

Trans Cultural Narratives

Legal Mediations, Instagram and the Mirror Syndrome¹

Narrativas culturales trans

Mediaciones legales, Instagram y el Síndrome del espejo

Narrativas culturais trans

Mediações jurídicas, Instagram e a Síndrome do espelho

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ABSTRACT

The main objective of this article is to explore the transgender cultural configurations in recent legal frameworks from Spain and Chile. This research investigates how cultural narratives of transgender mediations cope, shape and are enactively shaped by these representative normative texts. Besides, this study is based on a mixed research methodological approach providing qualitative and quantitative insight into the conceptual architecture of the two norms analysed. Our findings are landed on transgender people mediations in Instagram and the phenomenon called Mirror Syndrome. Finally, our article aims to establish a fruitful discussion on how better-informed decisions, based on higher situational and system awareness, can contribute to centering the current and future legal developments and support citizens' equity and well-being at the core of future human rights-focused policy recommendations.

KEYWORDS: *cultural narratives, transgender women, Mirror Syndrome, trans law, Instagram.*

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RESUMEN

El objetivo principal de este artículo es explorar las configuraciones culturales transgénero en los marcos legales recientes de España y Chile. Esta investigación indaga cómo las narrativas culturales de las mediaciones transgénero afrontan y son activamente conformadas por estos textos normativos. El estudio realizado se basa en un enfoque metodológico de investigación mixto proporcionando una visión cualitativa y cuantitativa de la arquitectura conceptual de las dos normas analizadas. Nuestros hallazgos se ilustran en las mediaciones de las personas transgénero en Instagram y el fenómeno llamado *Síndrome del Espejo*. Por último, nuestro artículo pretende establecer un debate fructífero sobre cómo decisiones mejor informadas, basadas en un mayor conocimiento de los contextos y de las arquitecturas conceptuales, pueden contribuir a centrar los desarrollos legales actuales y futuros, al mismo tiempo que apoyar la equidad y el bienestar de los ciudadanos en futuras recomendaciones institucionales, desde una perspectiva fundamental de derechos humanos.

PALABRAS CLAVE: *narrativas culturales, mujeres trans, Síndrome del Espejo, ley trans, Instagram.*

RESUMO

O principal objetivo deste artigo é explorar as configurações culturais transgêneros em marcos jurídicos recentes da Espanha e do Chile. Esta pesquisa investiga como as narrativas culturais das mediações transgêneros lidam, formam e são moldadas por esses textos normativos representativos. Além disso, este estudo baseia-se em uma abordagem metodológica de pesquisa mista e fornece uma visão qualitativa e quantitativa sobre a arquitetura conceitual das duas normas analisadas. Nossas descobertas são baseadas em mediações de pessoas transgénero no Instagram e na Síndrome do Espelho. Finalmente, nosso artigo tem como objetivo estabelecer uma discussão frutífera sobre como decisões mais bem informadas, baseadas em maior consciência situacional e de sistema, podem contribuir para o centro dos desenvolvimentos jurídicos atuais e futuros e apoiar a equidade e o bem-estar dos cidadãos no centro das futuras recomendações políticas focadas em direitos humanos.

PALAVRAS-CHAVE: *narrativas culturais, mulheres trans, Síndrome do Espelho, lei trans, Instagram.*

1. INTRODUCTION

This article aims to explore and better understand the cultural configurations involved in some of the legal and conceptual representations of transgender² people under the context of the latest legal resolutions which have been approved and/or are formally being discussed in Spain and Chile. Given the relatively recent and changing nature of the ongoing developments in this specific issue in these two countries and the significant unfolding implications of the legal frameworks of both countries, it is urgent to analyse and explore the conceptual architecture and engineering operating in the imaginary and symbolic mediations, arising from such pivotal texts, from a comparative perspective. Therefore, this article departs from a twofold research question. Firstly, the question on how cultural narratives of transgender mediations relate to the new legal frameworks put forward in Spain and Chile. Secondly and consequently, the question about in which ways these legal frameworks present a specific conceptual architecture that enables and/or constrains current and prospective symbolic paradigms for social re-engineering and change.

The mixed research methodology used in this article is operationalised under a grounded theory³ perspective and informed by the multidisciplinary crossroad amongst qualitative-quantitative data analysis, cultural analysis, conceptual metaphor theory, critical discourse analysis and media studies. Such a novel and multidisciplinary analytical approach has been carefully selected under other potential scholarly options due to the multidimensional and multifaceted nature of the phenomenon studied in this article. Besides, an intersectional dimension is considered fruitful in this critical academic work, given our acknowledgement that the transgender community is heterogeneous, fluid, dynamic, rich and characterised by its multiplicity of diverse cultural and discursive activations. Consequently, our critical approach is aligned with the necessary attention devoted to such pluralism by making all our claims, analysis and explorations non-prescriptive and non-homogeneous. Rutten (2018) describes and acknowledges this pluralism in her master's thesis entitled "Breaking the binary: exploring gender self-presentation and passing on #TransIsBeautiful on Instagram":

Society expects people to appear, think and behave in certain ways according to their sex, referring to the biological differences, as either female or male. Born as a girl or boy, you learn to meet these different expectations and develop your gender identity, which is how we identify ourselves in terms of our gender. (...) However, people are more complex and there are several variations in how we

2 "An adjective used to describe a person whose gender identity is incongruent with (...) the biological sex they were assigned at birth (...) it is currently the most widely used and recognized term" (Green & Maurer, 2015, p. 56).

3 According to Chun Tse (2019): "Grounded theory (GT) is a structured, yet flexible methodology. This methodology is appropriate when little is known about a phenomenon; the aim being to produce or construct an explanatory theory that uncovers a process inherent to the substantive area of inquiry" (pp. 1 y 2).

look like and in how we feel when it comes to gender. Next to the most common gender binary of female or male, is gender a spectrum with many intermediates; there is a whole range of gender identities, such as transgender, cisgender, androgynous, genderfluid, non-binary and genderqueer (p. 9).

The ultimate goal of this article is to shed light on the conceptual architecture of legislative and/or normative texts in the making, whether they have been approved or not yet, which have generated substantial public debate. The objectives are to: 1) understand better how cultural narratives of transgender mediations inform and orientate legal, political and normative configurations; 2) analyse in which ways such cultural narratives are constructed and (potentially) activated into specific, actionable frameworks; 3) understand how social media, especially Instagram⁴ with regards to the Mirror Syndrome, might be enacting biopolitics or exercising control over transgender women under hegemonic beauty features through homogenising what is, otherwise, a community strongly self-identified with representations of diversity and pluralism. According to Kota et al. (2020):

Transgender is an umbrella term for individuals whose gender identity or gender expression differs from what is typically associated with the sex that they were assigned at birth. The transgender community includes individuals, who were assigned male at birth and identify as female, who were assigned female at birth and identify as male, and who identify their gender as outside the binary categories of male or female. In the United States, there are significant disparities in suicide risk based on gender identity. Transgender populations have elevated rates of suicidal ideation and suicide. According to the US Trans Survey (USTS), attempted suicide was reported by 40% of transgender women (TGW) survey participants compared to 1.6% in the general population and 10.2% among Lesbian, Gay, and Bisexual (LGB) participants. Similarly, other studies found that 32.4 to 45.8% of transgender study participants reported lifetime suicide attempts (p. 2).

Finally, our article aims to set up a meaningful discussion on how better informed decisions, based on higher situational and system awareness, can contribute to both centring the current and future legal developments, and supporting citizens' equity and well-being at the core of future human rights-focused policy recommendations.

