action taken to enact it. His fear arises from the fact that according to him, before the policy was launched the teachers needed to be more prepared through seminars and consultations. Moreover, Ludovico insists that for the trans policy not to be shelved, it must be bottom-up and not vice versa: 'So, in a sense, I would prefer a bottom-up approach. I would prefer schools themselves, even individual schools — coming up with a policy themselves. National policy is important — but I think it needs to be loose enough — to let, and help the communities on the ground create the policies themselves.'

Discussion

The findings suggest that there are differences between the views of parents and educators with regard to the policy. While all the parents are in favour of having a policy in place and tend to view it in a positive light, not all educators agree with such a view. It should be acknowledged, there are divergent views among the educators themselves. On the positive side, most educators are in favour of the policy although some believe that it is suitable only for secondary schools. Those who favour the policy believe that on the basis of their own experiences it is needed since the reality of schools appears to ethically and educationally demands it. They are concerned that without the policy trans students may become more marginalised and those who are willing to militate in favour of trans students may find it difficult to do so. On the negative side, the educators are approximately equally divided as to how they conceive of policy in general. There are those who view policy simply as a document without much force; there are others who view policy as an active enactment of the policy. Some view the policy as worthwhile guidelines; others construct the policy as being too theoretical and not practical or concrete. The former seem to understand that the role of policy is to offer an ethically and educationally justified vision and not to dish out proven solutions; the latter, by contrast, tend to view the

identification of a philosophical vision as too theoretical and therefore, in their view not practical since they expect a policy to tell them exactly what to do in circumstances involving trans students.

The negative aspects deserve some more detailed analysis and critical discussion since they raise serious issues regarding professionalism. Shirley Steinberg (2005) argues certain qualities are essential for educators to be considered professionals: knowledgable about what students need to know; not be anti-intellectual and not be diskilled so one can research, create and revise; able to be self-critical and take risks; and be humble and not arrogant. Unfortunately the negative aspects regarding policy appear to conflictseveral of these necessary qualities.

First, it is very alarming that 42% of the educators surveyed were not aware of the policy and, obviously, had not read it. And yet, several of those interviewed and had not read the policy made strong pronoucements about its nature and content. Unfortunately those who did not read the policy were the ones who made negative remarks about it. But even if their remarks were positive, professionalism calls for a proper reading of the policy before making any pronoucements about it. Professional responsibility arguably requires that teachers and school administrators base their judgments on a thorough reading and careful analysis of the relevant documentation. Forming conclusions without engaging fully with the available records undermines professional standards, due process, and informed decision-making within educational contexts.There may be several reasons why teachers expressed negative judgments about the policy despite not having read it. Although there is no published research specifically examining transphobia among teachers in Maltese schools, it cannot be excluded that some teachers' uninformed criticism may stem from transphobic attitudes. International research demonstrates that

teachers in various countries often exhibit elements of transphobia in educational settings, and there is no reason to assume that Malta would be an exception (see, for example, Amigo-Ventureira et al., 2022; O'Donoghue & Guerin, 2017). While not focused on transphobia, studies by Louise Chircop (2022, p. 149) show that Maltese teachers, in relation to migrant students, "engaged in exclusionary practices and argued that migrant students had to fit in within the present education system." Moreover, broader literature in education highlights that teachers frequently reproduce racism and uphold white privilege, and are therefore inclined toward conservative positions that resist changes both in their pedagogical practices and in their broader professional mindsets, linked to social justice (see Dei & Linton, 2019; Solomon & Daniel, 2015).

Second, some of the educators interviewed appear to misconstrue the policy. Some of them, while accusing the policy of being too theoretical, they expect it to offer solutions for problems they may encounter. Such an understanding of policy is consistent with a positivist understanding of policy, one that believes that a policy, created by experts, should tell educators exactly what to do. Many have criticised a non-critical stance about policy on the basis that it merely reduces educators to technicians and not professionals, and it reproduces deskilling and the hegemony of experts. Such a perspective is inconsistent with the intellectual element required from a professional (Evans, 2010; Sari and Yolcu, 2017) It reproduces the dichotomy between what we think and believe in (theory) and what we do (practice).

From a critical anticolonial perspective, both theory and practice are deemed to be necessary and neither of them should be considered as being superior. It is possible that participants are too influenced by 'best practices' mythology, which reproduces the mentality that there are quick solutions for educational problems that apply everywhere consistently, irrespective of contextual differences. They seem to forget that the role of policy and theory is to give

direction; as responsible profession, arguably, als, they are expected to identify problems or situations, analyze them, and, depending on the details of each context, construct practical solutions. There are no ready-made solutions, and it seems that there never will be, precisely because of the existential predicament of what it means to be human (Roberts, 2022, 6). From a critical anticolonial stance, the role of theory is to 'engage the 'what is' of social life in order to promote the 'what could' and what 'should be' (Sultana, 1991, 116). Such a professional stance requires awareness, critically constructing and analysing knowledge, and the courage to take risks. As Rautins and Ibrahim (2011, p. 32) seem to effectively put it, 'as teachers we must be wide-awake to the complexities facing our students, moving beyond the systematic transmission of knowledge, to reinvent and expand the space for a becoming discourse'.