2. CULTURAL NARRATIVES OF TRANSGENDER MEDIATIONS

We are the stories we believe in. The latest research and evidence provided by scientific and scholarly studies seem to strongly agree that we are biologically equipped to produce, construct, consume and operationalise narratives which allow us to operate under different conceptual frameworks, stimuli and

⁴ Pain (2022): "This is a concept that authors excavate in trans women testimony online from Mexico, as they await asylum in the United States, a country where programs like Sex Education use Instagram as an online *safe haven* where queer teenagers confirm their identities, learn about non-normative relationships and practices, and connect with their peers" (p. 21).

contexts. Furthermore, Barrett, Quigley & Hamilton (2016) suggest that our body is continuously building up narratives intending to regulate not only psycho-emotional states but also body allostasis⁵.

Moreover, biological and cultural aspects of human cognition are deeply intricate. By understanding culture as the symbolic matrix in the making that orientates behaviour, enacts psycho-emotional states, and shapes affect and decisions, we acknowledge that the narrative is the operative enabler that allows the integration of embodied experiences and social realisations (Valdivia, 2019). Additionally, growing evidence demonstrates that the imaginary representation of an individual and/or community concerning the embodied experientiality of the environment (socio-economic conditions, other narratives, physical world, among others) is key to understanding complex multilayered information processing.

According to social neuroscience, the mechanism that intervenes in information processing is threefold: the interaction of the body with the environment, the interaction between the body and its mental states, and the interaction between the body and its internal regulatory states. Such three aspects are not compartmentalised but inter-connected. They all take an active role, not equally but dynamically, in how conceptual architectures orientate behaviour, world-views and even diverse ways of sense-making⁶.

This mechanism is a standard procedure in our daily lives, which is critical to how we regularly operate. Take the example of learning how to ride a bicycle. The first time we must make conscious and aware decisions on where to place our feet and hands and keep balance. However, complex information processing comprising different sources, psychomotor activity and embodied interrelated actions is quite energy demanding (Barrett, Quigley & Hamilton, 2016), so we must learn how to save effort.

Given that economising energy consumption is key to optimising information processing, soon, thanks to our capacity for learning, our bodies unconsciously replicate and deploy the necessary elements to ensure we ride our bike without falling and accomplish the goal of moving from point A to point B. These examples can be scaled up or down to any human information processing. Extensive evidence of these mechanisms can be easily traced in the current related debates⁷.

⁵ See Damasio (2018) for a very comprehensive overview of the framework of ideas and theories that we further apply and elaborate on in this article; and for a complete account of our research perspective in this study, see Barrett, Quigley & Hamilton (2016).

⁶ For a complete state of the art and the latest scientific debate, see Asma & Gabriel (2019). Lindblom (2020) provides a thoroughly critical perspective in *A Radical Reassessment of the Body in Social Cognition*.

⁷ From our perspective, one of the last valuable contributions to the understanding of information processing functions, is the research carried out by Trujillo (2019). "Mental Effort and Information-Processing Costs are Inversely Related to Global Brain Free Energy During Visual Categorization: "In conclusion, this study tested predictions originating in the thermodynamical approach to bounded rational decision making concerning the relationship between mental effort, information resource processing costs, and brain free energy (...) These findings provide the first empirical evidence of a relationship between mental effort, brain free energy, and neurocognitive information-processing" (p. 18).

Such capacity for scalability and reproducibility is possible because we are biologically equipped with specific cognitive shortcuts that allow us to reproduce, optimise and adapt learned knowledge and make sense out of new situations and experiences employing analogical modelling. Following our example, despite the wide range of bike sizes and versions, we can recognise the object per se and the associated embodied actions connected to riding it. This fact fundamentally occurs due to a process of analogical modelling. We do not necessarily have direct experience with the new bike we are about to ride. Still, we recognise features and concepts, and, more importantly, we can process this information in a way that allows us to execute the desired action. We, humans, are all biologically equipped with analogical modelling, and we use it every day in both conscious and unconscious ways. It not only helps us save energy in processing information, but also it is crucial to make sense of novel situations, structures, forms, concepts, emotions, and decisions to be taken.

Consequently, universal principles co-exist with a cross-cultural variation. For instance, the notion of time is common to all world cultures but can be represented and/or mediated through cultural variations. In some cultures, the future is featured as something which lies behind our backs because it cannot be seen. At the same time, in other cultures, it is symbolically shaped as something so far ahead us and beyond our horizon that we cannot grasp it. These are mediations of the notion of time, and they both present cross-cultural variation. Both represent time, whether behind or ahead, enacted by creating a symbolic connection between the abstract notion of time and our experiential embodied realm: what is behind our body or what is ahead.

These brief but self-explanatory examples are just a few of how analogical modelling operates under coordinates of universal and cross-cultural variation. One of the most important cognitive shortcuts we use daily are metaphors, especially in terms of use and pervasiveness. According to the latest studies, it is estimated that almost 20% of all our communication is based on analogies built on metaphorical frameworks –what, in other studies (Valdivia, 2019) is referred to as metaphoricity–. In this regard, we do not discuss metaphor as a literary trope but from the cognitive perspective of Conceptual Metaphor Theory (CMT) (Valdivia, 2019, 2020).

CMT has significantly developed since Lakoff and Johnson established its first theoretical premises in the 80s. Instead of being a causality or mechanistic theory, as its critics have traditionally depicted it, CMT has become a very flexible instrument for studying complex conceptual architectures that inform behaviour, world-views, affects and decision-making, thanks to the multidisciplinary approaches considering social neuroscience, psychology, cultural and narrative studies, and data science (qualitative-quantitative data analyses).

In other words, CMT provides an insight into the construction and configuration of conceptual dynamics, which require the efficient processing of

complex information⁸. It is such a powerful tool that the entertainment industry, advertising companies, and political agenda setting, amongst many others, have vastly benefited from it and its analogical modelling mechanisms. Cognitive shortcuts, such as metaphors, are potent instruments for manipulating and orienting the population into specific affects and behaviours. In other words, if we can broadly agree with the idea that we are the stories we believe in, as abovementioned, consequently, we could also agree on the fact that who owns the narrative owns the *agon* priming social mobilisation. Therefore, who owns the metaphors owns the conceptual architecture that will set up the epistemological and ontological boundaries of our societies engineering at their multilayered structural practices.

In this vein, now focusing in particular on the case of transgender mediations, it is crucial noting that we are facing conceptual architectures in dispute which are currently object of normativisation under legal narrative regulations. Such legal frameworks have generated high controversy and were contested by two broadly dominant positions. On the one hand, stands radical feminism (also called TERF) that sees in trans people agents who unconsciously reproduce patriarchal traditionally male-centric structures and will displace, if not invisibilise, the social and legal advancements achieved by women after decades of social and political struggle. On the other hand, are those who believe that trans rights advocacy should only follow non-institutional channels based on political and cultural activism to avoid any sort of normative constraints, given the diverse nature and inherent pluralism of its community.

It is not the object of this article to discuss the nature and implications of such present polarisation. Thus, in this study, we have opted to leave such timely debate for scholars better prepared for that task than us⁹. However, we believe it is important to focus, by following facts, on the extreme vulnerability and exclusion suffered by the trans community. In this regard, we echo the United Nations (2019), “The struggle of trans and gender-diverse persons: Independent Expert on sexual orientation and gender identity”, where it is acknowledged that:

- Gender-diverse and trans people around the world are subjected to levels of violence and discrimination that offend the human conscience.
- They are caught in a spiral of exclusion and marginalisation: often bullied at school, rejected by their family, pushed out onto the streets, and denied access to employment.

⁸ For a complete overview on the current state of the art, see Thibodeau, Matlock & Flusberg (2019). See Kovescses (2020) for the latest academic debate regarding CMT and information processing.

⁹ For a comprehensive overview on this controversy, we suggest to consult the following key scholarly works on Transfeminism: Raha (2017), Awkward-Rich (2017) and Gayle (2008). And also see these studies on Radical Feminism for a complimentary approach on the subject: Echols (1989), Daly (2016), Williams (2016) and Mackay (2015).

- When they are persons of colour, belong to ethnic minorities or are migrants, living with HIV, or sex workers, they are particularly at risk of violence, including of killing, beatings, mutilation, rape and other forms of abuse and maltreatment.
- And in order to practice their right to recognition before the law, gender-diverse and trans persons are often victim to violence in health-care settings such as forced psychiatric evaluations, unwanted surgeries, sterilization or other coercive medical procedures, often justified by discriminatory medical classifications.

Trans persons are particularly vulnerable to human rights violations when their name and sex details in official documents do not match their gender identity or expression. Moreover, nowadays the vast majority of trans and gender-diverse persons in the world do not have access to gender recognition by the State. This scenario creates a legal vacuum and a climate that tacitly fosters stigma and prejudice against them.

At the root of the acts of violence and discrimination lies the intention of punishishing, which is based on preconceived notions of what the victim's gender identity should be, with a binary understanding of what constitutes a male and a female, or the masculine and the feminine. These acts are invariably the manifestation of deeply entrenched stigma and prejudice, irrational hatred and a form of gender-based violence against those seen as defying gender norms (United Nations, 2019).

Subsequently, as evidenced by the United Nations¹⁰, it can be argued that trans people regularly suffer severe threats to their human rights. Regarding this, we can agree that updating, if not creating, new legal frameworks are necessary actions to promote and assure fairness, equity and justice for a population that suffers higher risks of violence and discrimination, as stated by the United Nations (2019).

Therefore, cultural narratives based on mediations of no discrimination and reparation of the structural vulnerability currently suffered by trans people are aligned with the depathologisation and diversity adequate acknowledgement advocated by the United Nations recommendations. Every law or normative text is a useful fiction that obscures some features while illuminates and activates others. Thus, some conceptual architectures are narratively better designed for defying stigma, prejudice, hatred and gender-based violence than others. In the following sections, we will run a comparative analysis of the

¹⁰ The criteria to follow United Nations recommendations as central to this study is based on the fact that the Universal Declaration of Human Rights is the base for establishing fundamental human rights. Therefore, United Nations (2019) recommendations are key in the protection of human rights and crucial in the drafting and implementation of any legal system based on principles of respect and compliance with international human rights law. Besides, United Nations was the major actor in the creation of the Sustainable Development Goals comprising goal number 5 Gender Equality and goal number 10 Reduced Inequalities. For more information, see: <https://sdgs.un.org/goals>

Spanish and Chilean normative texts¹¹. Additionally, we will briefly discuss how transgender mediations on Instagram relate with frameworks of prejudice and the wide intersectional phenomenon of the so-called Mirror Syndrome.

3. THE SAMPLE

The sample of this study is composed of the Spanish “Anteproyecto de ley para la igualdad real y efectiva de las personas trans y para la garantía de los derechos de las personas LGTBI”¹² (referred as APLIT, from now on) as approved by the Spanish Council of Ministers on 27 June 2022; and of the Chilean Law Number 21.120 that “Reconoce y da protección al derecho a la identidad de género” (referred as LTC, from now on) published on the 10 December 2018 after its approval by the Chilean *Congreso Nacional*.

Both normative texts, as earlier explained, have been the object of heated polarised debate and controversy. We would like to underline, once again, that it is not our goal to prescribe nor to engage, in any possible ways, with such debates but to produce an academic analysis about the cultural narratives and the underlying conceptual architectures of each text, and about how do these features align with the United Nations (2019) recommendations.

Our qualitative and quantitative research methodology is based on the grounded theory and informed by the interconnection of several theoretical frameworks. The technology and software used for this study is NVivo (latest version), a well known, sophisticated and robust tool that facilitates qualitative data analysis well rooted in quantitative information. In the next section, we will describe and analyse all the methodological and procedural steps followed.

Both texts were automatically codified under human supervision and manually refined for the 5 Spanish key terms: *trans*, *género* (gender), *identidad* (identity), *discriminación* (discrimination), *rectificación* (rectification). The criteria that justify our selection rely on the saliency of these terms in the United Nations recommendations. They explicitly indicate that trans people are particularly vulnerable to human rights violations entailing gender and identity discrimination and how important it is that trans people have access to gender recognition by the States which legally implies the rectification (“*rectificación*”) of their legal status. Besides, as empirically demonstrated in the section below, these five terms showed relatively high levels of frequency and pervasiveness in both texts (see each term’s specific value). Thus, from our perspective, they represent empirical accurate

¹¹ The criteria for this choice of these two specific normative texts is based on the fact that the Chilean law is one of the most recent legal texts of this nature in the world and the Spanish project law is the newest normative text addressing trans people rights. Furthermore, additional aspects that fully justify this choice are duly acknowledged in the text of this article.

¹² This document has not been officially translated to the English language, but its title could be referred to as “Draft bill for real and effective equity of trans people and for the guarantee of LGTBI people’s rights”.

indicators that unfold and reveal patterns in the underlying conceptual architecture and configuration of the hegemonic cultural narrative present in each normative text.

A final consideration must be said about the contexts. We acknowledge that the Spanish and the Chilean context might differ in several aspects and parameters. Nevertheless, the comparative case is sustained because they are both post-dictatorial democratic societies with relatively similar macro socio-economic indicators, as shown by the latest data on the Gini index, which measures the inequality among values of frequency distribution such as the levels of income¹³. It is also a clear value of how both countries face prominent common challenges regarding ensuring equity, more concretely, social and economic human rights. If we extrapolate this data to trans people, it reaffirms the timely need for studies that focus on understanding the narratives which perpetuate the historical position of extreme inequality and vulnerability suffered by this specific community in these two countries.

4. FINDINGS ANALYSIS AND DISCUSSION

Both APLIT and LTC texts were uploaded and processed in NVivo under the systematic codification of the Spanish 5 key terms: *trans*, *género*, *identidad*, *discriminación*, *rectificación*. The criteria for choosing these five key terms was explained in the previous section. As a measure for cross-validation of the criteria used, we ran an independent terms frequency search in APLIT and LTC. The results were very revealing, as the charts below illustrate (Tables 1 and 2 / Graphics 1 and 2).

In addition, these key-terms were visualised in word clouds for a better understanding of how salient they are in each text conceptual ecosystem. Also, this images are useful to avoid any possible bias regarding the cross-validation criteria:

Table 1. APLIT key-terms frequency cross-validation result

APLIT		
	Count	Weighted Percentage (%)
discriminación	131	1.07
rectificación	55	0.45
identidad	50	0.41
trans	64	0.52
género	37	0.30

Source: Pablo Valdivia & Rosmery-Ann Boegeholz©.

¹³ Namely, Spain's Gini Coefficient 34.3 –2019– and Chile's Gini Coefficient 44.9 –2020–. Such a difference of ten points in the Gini scale indicates that Chile structurally is slightly more unequal than Spain.

Table 2. LTC key-terms frequency cross-validation result

LTC		
	Count	Weighted Percentage (%)
discriminación	8	0.22
rectificación	41	1.13
identidad	46	1.26
trans	1	0.03
género	33	0.91

Source: Pablo Valdivia & Rosmery-Ann Boegeholz©.

Graphic 1. APLIT key-terms word cloud cross-validation result



Source: Pablo Valdivia & Rosmery-Ann Boegeholz©.