Beyond what may be considered by some of the educators to be ideological differences, there seems to be also the aspect of the veracity of the claim that the policy does not offer practical aspects and that it does not reflect the reality in schools. First, the international literature on the experience of trans students clearly shows that trans students are bullied,and erased from schools (Clark et al., 2014; Meyer and Keenan, 2020; Sinclair-Palm, 2017; Sullivan and Urraro 2019a). The data we provided as well as other data from the larger study seems to support the claims found in the literature. On the basis of the 152 educator participants in the survey: 60% (92 out of 152) report that in Maltese schools there are no organisations that aim to assist and support trans students; only 20% (31 out of 152) believe that heterosexual students respond positively to trans students; 69% (105 out of 152) report that there are no resources available in schools on trans issues. In addition, all the parents and trans student, as well as several of the edeucators interviwed reported of cases of bullying of trans students in schools. Based on all of this data, the claim that the policy does not

reflect the reality in schools appears to us to be mistaken. And again, the lack of knowledge on the part of educators can be viewed as unprofessional.

It is true that the policy presents the values and beliefs on which it rests, as well as the ethically and educationally appropriate direction needed to reduce the problems that trans students encounter in schools. However we do not think it's true that the policy does not provide any concrete measures that need to be taken in schools. Without prescribing in detail what educators should do in specific cases, the policy seems to offer clear and explicit practical directions how to support trans students: 'The [trans] student is to be addressed with their preferred name pronoun' (Agius et al. 2015, p. 6) and that 'school staff should not enforce a strict dress code against trans, gender variant and intersex students'[20]; 'school documentation needs to be changed to reflect a change in legal name or gender upon receipt of documentation that such change has been authorized by the courts'[21]; 'intervening to stop bullying, name calling and gender stereotyping' .[22]

How can a policy be effective? According to Ludovico, a school administrator who is very knowledgeable about the policy, a policy should be designed from the bottom-up. He prefers 'individual schools coming up with a policy themselves.' However, we think that this could potentially backfire since there are countless examples of educators in Malta who have an unfavourable view of trans students and are not informed about LGBTIQ+ realities. While they might say they are in favour of their inclusion, the truth might be often wanting in this respect. Furthermore, in the findings we notice that certain school administrators' lack of knowledge about the subject might be transposed onto the school's own respective policies. For example, Dante (SA) makes the point that both himself and his colleagues feel that gender issues should not be addressed at the primary level. However, the research shows that that gender

challenges, such as dysphoria, begin at an early age, so we think it would ideal to address these issues as early as possible (Sullivan, 2009; Sullivan and Urraro, 2019). Research demonstrates that young trans and gender-diverse students need an educational environment that provides the proper language to help them understand and communicate their gender (DePalma and Atkinson, 2006; Robinson, 2008; Steele and Nicholson, 2019). As such, given that the policy is based on the principles of human rights (United Nation, 1948) we argue that in this case, a policy emanating from the Ministry of Education is warranted. Having a relatively top-down policy at the national level with the engagement of a variety of experts and with proper consultation is necessary because, without a policy, those who desire to cement trans rights in their schools will have nothing, policy-wise, to justify their moves towards this. A lack of an official top-down policy would, furthermore, increase trans erasure (Namaste, 2000) and vulnerability. Leland Spencer (2019) refers to vulnerability and erasure as a *biopolitics of trans disposability* that 'works by making marginalized people disappear from public view by regulating their bodies into invisibility.' They are, in a word, 'disposable' [23] or, conversely, 'worthy of symbolic and material annihilation' .[24] In other words, our perspective attempts to capture the complexity of the human predicament in education. It is not a matter of either a top-down or a bottom-up policy. For the reasons given above, there should be policy aspects that need to be securely proposed in defence of human rights; there are others that would truly deserve the feedback and responsibility of practitioners.