Graphic 2. LTC key-terms word cloud cross-validation result

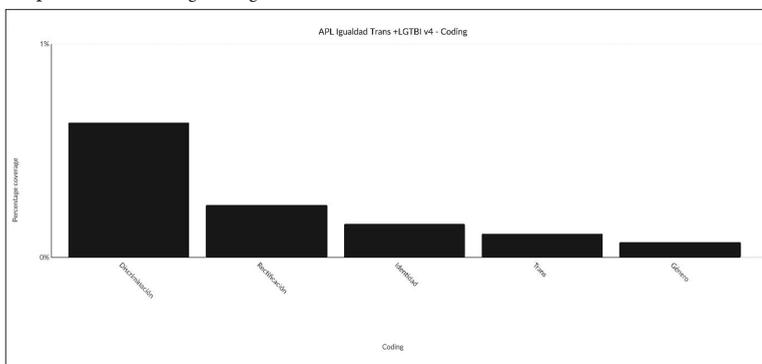


Source: Pablo Valdivia & Rosmery-Ann Boegeholz©.

The results demonstrate that, despite the core value given to the conceptual framework represented by these five key terms by the United Nations (2019), each normative text addresses them differently. In order to understand better such differences between the two texts we codified them by following this protocol: 1) coding the five key terms in NVivo in both texts; 2) running an analysis of the codes in terms of weighted coverage; 3) comparing the saliency and pervasiveness of the codes in both normative texts.

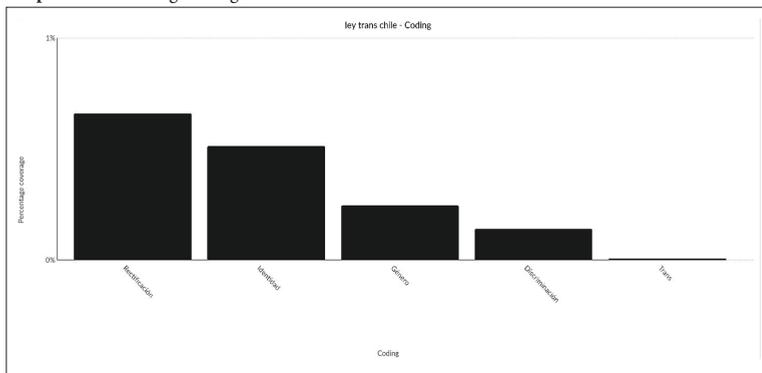
The query resulted in making more explicit and visible the differences between the texts with regard to their respective conceptual architectures as seen below in the following data visualisations (Graphics 3 and 4):

Graphic 3. APLIT coding coverage



Source: Pablo Valdivia & Rosmery-Ann Boegeholz©.

Graphic 4. LTC coding coverage

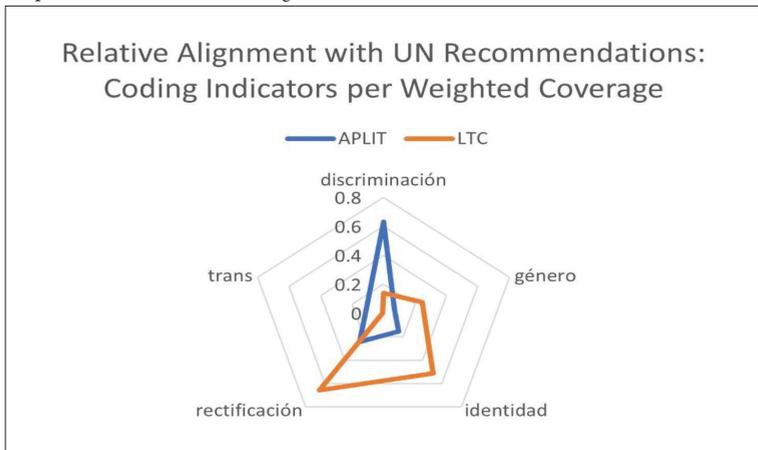


Source: Pablo Valdivia & Rosmery-Ann Boegeholz©.

The data shows that while APLIT establishes the principles of no discrimination at its core, LTC prioritises the procedural rectification of identity as the main regulatory task of this normative text. The data reflects a very scarce recognition and acknowledgement of the trans conceptual

framework in the LTC regulations. This is, at the same time, consistent with the configuration of this law because it focuses on legal procedures rather than holistically addressing the vulnerabilities and stigma suffered by the trans community from a strong human-rights violation perspective. This fact can be visualised in the radial comparative analysis made on how both APLIT and LTC are relative ely aligned with the United Nations (2019) recommendations (Graphic 5):

Graphic 5. APLIT & LTC Relative Alignment with United Nations recommendations



Source: Pablo Valdivia & Rosmery-Ann Boegeholz©.

The data maps two clear conceptual architectures in the respective normative texts. While APLIT advocates tackling social, legal, economic and cultural discrimination (entailing prejudice, stigma, vulnerability and hatred) as identified targets for safeguarding trans people's human rights; LTC restricts its conceptual configuration to the procedural aspects of how to legally rectify the identity of those who do not feel identified with their social preassigned gender construction. This last objective of the Chilean text departs from the assumption of binary principles. This fundamental aspect is already deeply foregrounded by the Article 1 of the LTC when establishing that:

- Article 1. – Right to gender identity and sex rectification and registry name. The right to gender identity consists of the faculty of every person whose gender identity does not match sex and registry name, to request the rectification of these. For the effects of this law, it will be understood by gender identity the personal and internal conviction of being man or woman, in the same way that the person is self-perceived which can or not match the sex and name verified in the birth registry. What was

provided in the previous subparagraphs may or may not involve modifying the appearance or body function through medical, surgical or other analogue treatments, always considering that they have been freely chosen (LTC, 2018)¹⁴.

Although the right to gender self-determination (one of the core recommendations made by the United Nations) is reflected in the norm (“the personal and internal conviction of being man or woman, in the same way that the person is self-perceived, which can or not match the sex”)¹⁵, LTC configures its cultural narrative around the male/female binarism which excludes and invisibilises the wide spectrum of non-binary self-representation. In this regard, LTC clearly misaligns with the United Nations (2019) recommendations, in contrast with the APLIT, which, in its first article, sets the following overarching goal:

1. The purpose of this law is to guarantee and promote the right to real and effective equality of lesbian, gay, trans, bisexual and intersexual people (from now on, LGTBI), and that of their families (APLIT, 2022)¹⁶.

This difference is even more emphasised when analysing the LTC Article 2 where the norm indicates that the object of this law is:

- Article 2 – PURPOSE OF THE LAW. The purpose of this law is to regulate the procedures for the rectification of the birth certificate of a person in relation to sex and name, at the concerned administrative or judicial entity, when the certificate does not match or is not consistent with the gender identity perceived¹⁷.

Conversely, APLIT in Articles 1.2. and 1.3. highlights that any procedural or bureaucratic processes must convey around the founding

¹⁴ Originally, in Spanish: Artículo 1º. - Derecho a la identidad de género y la rectificación de sexo y nombre registral. El derecho a la identidad de género consiste en la facultad de toda persona cuya identidad de género no coincida con su sexo y nombre registral, de solicitar la rectificación de éstos. Para efectos de esta ley, se entenderá por identidad de género la convicción personal e interna de ser hombre o mujer, tal como la persona se percibe a sí misma, la cual puede corresponder o no con el sexo y nombre verificados en el acta de inscripción del nacimiento. Lo dispuesto en los incisos anteriores podrá o no involucrar la modificación de la apariencia o de la función corporal a través de tratamientos médicos, quirúrgicos u otros análogos, siempre que sean libremente escogidos (LTC, 2018).

¹⁵ Translation of: (“la convicción personal e interna de ser hombre o mujer, tal como la persona se percibe a sí misma, la cual puede corresponder o no con el sexo”).

¹⁶ Originally, in Spanish: La presente ley tiene por objeto garantizar y promover el derecho a la igualdad real y efectiva de las personas lesbianas, gais, trans, bisexuales e intersexuales (en adelante, LGTBI), así como de sus familias (APLIT, 2022).

¹⁷ Originally, in Spanish: Artículo 2º - OBJETO DE LA LEY. El objeto de esta ley es regular los procedimientos para acceder a la rectificación de la partida de nacimiento de una persona en lo relativo a su sexo y nombre, ante el órgano administrativo o judicial respectivo, cuando dicha partida no se corresponda o no sea congruente con su identidad de género (LTC, 2018).

principle of safeguarding and promoting equity and non-discrimination of the LGBTQI+¹⁸ community (and especially trans people as noted in the Title 2 of the norm):

2. In this sense, the law establishes the principles for the action of public powers, regulating rights and duties of natural and legal persons, public as well as private, and it sets specific measures destined to prevent, correct and remove, in public as well as private areas, all sorts of discrimination; also, it is destined to encourage LGBTI people to involve themselves in all areas of their social life and to overcome stereotypes which negatively affect their social perception. Additionally, the law regulates the procedure and requirements for registry rectification of sex and, according to each case, of the name of people, as well as their belongings, and it foresees specific measures which derive from that rectification in public and private spheres (APLIT, 2022)¹⁹.

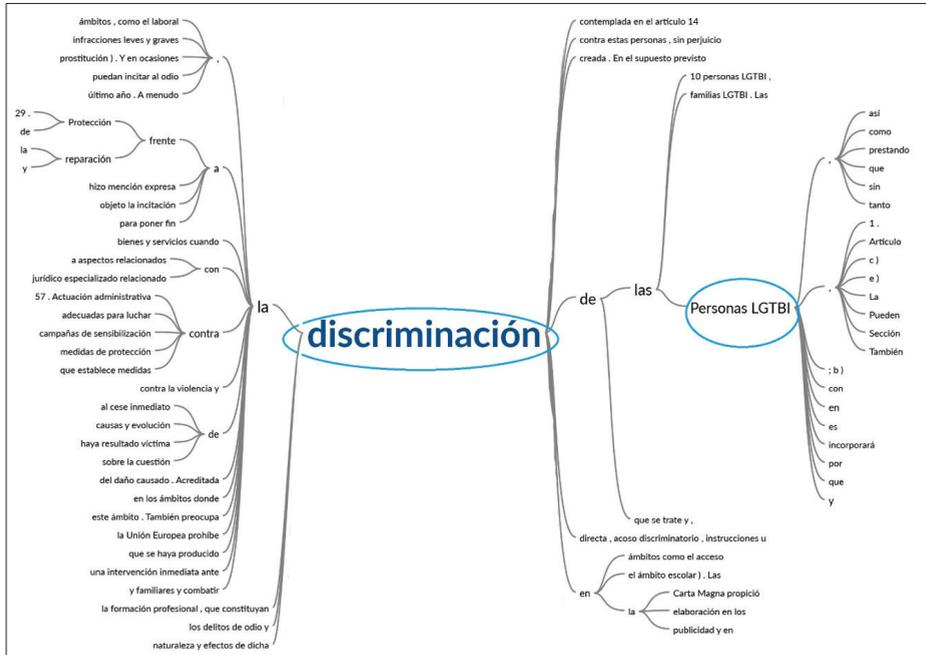
Therefore, both normative texts have in common that they establish regulations for gender self-determination seeking to facilitate the rectification of legal identity of trans people (and LGBTQI+ people) but they differ in their alignment with the United Nations (2019) recommendations and how their conceptual architectures are sustaining their regulatory principles. In this regard, APLIT follows principles of non-discrimination, non-binary approach to gender (pluralism and wide spectrum) and specific acknowledgement to the particular stigma and violence suffered by trans people. While LTC is openly following binary and legal procedural principles aligned with broad aims for juridical protection.

Further evidence of such conceptual differences arises thanks to a complete mapping analysis of the most salient key-term in APLIT: “*discriminación*”. As shown in the data visualization offered below (see saliency marked by bolder and bigger letters encircled by us), APLIT is configured around the conceptual metaphor of “*igualdad es no discriminación*” [equality is non-discrimination]. This conceptual metaphor orientates and informs the boundaries of the hegemonic cultural narrative of human rights established by APLIT (Graphic 6):

¹⁸ “An acronym commonly used to refer to Lesbian, Gay, Bisexual, Transgender, Queer and/or Questioning individuals and communities. LGBTQ is often erroneously used as a synonym for *non-heterosexual*, which incorrectly implies that transgender is a sexual orientation” (Green & Maurer, 2015, p. 55).

¹⁹ Originally, in Spanish: A estos efectos, la ley establece los principios de actuación de los poderes públicos, regula derechos y deberes de las personas físicas y jurídicas, tanto públicas como privadas, y prevé medidas específicas destinadas a la prevención, corrección y eliminación, en los sectores público y privado, de toda forma de discriminación; así como al fomento de la participación de las personas LGTBI en todos los ámbitos de la vida social y a la superación de los estereotipos que afectan negativamente a la percepción social de estas personas. Asimismo, la ley regula el procedimiento y requisitos para la rectificación registral relativa al sexo y, en su caso, nombre de las personas, así como sus efectos, y prevé medidas específicas derivadas de dicha rectificación en los sectores público y privado (APLIT, 2022).

Graphic 6. Conceptual Metaphor *Equality is non discrimination*



Source: Pablo Valdivia & Rosmery-Ann Boegeholz©.

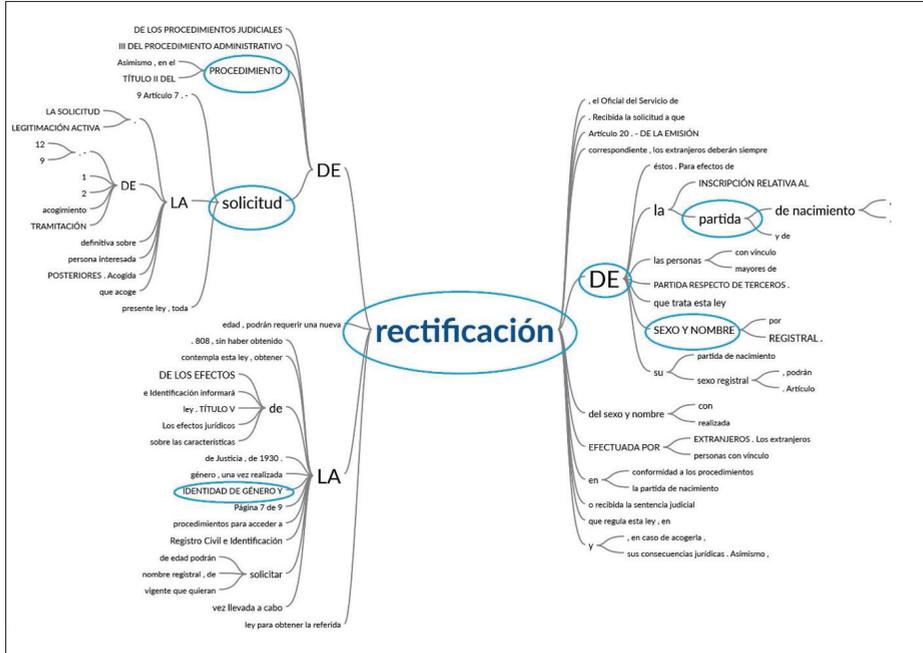
In the case of LTC, a complete mapping analysis of the most salient key term, “*rectificación*”, provides the results illustrated in Graphic 7.