Research has shown time and again that policies on trans persons, while vital, are not effective on their own to bring change in educational institutions and beyond (Martino, Kassen, and Omercajic, 2022; Martino, Omercajic, and Kassen, 2022). Systemic issues seem to continue to reproduce inequities. One such issue is that of professional development. The participants overhwlemingly

reported the lack of professional development in relation to the policy. Genoveffa (SA) makes the point that the policy 'was a very important document and very substantive, but we weren't prepared for it as teachers and SMTs.' Without proper preparation and follow-ups it is difficult, if not impossible, to overcome systemic issues. Hence the inability of educators to enact the policy. Participants also seem to note that there are no check and balances in place to ensure that the policy is adhered to. Given the lack of preparation and follow-ups the natural question that arises is whether or not the responsible authorities in fact care about the enactment of the policy. While Malta has been very strongly praised for its progressive trans policies, the reality in schools seems to be very different. The lack of institutional erause continues to reproduce the systemic inequities as vividly reported by trans students and their parents. In response to these challenges, we believe it is worth considering the potential of sustained professional development and continuing professional development (CPD) initiatives that are dialogic rather than prescriptive, bringing educators and administrators into critical conversation with trans individuals and policy writers. Such engagements may support a sense of shared ownership, deepen understanding of the policy's relevance, and challenge deficit based or abstract readings of trans affirmative frameworks. However, if authoritative bodies including the Ministry, teachers' unions, and school administrators do not actively disseminate, resource, and meaningfully enact the policy, its purpose seems to remain undermined. As Namaste (2000) cautions, when trans affirmative policies are not made visible or operationalised at the institutional level, those for whom they are intended, transgender and gender diverse students, continue to be erased.

Another point we would like to raise in the analysis is the fact that, according to ILGA-Europe (2016; 2024), the policy contributed to Malta attaining a very high ranking on LGBTIQ+ rights. Specifically, Malta achieved a top ranking

position in ILGA-Europe's 2016 report, a ranking that it continues to hold today. This policy, which out of fairness has some very progressive proposals, as we have shown earlier, may have played a significant role in securing such a high position, particularly given Malta's traditionally conservative background. For instance, divorce was only introduced in Malta in 2013, and Malta still does not have legislation regulating abortion, despite being a member of the European Union and despite extensive lobbying by women's organisations in the country (see Ellul, 2025, pp. 16–32). However, there seems to be a stark difference between the existence of a policy and its enactment. Despite the policy's excellent wording, our research suggests that it has not, in fact, been effectively enacted. Rather than focusing solely on the content of written policies, ILGA-Europe should give serious consideration to the lived experiences of individuals and base its rankings on these experiences. Apart from our study, no other research has been conducted to assess the enactment of this policy. Consequently, it is not possible to assign a high ranking to schools' experiences solely on the basis of a written document.

Recommendations and Implications for Global Education

The findings of this study point to several recommendations that carry implications beyond the Maltese context and contribute to ongoing debates in global education concerning inclusive schooling and human rights–based education. First, educational policies designed to support marginalised groups, including trans and gender-diverse students, should be accompanied by systematic dissemination strategies. Ensuring that educators are aware of and engage with policy frameworks is a fundamental condition for effective implementation. Educational authorities internationally should therefore prioritise structured communication, institutional visibility of policies, and clear expectations that educators engage critically with policy documents. Second, inclusive policies should be supported by sustained professional development

initiatives. Globally, many education systems have adopted inclusive or equity-oriented policies, yet teachers often report feeling unprepared to enact them in practice. Ongoing, dialogic professional development, rather than one-off training sessions, can help educators critically engage with issues of gender diversity, human rights, and inclusive pedagogies.

A further recommendation concerns the importance of balancing national policy frameworks with contextualised school-level engagement. While schools should be encouraged to adapt policies to their specific contexts, national frameworks remain necessary to safeguard the rights of vulnerable students and to provide educators with a clear normative basis for inclusive practice. In addition, educational systems should develop mechanisms for monitoring and evaluating the enactment of policies, ensuring that their impact is assessed not only through their formal existence but also through the lived experiences of students. For global education stakeholders, the Maltese case illustrates a broader lesson: progressive policies represent an important starting point, but meaningful inclusion requires sustained institutional commitment, professional preparation, and accountability mechanisms that translate policy aspirations into everyday educational practice.

Conclusion

Viewed through a critical anticolonial lens, this study demonstrates that the central issue is not simply the existence of a trans-affirmative policy but the power relations that determine whether such policies are meaningfully enacted within educational institutions. The findings reveal that trans students and their parents often possess a clearer understanding of the realities of schooling than many of the professionals responsible for implementing the policy. From a critical anticolonial perspective, this is significant because it underscores the importance of grounding knowledge in the lived experiences of those who have

historically been marginalised rather than privileging institutional or technocratic forms of expertise. At the same time, from a critical pedagogical standpoint, the tendency among some educators to dismiss the policy as "too theoretical" or to expect ready-made technical solutions reflects a depoliticised, banking model of professionalism that avoids critical engagement with questions of power, difference, and social justice. In this context, the lack of awareness of the policy among a substantial number of educators further illustrates how institutional knowledge gaps can inadvertently reproduce exclusion, highlighting the importance of ensuring that educators remain informed about policy developments and receive adequate preparation and training to support their implementation.

More broadly, this study confirms what other research on educational policy has shown (Martino, Kassen, and Omercajic, 2022; Martino, Omercajic, and Kassen, 2022): a lack of proper preparation, institutional recognition, and sustained commitment are key factors that undermine policy enactment. Educational policies are not neutral administrative instruments; they shape the wellbeing and everyday experiences of individuals. In this case, the policy sought to recognise and respond to the needs of students who have historically been marginalised and erased within schooling contexts. There is little doubt that the intent and content of the policy are ethically and educationally justified, a fact reflected in the significant recognition it received at the European level. However, from a critical anticolonial and critical pedagogical perspective, recognition cannot rest solely on the progressive language of a policy document. Policies must also be judged by the conditions of their enactment; by the awareness, preparation, and sustained professional support provided to educators, and by the institutional mechanisms that ensure accountability in practice. Without these conditions, even progressive policies risk remaining symbolic rather than transformative, inadvertently reproducing the very inequities they seek to address.

Ultimately, a critical anticolonial approach insists that education must actively resist structures that silence or erase difference, while critical pedagogy reminds us that schooling is always a political project tied to questions of justice, democracy, and human dignity. Ensuring that educators are adequately informed, critically engaged with policy, and supported through sustained professional development is therefore not merely a technical requirement but an ethical and political responsibility. It is our hope that the critical policy analysis offered in this study will encourage authorities to revisit the structural conditions required for its meaningful enactment. When educators are equipped with the knowledge, preparation, and institutional support necessary to engage critically with policy and practice, educational systems have the potential to become spaces of affirmation, dignity, and hope for trans students and for all those whose lives continue to be shaped by practices that reproduce inequality, inequity, and, even worse, erasure.

Notes

1 Olssen, Codd and O'Neill, 2004, p. 72.
2 Agius et al 2015, p. 5
3 Ibid., p. 6.
4 Ibid., p. 6.
5 Ibid., p. 6.
6 Ibid., p. 7.
7 Ibid, p. 10.
8 Ibid., p. 10.
9 Ibid., p. 12.
10 Ibid., p. 12.
11 Ibid., p. 13.
12 Ibid., p. 14.
13 Ibid., p. 4-5.
14 Ibid., p. 6.
15 Ibid., p. 8.
16 Ibid., p. 8.
17 Ibid., p. 6.
18 Ibid., p. 6.
19 Tuck, 2016, p. 416.
20 Agius et al 2015, p. 6.
21 Ibid., p. 8.

22 Ibid., p. 6.
23 Spencer, 2019, p. 546.
24 Ibid., p. 554.

References

Affirmation of Sexual Orientation, Gender Identity and Gender Expression Act, 2016, c. 567 (Malta). Available at: https://legislation.mt/eli/cap/567/eng/pdf. (Accessed: 17 March 2025)
Agius, S., Calleja, G., Cristiano, C., Caruana, B. and Baldacchino, R. (2015) *Trans, Gender Variant and Intersex Students in Schools: Policy,* Floriana, Malta: Ministry for Education and Employment. Available at: https://educationservices.gov.mt/en/resources/Documents/Policy%20Documents/Trans,%20Gender%20Variant%20and%20Intersex%20Students%20in%20Schools%20Policy.pdf. Accessed: 17 March 2025).
Alexandra, H. (2024) 'What may be: policy enactment in education, a new conceptual framework with actor-network theory'*,Journal of Educational Policy,* 40 (2), pp. 179–198. Available at: https://doi.org/10.1080/02680939.2024.2411989
Apple, M. (2013) '*Knowledge, Power, and Education: The Selected Works of Michael W. Apple*. New York, NY: Routledge.
Ball, (1993) 'What is Policy? Texts, Trajectories, and Toolboxes.' *Discourse,* 13 (2), pp. 10–17. Available at: https://doi.org/10.1080/0159630930130203.
Bartholomaeus, C. and Riggs, D. W. (2017) '*Transgender people and education*. Palgrave Macmillan. https://doi.org/10.1057/978-1-349-95309-7
Braun, V. and Clarke, V. (2013) *Successful Qualitative Research: A Practical Guide for Beginners*. London, UK: SAGE Publications.
Bryne, B. (2004) 'Qualitative Interviewing', in C. Seale (ed.) *Researching Society and Culture*, Thousand Oaks, CA: SAGE Publications, pp. 179-192.
Cassar, J. (2018) 'A 'Diffractive' Exploration of Inclusive School Policy About Trans, Gender Variant and Intersex Students', in R. V. Nata (ed.), Hauppauge, NY: Nova Science Publishers, pp. 163-181.
Césaire, A. (2000). *Discourse on colonialism* (J. Pinkham, Trans.). New York, NY: Monthly Review Press.
Clark, T. C., Lucassen, M., Bullen, P., Denny, S. J., Fleming, T. M., Robinson, E. M., and Rossen, F. V. (2014) 'The health and well-being of transgender high school students: Results from the New Zealand adolescent health survey (Youth'12)', *Journal of Adolescent Health,* 55 (1), pp. 93–99. Available at: https://doi.or/10.1016/j.jadohealth.2013.11.008
Corbin, J. and Strauss, A. (2015) *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory.* 2nd ed. Thousand Oaks, CA: SAGE Publications.
Cumming-Potvin, W. M. and Martino, W. (2018) 'Countering Heteronormativity and Cisnormativity in Australian Schools: Examining English Teachers' Reflections on Gender and Sexual Diversity in the Classroom', *Teaching and Teacher Education,* 74, pp. 35–48. https://doi.org/10.1016/j.tate.2018.04.008.
Darder, A., Marta, P., Baltodano, M. and Torres, R. D. (eds. 2009). *The Critical Pedagogy Reader.* 2nd ed. New York, NY: Routledge.