The data demonstrates that LTC is configured around the conceptual metaphor “*Identidad de género es un procedimiento burocrático*” [Gender identity is a bureaucratic procedure]. As a conceptual metaphor, it orientates and informs the hegemonic cultural narrative of normativization promoted by LTC.

As explained in an early stage of this article, it is relevant to understand better the cultural configurations of normative and regulatory texts such as APLIT and LTC that have been systematically analysed from a qualitative and quantitative scientific perspective. This is so due to the pervasive nature of imaginary and symbolic mediations that orientate and inform the ongoing legal and social debates on trans people rights. Thus, we have provided substantial evidence that proves how certain conceptual architectures might align closer or further with UN recommendations. Also, it helps to identify which metaphors and hegemonic cultural narratives orientate the engineering of normative texts.

Nonetheless, this study would not have been completed without landing our analysis on one specific case that exemplifies how cultural narratives have a direct impact on the individual lives of trans people, more specifically, trans women who currently suffer multilayered and intersectional forms of

Graphic 7. Conceptual Metaphor Gender identity is a bureaucratic procedure



Source: Pablo Valdivia & Rosmery-Ann Boegeholz©.

stigmatisation, prejudice and embodied psycho-emotional violence. In this regard, we have selected one particular platform, Instagram; and one globally spread concerning phenomenon, the Mirror Syndrome. The objective is to briefly demonstrate, in the next section, that the extreme position of vulnerability currently suffered by trans women is amplified when it comes to biopolitics of social networks despite allowing some minority space for non-normativization and resistance. In the next section, we will both land the previous line of inquiry and observe one specific case regarding transgender mediations. The chosen example sustains and illustrates the key-role played by conceptual architectures in the citizen's psycho-emotional well-being and their potentialities for social transformations under new digital mediations.

5. APPROACHING TRANSGENDER WOMEN AND THE MIRROR SYNDROME ON INSTAGRAM

Western culture has imposed specific beauty features and surgical practices to achieve them. They are longed-for social acceptability standards: idealised female beauty and perfection for fitting in the *correct* gender. Thus, some experts argue that trans women often fall into those surgeries with the

motivation of aligning their physical and identity gender (Walsh & Einstein, 2020). Throughout history, beauty standards have continuously been present in society. Indeed, social media sites have become the means through which these standards continue to be promoted, psycho-emotionally enacted and embodied.

We do acknowledge that gender is a contested and extensively researched concept. Consequently, this article does not aim to examine the extensive pre-existent scientific literature on this topic but to set a common terminological ground for operational purposes in this study. In this regard, our working definition aligns with Judith Butler's (Butler, 1990). Namely, a person's gender cannot be determined only biologically or identity-wise but is somewhat related to how each human self-represents according to social norms under performative practices.

According to Walsh and Einstein (2020), binary people socially construct genitals as the normative gender identifier. Such perspective pressures trans people into transitioning to a binary gender that suits their identity, even though they do not feel male or female. Furthermore, such normative binary pressure, on many occasions, confuses gender identity with biological sex. Following Butler's ideas, gender identity is a social construction based on what society expects from people's behaviour, appearance and/or attitude. For example, as stated by Putri and Prihandari Satvikadewi (2017), traditionally, from a binary perspective, "man was constructed as a gender that has *masculine* traits such as strong, bold, rational, and tough (...) [and] woman was constructed as a gender that has *feminine* traits such as weak, fearful, irrational, emotional, and fragile" (p. 2).

Furthermore, Walsh and Einstein (2020) assert that there is a wide misrepresentation that "genitals and sex are binary into an assumption that gender must also be binary" (p. 56). Following this idea, transgender people, especially trans women, find themselves under the normative pressure of fitting into womanhood: a socially privileged hegemonic construction, broadly defined by binarism. This fact is problematic because it goes against the principles we discussed earlier in this article on the notion of gender self-determination, individual human rights and freedom to decide on their femininity. In short, transgender people are often placed under two driving antagonistic forces. One of them is based on the constraints imposed by what the hegemonic society narrative defines as gender. The other one, the actual body and gender performativity that best identifies them individually according to their self-determination rights. Besides, Walsh and Einstein, argued that the common assumption that the basis of gender transition is genital surgery "rather than the act of self-identification as a particular gender, binary or not" (p. 62) reinforces transphobia because binary people commonly see trans people as a gender falsification.

As stated by the pioneering work of Crenshaw (1989), just a gender approach does not suffice when addressing complex processes of representation that involve mechanisms of (in)visibilisation, marginalisation and symbolic capital creation, exchange and consumption. Thus, an intersectional perspective contributes to a better understanding of different approaches regarding the construction of beauty standards in the intersections of informational and symbolic coordinates comprising gender construction, the use of Instagram, the psycho-emotional space of users, and the role of beauty influencers.

The relationship between beauty, power and being socially accepted, in other words, achieving the Western ideal beauty, is key to understand how gender agency is mediated. As Butler (1990) explained, gender is nothing more than a performative action according to the standards of beauty imposed by a Western society that inspires and pressures people with how their physical appearance should look.

According to Morgan (2009), many people undergo cosmetic surgery to achieve society's normatively demanded physical appearance concerning the beauty canons imposed. This fact also relates to transgender women and society's imposed compliance with specific standards of beauty and behaviour in order to being socially accepted. More concretely, transgender women suffer several levels of prejudice and exclusion. They are usually discredited as women by hetero-normative perspectives when referring as *real women* to just cisgender women. From a hegemonic and normative approach, such an assumption infers that "transgender women are fake women and are biological men" (Taha-Thomure et al., 2022, p. 4).

Besides, it has been attested that, in certain legal and regulatory systems, transgender people are conceptually framed under the pronoun *it* instead of *she/her/hers, he/him/his, or they/them/theirs* to emphasise trans people's subjectivities as objects, commodities and dehumanised beings. Thus, it is possible to agree that "transgender people are among one of the most stigmatised and discriminated social groups in society, and are vulnerable to systemic inequities, as well as violence based on their gender identities and expression" (Taha-Thomure et al., 2022, p. 6). Even though mainstream social media, through hegemonic and normative social constructions, tends to focus on gender as binary, the digital turn of our societies has also contributed to the emergence of non-binary individuals, masculinities and femininities mediations: "In the digital realm, consumers widely engage in self-expression online (...) through photos, textual content, status updates, video *stories* and profile information" (Kondakciu, Souto & Zayer, 2021, p. 81).

Transgender women are furtherly exposed, due to their specific position of vulnerability, to the common mechanisms of body control exercised by social media. They are impacted by "unrealistic appearance ideals and engage in appearance comparisons, resulting in dissatisfaction with their bodies" (Cohen

et al., 2019, p. 1) when they do not accomplish those ideals. In addition, Kon-dakciu, Souto & Zayer (2021) noted that also gendered expressions in social media might positively reduce the gap between hegemonic cultural narratives and gender self-determination on platforms such as Instagram as “gender is not a natural state that we are born into, but rather a performance of the roles that have been placed upon us by society” (p. 82).

In this regard, Duguay (2019) demonstrated that selfies from trans people had become a common graphic image in political movements having a massive reach among people from the LGBTQI+ community, cisgender individuals, and heteronormative people. Such political engagement and positive representation of trans people have helped to blur society’s gendered constraints and significantly reduce prejudice by emphasising human universal values shared by all users. When zooming into the specific case of Instagram, which had 1.16 billion monthly users in 2021²⁰, the study case on transgender women becomes more salient, given that Instagram has been one of the most popular social networking sites since its creation in 2010. As a brief reminder, it is noteworthy that Instagram users can create a profile, share content, interact with others, take pictures, and record videos, among other actions.