Day, J. K., Amaya P., and Russell, S. T. (2018) 'Safe Schools? Transgender Youth's School Experiences and Perceptions of School Climate', *Journal of Youth and Adolescence,* 47(8), pp. 1731–1742. Available at: https://doi.org/10.1007/s10964-018-0866-x.
Dei, G. J. S. (1996) *Anti-racism Education: Theory and Practice.* Halifax, NS: Fernwood Publishing.
Dei, G. J. S. and Kempf, A. (2006) 'Conclusion: Looking Forward – The Pedagogical Implications of Anti-colonialism', in G. J. S. Dei and A. Kempf, *Anti-colonialism and Education: The Politics of Resistance.* Rotterdam, The Netherlands: Sense Publishers.
Dei, G. J. S. and Asgharzadeh, A. (2001) 'The Power of Social Theory: The Anti-colonial Discursive Framework', *The Journal of Educational Thought,* 35(3), pp. 297–323. Available at: https://www.jstor.org/stable/23767242
DePalma, R. and Atkinson, E. (2006) 'The Sound of Silence: Talking About Sexual Orientation and Schooling.' *Sex Education,* 6(4), pp. 333–349. https://doi.org/10.1080/14681810600981848.
Durdella, N. (2017) *Qualitative Dissertation Methodology: A Guide for Research Design and Methods*. Thousand Oaks, CA: SAGE Publications.
Evans, L. (2010). 'Professionals or technicians? Teacher preparation programs and occupational understandings'. *Teachers and Teaching, Theory and Practice*, 16(2), pp. 183–205. Available at: https://doi.org/10.1080/13540600903478458
Falzon, N. (2016) *Sensitivity, Safety and Strength: An Inter-agency Review of Malta's Policy on Trans, Gender Variant and Intersex Students.* Mosta, Malta: MGRM. Available at: https://www.um.edu.mt/library/oar//handle/123456789/12519. (Accessed: 17 March 2025).
Fenech, D. (2012) 'Divorced from Political Reality: The New Limits of Ecclesiastical Power in Malta.' *Round Table,* 101 (3), pp. 221–234. Available at: https://doi.org/10.1080/00358533.2012.690966.
Fenech, L. (2024) 'The Representation of Whiteness in Malta and Maltese Education', in J. Ravulo, K. Olcoń, T. Dune, A. Workman and P. Liamputtong (eds.) *Handbook of Critical Whiteness,* Singapore: Springer, pp. 1-14. Available at: https://doi.org/10.1007/978-981-19-1612-0_98-1.
Freire, P. (1998) *Pedagogy of the Heart. By the author of Pedagogy of the Oppressed.* New York: Continuum.
Freire, P. (2001) *Pedagogy of Freedom. Ethics, Democracy, and Civic Courage*. USA: Rowman and Littlefield Publishers.
Freire, P. (2017) *Pedagogy of the Oppressed. Translated by Myra B. Ramos.* New York, NY: Penguin Random House.
Gauci, D. and Pisani, E. (2014) *'Respect for All Framework'.* Floriana, Malta: Ministry for Education and Employment. Available at: https://migrantlearnersunit.gov.mt/wp-content/uploads/2023/01/Respect-For-All-Document.pdf. Accessed: 17 March 2025.
Gender Identity, Gender Expression and Sex Characteristics Act, 2015, c. 540 (Malta). Available at: https://legislation.mt/eli/cap/540/eng/pdf. Accessed: 17 March 2025.
Goldstein, T. (2019) *Teaching Gender and Sexuality at School: Letters to Teachers*. New York, NY: Routledge.
Giroux, H. A. (2011) *On Critical Pedagogy.* London, UK: Bloomsbury Academic.

Giroux, H. (2023) 'Reprint: Theories of Reproduction and Resistance in the New Sociology of Education: A Critical Analysis', *Harvard Educational Review,* 93 (3), pp. 396–437. Available at: https://doi.org/10.17763/1943-5045-93.3.396.

Graham, L. (2014) 'Navigating Community Institutions: Black Transgender Women's Experiences in Schools, the Criminal Justice System, and Churches', *Sexuality R; esearch and Social Policy,* 11 (4), pp. 274–287. Available at https://doi.org/10.1007/s13178-014-0144-y.

Greathouse, M., Allison B., Hoban, M., Huesman Jr., R., Rankin, S., and Stolzenberg, E. B. (2018) *Queer-spectrum and Trans-spectrum Student Experiences in American Higher Education: The Analyses of National Survey Findings.* New Brunswick, NJ: Rutgers University. Available at: https://tcc-j2made.s3.amazonaws.com/uploads/2017/09/White-Paper-Final.pdf.

Greene, M. (1973) *Teacher as Stranger: Educational Philosophy for the Modern Age.* Belmont, CA: Wadsworth Publishing Company.

hooks, b. (1994) *Teaching to Transgress: Education as the Practice of Freedom*. New York, NY: Routledge.

ILGA-Europe. (2016) *Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe.* Brussels, Belgium: ILGA-Europe. Available at: https://new.ilga-europe.org/sites/default/files/Attachments/annual_review_2016-for_web.pdf Accessed: 17 March 2025.

ILGA-Europe. (2024) *Annual Review of the Human Rights Situation of Lesbian, Gay, Bisexual, Trans and Intersex People in Europe and Central Asia.* Brussels, Belgium: ILGA-Europe. Available at: https://www.ilga-europe.org/files/uploads/2024/02/2024_full_annual_review.pdf. Accessed: 17 March 2025.

Kempf, A. (2009) 'Contemporary Anticolonialism: A Transhistorical Perspective', in A. Kempf (ed.), *Breaching the Colonial Contract: Anti-colonialism in the US and Canada*, New York, NY: Springer, pp. 13-34. Available at: https://doi.org/10.1007/978-1-4020-9944-1_2

Kempf, A. (2010) 'The Production of Racial Logic in Cuban Education: An Anti-colonial Approach.' PhD diss., University of Toronto. Available at: https://hdl.handle.net/1807/26197. Accessed: 17 March 2025.

Madeira, A. I. and Correia, L. G. (2019) 'Colonial Education and Anticolonial Struggles', in J. L. Rury and E. H. Tamura (ed.) *The Oxford Handbook of the History of Education*. Oxford, UK: Oxford University Press, pp. 413-426.

MAP (Movement Advancement Project) and GLSEN. (2017) *Separation and Stigma: Transgender Youth & School Facilities*. Boulder, CO: MAP. Available at: https://www.lgbtmap.org/policy-and-issue-analysis/transgender-youth-school. Accessed: 17 March 2025.

Mayo, P. and Vittoria, P. (2021) *Critical education in international perspective*. London: Bloomsbury Academic.

Martino, W. Omercajic, K. (2021) 'A Trans Pedagogy of *Refusal*: Interrogating Cisgenderism, the Limits of Antinormativity and Trans Necropolitics', *Pedagogy, Culture & Society,* 29 (5), pp. 679–694. https://doi.org/10.1080/14681366.2021.1912155.