According to several studies (Fardouly, Willburger & Vartanian, 2018), Instagram can be a harmful platform for people’s psychological and physical well-being because it is based on attention mechanisms related to how posted content is being approved by others. Those mechanisms have the effect of bio-politically encouraging users to show only the positive aspects of their lives and construct their ideal self (Newman, 2015; Jackson & Luchner, 2018; Jiang & Ngien, 2020). Thus, the principal feature of Instagram is to foster and trigger the beautifying of the content that the users upload by applying several different filters, and by changing the colour, focus, or physical characteristics. The result is an idealised constructed beauty which impacts on the audience attention (Sheldon & Bryant, 2016; Jin, Ryu & Muqaddam, 2019; Jiang & Ngien, 2020) and a social approval through obtaining the much desired *likes*: a punishment/reward tool specifically designed by psychologists and computational engineers to alter the psycho-emotional and attention patterns of the users.

By obtaining *likes*, Instagram users feel supported and rewarded by their virtual social environment. When someone receives a sufficient amount of *likes*, their brain releases large doses of dopamine (Macit, Macit & Güngör, 2018). However, conversely, when the expected amount of *likes* is not obtained, the person may feel rejected, negatively affecting their mental health. Besides, more undesired reactions may be triggered, such as the *fear of missing out* (if the user does not consider they get the level expected of popularity); low self-esteem (if the user’s beauty standard is different from the influencers followed); unrealistic expectations; and identity and social anxiety. It is also probable that

²⁰ See Statista: <https://es.statista.com>

a person could develop mental illness symptoms since it can disrupt the brain's reward circuitry (Martínez Pecino & García Gavilán, 2019).

Via Instagram, “uploading photos on social media is one of the ways a person communicates their identity to others. While the likes and comments are a form of interaction” (Putri & Prihandari Satvikadewi, 2017, p. 2). Such interaction is not free of potentially harming attitudes, including bullying and discriminatory acts on social media. As attested by the current available academic literature on the subject, the LGBTQI+ community and, above all, transgender people are often discriminated and even “considered incompatible with the existing normative order in society” (Ibid.).

According to Pain (2022), “social networks have provided an opportunity for the LGBTQI+ community to have a voice, break taboos, and show their real selves (...) is the only place where LGBTQI+ community members can be themselves” (p. 96). Furthermore, it is argued that “the presence of the LGBTQI+ community on Instagram with a wide range of sexual orientation, gender identity, and different sexual expressions confront institutionalised socio-religious discourses in society such as family structures or dominant values of the heteronormative society” (p. 98). Therefore, despite reported harassment, discrimination and beauty biopolitics, Instagram has become a social media platform in which trans people found a channel to

express their thought, feeling, expressions, basically everything (...) in the form of photos on Instagram, despite the risk of being attacked or bullied by different social groups, who call themselves conservatives, but they feel threatened with something outside the *normality* (Putri & Prihandari Satvikadewi, 2017, pp. 3-7).

6. BEAUTY AND INSTAGRAM

Many users of Instagram spend considerable time and effort selecting and editing the pictures they post on their profiles. They hope to present a perfect self with an unreal and idealised appearance, increasing their dissatisfaction with their own and natural physical features (Tiggemann & Zinoviev, 2019). Similarly, the amount of *likes* obtained in an edited portrait may reinforce the image of a thin ideal (Martínez Pecino & García Gavilán, 2019). So, receiving attention and positive feedback from one's audience supports the Western cultural beauty standard, and allows the internalisation of those same standards through public exposure on Instagram (Feltman & Szymanski, 2018). There is also the possibility of psychological severe dissonance when those beauty standards set by the heteronormative performativity are not achieved. Many users feel “the need to edit/filter their photos before posting” (2). Also, they ask their friends for advice in “selecting the best photo” (2). Thus, Fardouly, Willburger and Vartanian (2018) point out: “Images posted on Instagram can be carefully

selected, edited, and enhanced and may contain idealised representations of physical appearance” (p. 11).

According to Fardouly, Willburger and Vartanian (2018), the comparison that Instagram users make about their physical appearance can trigger different psychiatric pathologies. Body Dysmorphic Disorder (BDD), also known colloquially as Mirror Syndrome, “is a mental disorder related to body image that is more widespread than it might seem” (Valdivia & Boegeholz, 2021). As argued by these scholars,

the beauty influencer business is strategically related to the promotion of certain beauty standards, practices and behaviours not only imposed by those who produce them but also reaffirmed and reconfigured by those who assume and consume them”. Furthermore, the “excessive use of body editing filters posted on social networks (...) generate new types of body and beauty standards that are increasingly distant from the real anatomical and aesthetic diversity of people (Valdivia & Boegeholz, 2021)²¹.

Many users develop Mirror Syndrome due to the excessive promotion of beauty ideals and judging themselves for being less attractive than the people portrayed in the images posted on Instagram. Both self-objectification and body dissatisfaction can be early indicators related to young people’s eating “disorders, depression and fearsome BDD” (Fardouly, Willburger & Vartanian, 2018, p. 2).

On Instagram, users generally follow models and celebrities (Fardouly, Willburger & Vartanian, 2018), personally identify with and try to imitate them. An analogical relation is psycho-emotionally enacted: buying the same products used by the celebrities to be like celebrities. These celebrities, so-called *Influencers*, promote different brands and products among thousands or millions of followers. The primary purpose of these Instagram-generated celebrities is to use their profiles as a showcase for selling products and generating economic revenue via product placement. The goal of an influencer is to promote different products, especially beauty products, by sharing photos on their profiles, with the result of followers acquiring these products to try to look like those who promote them. The negative part of the business previously described are mental disorders, like BDD, in their followers when they do not reach their influencers’ beauty. As they are so popular, “many brands approach these Influencers and use Influencers to endorse or review their products” (Nandagiri & Philip, 2018, p. 61). Thus, the job of influencers is to endorse different products of several brands through the pictures they share on their Instagram profile. For brands, the more followers an influencer has, the more audience the product can reach. As influencers expose their natural life through their posts on Instagram, their followers find that content truthful and feel

²¹ Available at: <https://www.bbvaopenmind.com/en/humanities/beliefs/mirror-syndrome/>

closer to those celebrities. For that reason, they seem more real, believable, and incapable of damaging their reputation by offering products without proving their performance (Djafarova & Rushworth, 2017; Silva et al., 2020; van Driel & Dumitrica, 2020). In sum, followers create an image of their favourite influencer by being encouraged to imitate the exposed personalities and lives. For example, by seeking to look like one of those influencers, followers will wear the same kind of make-up. If the effect is not achieved and the standard is not reached, there will probably be a feeling of frustration.

As beauty influencers promote, primarily, the ideal appearance imposed by Western society, it is argued that “when viewers perceive Influencers as more trustworthy, they will be more welcoming toward their fashion recommendations and the brands/products they endorse” (Jin, Ryu & Muqaddam, 2019, p. 4). One negative consequence of this mechanism occurs when young people do not attain the ideal beauty that the specific influencer promised to reach. Thus, their psycho-emotional states are altered.