Martino, W., Omercajic, K. and Kassen, J, (2022) 'We Have No 'Visibly' Trans Students in Our School': Educators' Perspectives on Transgender-affirmative Policies in Schools', *Teachers College Record,* 124 (8), pp. 66–97. https://doi.org/10.1177/01614681221121522.
Martino, W., Kassen, J. and Omercajic, K. (2022). 'Supporting Transgender Students in Schools: Beyond an Individualist Approach to Trans Inclusion in the Education System', *Educational Review,* 74(4),pp. 753–772. https://doi.org/10.1080/00131911.2020.1829559.
Maton, K. 2014. 'Habitus', M. Grenfell *(ed.)* in *Pierre Bourdieu: Key Concepts*, edited by, 2nd ed. New York, NY: Routledge, pp. 48-64.
Mayo, P. and Vittoria, P.. (2021) *Critical Education in International Perspective.* London, UK: Bloomsbury Academic.
MacBeath, J. (2008) 'Stories of Compliance and Subversion in a Prescriptive Policy Environment', *Educational Management Administration & Leadership*, 36 (1), pp. 123-148. Availabe at: https://doi.org/10.1177/1741143207084064
McBride,. (2021) 'A Literature Review of the Secondary School Experiences of Trans Youth', *Journal of LGBT Youth,* 18(2),pp. 103–134. Available at: https://doi.org/10.1080/19361653.2020.1727815.
McLaren, P. (2003) 'Critical Pedagogy: A Look at the Major Concepts', in *A. Darder, M. Baltodano and R. D. Torres, The Critical Pedagogy Reader, in* New York, NY: RoutledgeFalmer, pp. 69-96.
McLaren, P. (2022). 'Saint Oscar Romero, Paulo Freire and Liberation Theology: Smithing a Sword Against MAGA Darkness'. *PESA Agora.* Available at: https://pesaagora.com/columns/saint-oscar-romero-paulo-freire-and-liberation-theology/ (Accessed: 17 March 2025)
Meyer, E. J. and Keenan, H. (2020) 'Can Policies Help Schools Affirm Gender Diversity? A Policy Archaeology of Transgender-inclusive Policies in California Schools', in W. Martino and W. Cumming-Potvin (ed.) *Investigating Transgender and Gender Expansive Education Research, Policy and Practice,* edited by Oxon, UK: Routledge, pp. 736-753.
Ministry of Education and Employment, 2012. *A National Curriculum Framework for All.* Floriana. Malta: Ministry of Education and Employment. Available at: https://curriculum.gov.mt/en/Resources/The-NCF/Documents/NCF.pdf.
Namaste, V. K. (2000) *Invisible Lives: The Erasure of Transsexual and Transgendered People*. Chicago, IL: The University of Chicago Press.
Education Act. (2013) *National Curriculum Framework Regulations, 2013, c. 327 (Malta)*. Available at: https://legislation.mt/eli/ln/2013/69/eng/pdf.
NSO (National Statistics Office), 2023, Regional Statistics Malta: 2023 Edition. Valletta, Malta: NSO. Available at: https://nso.gov.mt/wp-content/uploads/Regional-Statistics-Malta-2023-Edition.pdf. (Accessed: 17th March 2025).
Olssen, M., Codd, J., and O'Neill, A.M. (2004) *Education Policy: Globalization, Citizenship and Democracy*, London: Sage.
Ozga, J. (2021) 'Problematising Policy: The Development of (Critical) Policy Sociology', *Critical Studies in Education*, 62(3), pp. 290–305. Available at: https://doi.org/10.1080/17508487.2019.1697718

Pinto, L. and Portelli, J. P. (2014a) 'Philosophy as Policy, Policy as Philosophy: Reviving a Radical Relationship', *Antistasis,* 4 (2), pp. 24–29. Available at: https://journals.lib.unb.ca/index.php/antistasis/article/view/22309.
Pinto, L. and Portelli, J. P. (2014b) 'The Dangers of Liberal/Rationalist Policy Discourse and the Role of the Philosopher in Disrupting It', in J. Baldacchino, Simone Galea, and Duncan P. Mercieca, (eds.) *My Teaching, My Philosophy: Kenneth Wain and the Lifelong Engagement with Education*. New York: Peter Lang Publishing, 89–107.
Portelli, J.P., Simpson, D. J., and Douglas J. (2007) 'Critical Democracy and Educational Leadership Issues: Philosophical Responses to the Neoliberal Agenda', *Journal of Thought* 42(½), pp. 3–7.
Pryor, J. (2015) 'Out in the Classroom: Transgender Student Experiences at a Large Public University', *Journal of College Student Development,* 56(5), pp. 440–455. Available at: https://doi.org/10.1353/csd.2015.0044.
Rautins C. and Ibrahim A. (2011) 'Wide-awakeness: Toward a critical pedagogy of imagination, humanism, agency, and becoming', *International Journal of Critical Pedagogy*, 3(3), pp. 24–36. Available at: http://libjournal.uncg.edu/ijcp/article/view/247
Roberts, P. (2022) *Paolo Freire: Philosophy, Pedagogy and Practice.* New York, NY: Peter Lang.
Robinson, K. (2008) 'In the Name of 'Childhood Innocence': A Discursive Exploration of the Moral Panic Associated with Childhood and Sexuality', *Cultural Studies Review* 14 (2),pp. 113–129. Available at: https://doi.org/10.5130/csr.v14i2.2075.
Said, E. (2004) 'Orientalism Once More', *Development and Change,* 35(5), pp. 869–879. Available at: https://doi.org/10.1111/j.1467-7660.2004.00383.x.
Sarı, M. and Yolcu, E (2017) 'Views of Pre-Service Teachers on Profession: Technician or Professional?', *International Online Journal of Educational Sciences*, 9(1). Available at: https://doi.org/10.15345/iojes.2017.01.002
Sekyi-Out, Ato. (2010) 'Foreword', G. J. S. Dei (ed.) In *Fanon and the Counterinsurgency of Education*, . Rotterdam, The Netherlands: Sense Publishers, .
Shahjahan, R. (2004) 'Centering Spirituality in the Academy: Toward a Transformative Way of Teaching and Learning', *Journal of Transformative Education,* 2(4), pp. 294–312. Available at: https://doi.org/10.1177/1541344604268330
Sinclair-Palm, J. (2017) 'It's non-existent: Haunting in trans youth narratives about naming', *Occasional Paper Series,* (37), pp. 1-13. Available at: https://doi.org/10.58295/2375-3668.1102
Spade, D. (2015) *Normal Life.* Durham, NC: Duke University Press.
Spencer, L. (2019) 'Bathroom Bills, Memes, and a Biopolitics of Trans Disposability', *Western Journal of Communication,* 83(5), pp. 542–559. https://doi.org/10.1080/10570314.2019.1615635
Srivastava, N. (2010) 'Towards a Critique of Colonial Violence: Fanon, Gandhi and the Restoration of Agency', *Journal of Postcolonial Writing,* 46 (3–4), pp. 303–319. Available at: https://doi.org/10.1080/17449855.2010.482382

Steele, K. and Nicholson, J. (2019) *Radically Listening to Transgender Children: Creating Epistemic Justice Through Critical Reflection and Resistant Imaginations.* Lanham, MD: Lexington Books.
Steinberg, S. 2005 'What is Educational Professionalism?', in W. Hare and J. P. Portelli (eds.). *Key questions for educators*. Edphil Books.
Steinberg, S. (2021) 'Hopeful Provocations for a Dialogue with Critical Pedagogy', *Academicus International Scientific Journal*, (12) 24, pp. 124-129.
Sullivan, A. L. (2009) 'Hiding in the Open: Navigating Education at the Gender Poles: A Study of Transgender Children in Early Childhood.' PhD dissertation, Arizona State University. Available at: https://www.proquest.com/docview/304843384/abstract/7DBE64B51B0B4844PQ(Accessed : 17th March 2025).
Sullivan, A. L. and Urraro, L. L. (2019a) *Voices of transgender children in early childhood education: Reflections on resistance and resiliency*. Cham, Switzerland : Palgrave Macmillan. Available at: https://doi.org/10.1007/978-3-030-13483-9
Sullivan, A. L. and Urraro, L. (2019b) *Voices of Transgender Children in Early Childhood Education: Reflections on Resistance and Resiliency*. London, UK: Palgrave Macmillan. Available at: https://doi.org/10.1007/978-3-030-13483-9.
Sultana, R. (1991) 'The Challenge of Critical Education', *McGill Journal of Education,* 26(2), pp. 115–128. Available at: https://mje.mcgill.ca/article/view/7972
Travers A. (2018) *The Trans Generation: How Trans Kids (and Their Parents) Are Creating a Gender Revolution*. New York, NY: New York University Press.
Tuck, E. (2009) 'Suspending Damage: A Letter to Communities', *Harvard Educational Review,* 79(3), pp. 409–428. Available at: https://doi.org/10.17763/haer.79.3.n0016675661t3n15.
United Nations. (1948, December 10) *Universal declaration of human rights.* Available at: https://www.un.org/sites/un2.un.org/files/2021/03/udhr.pdf (Accessed: 17 March 2025).
Ullman, J. (2017) 'Teacher Positivity Towards Gender Diversity: Exploring Relationships and School Outcomes for Transgender and Gender-diverse Students', *Sex Education,* 17(3), pp. 276–289. Available at: https://doi.org/10.1080/14681811.2016.1273104.
Vella, Y. (2015) 'History in Malta's New National Curriculum Framework', in H. Cooper and J. Nichol (eds.) *Identity, Trauma, Sensitive and Controversial Issues in the Teaching of History,* . Newcastle upon Tyne, UK: Cambridge Scholars Publishing. pp. 222-239.
Wyss, S. (2004) 'This Was My Hell': The Violence Experienced by Gender Non-conforming Youth in US High Schools', *International Journal of Qualitative Studies in Education,* 17(5), pp. 709–730. Available at: https://doi.org/10.1080/0951839042000253676.
Xuereb, C. (2022) *Decolonising the Maltese Mind: In Search of Identity.* Santa Venera, Malta: Midsea Books.

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