According to Buss, Le & Haimson (2022), the Internet and social media have allowed trans people to connect with peer community members, information and resources. People feel confident that they can share their personal information in a more relaxed and comfortable way than if they were doing it live. Selkie et al. (2020) argue that trans youth are three times more likely to suffer from depression, anxiety attacks and suicidal thoughts, which is why social and emotional support can positively impact trans people’s well-being and self-esteem in the face of the enormous stigma that haunts them. The authors mentioned above have also found that one of the best ways to help them withstand so much social pressure is the support of their peers, who share similar situations of marginalisation and discrimination. While the use of social media can bring many benefits, negative experiences are also suffered through the network, a clear example being cyberbullying.

For Kusumawardani, Santoso & Herawati (2020), trans people have, at the very least, suffered discrimination and social exclusion in various aspects of their lives. Social media has facilitated trans people to perform their identity in contexts where they are recognised and accepted. These experts explained that social media is expected to disintegrate the stereotypes against trans women while, at the same time, establishing a novel social pressure for trans women to meet the same standards of beauty demanded of cisgender women. Mount (2020) has noted that trans women often disseminate a discourse of empowerment similar to that of cisgender women regarding social and professional advancements. They usually view with optimism the news of the first trans women who have achieved success and public recognition in different contexts, as “the language of *firsts* suggests that other transgender women will soon follow in these professions” (Mount, 2020, p. 633). Moreover, it is a promotion of female empowerment and independence, as “like their cisgender counterparts

(...) transgender women (...) are perceived as encountering newfound freedoms, which some trans women narrate by drawing on powerful *new cis-woman's archetypes*" (Ibid., p. 641).

A notable case is that of Julie Vu, a trans woman model. Vu became popular because of her talks about visualising minority issues, showing the importance of transgender identities and empowerment. She was also vocal about the procedures that involved her transition, educating people and showing how proud she is of being a trans woman. She used her influencer role not only for promoting beauty products but also for giving speech to her life experiences, especially the bad ones related to discrimination and invisibilisation. She is also a feminist icon, even though she promotes herself as a brand, following heteronormative beauty ideals and looking like a desirable woman, which sometimes seems contradictory (Raun & Christensen-Strynø, 2021). Vu was chosen as the face of a well-known French makeup brand for being part of a campaign in 2019; the campaign's tagline was: "We belong to something beautiful". The "we" in the message does not refer to Vu as an individual but relates to being part of a group, such as the transgender community. So, Vu added: "As a transgender woman, I am so proud that members of LGBTQI+ community are being recognised by a mainstream platform". That *we* has a universal meaning and cannot be reduced to being seen as a minority. In the same campaign, the text "I'm finally in the right body" alludes to the idea of being in the "wrong body" which was at the core of the "rectification" promoted by the LTC normative text and further commodified as the neoliberal guarantee of happiness and perfection (Raun & Christensen-Strynø, 2021).

Therefore, Instagram is both allowing trans people to become visible but, at the same time, creating new problematic developments connected to the notion of the body as a territory under a permanent state of crisis. In this regard, APLIT seems better legally equipped for providing a legal framework than LTC to the challenges posed by the Mirror Syndrome, social media platforms as Instagram and the society's pressure to force trans women into fitting cisgender women beauty standards.

7. CONCLUSIONS AND FURTHER RESEARCH

This article departed from a twofold research question based on how cultural narratives of trans mediations shape and are shaped by the new legal frameworks put forward in Spain and Chile and, thus, in which ways the Chilean and Spanish texts present a specific conceptual architecture that enables and/or constrains current and prospective symbolic paradigms for social re-engineering and change.

Regarding the first research question, we have provided substantial evidence on how cultural narratives orientate legal frameworks, and psycho-emotional

activations and configure transgender mediations by completing a qualitative and quantitative thorough analysis of APLIT and LTC. Thus, we can conclude that while APLIT puts forward a hegemonic cultural narrative of human rights aligned with the UN recommendations, LTC conveys a hegemonic cultural narrative of normativisation. In APLIT, the goal is to safeguard human rights and non-discrimination, and in LTC the goal is the binary procedural rectification of individual legal identity. Furthermore, APLIT establishes its principles from a non-binary perspective, and LTC builds up its regulations from a binary cisgender approach. Each norm designs a different cultural narrative sustained by a different foundational conceptual metaphor, which, consequently, enables diverse transgender mediations and boundaries. We can conclude that APLIT proves to be an intersectional, modern and flexible norm that not only aligns well with the United Nations (2019) recommendations but also establishes at the core of its regulations the compliance, allyship and promotion for LGBTQI+ rights and, more specifically, trans people.

As stated by the United Nations, trans people are in a special vulnerability position and daily violence is exercised against their human rights. We have exemplified and landed such perspective in the specific study case of trans women and how they are exposed to intersectional prejudice and also to social media vulnerability related to the Mirror Syndrome phenomenon despite some positive developments also duly acknowledged.

Further research would benefit from replicating our qualitative and quantitative analysis protocol and comparing APLIT and LTC with other recent normative frameworks produced under different but comparable contexts. Moreover, an analysis of the social media and network reception of APLIT and LTC, which has been consciously left out of this research due to the scope and formal constraints of this article, could be valuable in gaining insight into the psycho-emotional activation of trans people with regards to normative frameworks.

Our study has contributed to the expansion of our knowledge and understanding on how cultural narratives of transgender mediations inform and orientate legal, political and normative configurations; in which ways such cultural narratives are constructed and (potentially) activated into specific, actionable frameworks; and how social media, especially Instagram relating to the Mirror Syndrome, is enacting biopolitics or exercising control over trans women under hegemonic beauty features through homogenising what is, otherwise, a community strongly self-identified with representations of diversity and pluralism. Finally, our article established a rich discussion on how better-informed decisions, based on higher situational and system awareness concerning the construction of cultural narratives and use of conceptual metaphors, can contribute to encourage the current and future legal developments to supporting citizens' equity and human rights.

REFERENCES

- Asma, S. & Gabriel, R. (2019). *The Emotional Mind: The Affective Roots of Culture and Cognition*. Cambridge: Harvard University Pres.
- Awkward-Rich, C. (2017). Trans, Feminism: Or, Reading like a Depressed Transsexual: Winner of the 2017 Catharine Stimpson Prize for Outstanding Feminist Scholarship. *Signs. Journal of Women in Culture and Society*, 42(4), 819-841.
- Barrett, L., Quigley, K. & Hamilton, P. (2016). An active inference theory of allostasis and interoception in depression. *Philosophical Transactions of the Royal Society*, 371(1708). DOI: <http://dx.doi.org/10.1098/rstb.2016.0011>
- Bartky, S. L. (2011). *Femininity and domination: Studies in the phenomenology of oppression*. New York: Routledge.
- Bordo, S. (2004). *Unbearable weight: Feminism, Western culture, and the body*. Berkeley: University of California Press.
- Buss, J., Le, H. & Haimson, O. L. (2022). Transgender identity management across social media platforms. *Media, Culture & Society*, 44(1), 22-38.
- Carrera-Fernández, M. V. & DePalma, R. (2020). Feminism will be trans-inclusive or it will not be: Why do two cis-hetero woman educators support transfeminism? *The Sociological Review*, 68(4), 745-762.
- Chun Tie, Y., Birks, M., Francis, K. (2019). Grounded theory research: A design framework for novice researchers. *SAGE Open Medicine*, 7, 1-8.
- Cohen, R., Fardouly, J., Newton-John, T. & Slater, A. (2019). # BoPo on Instagram: An experimental investigation of the effects of viewing body positive content on young women's mood and body image. *New Media & Society*, 21(7), 1546-1564.
- Crenshaw, K. (1989). Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics. *University of Chicago Legal Forum*, 1, 139-167. Available at: <http://chicagounbound.uchicago.edu/uclf/vol1989/iss1/8>
- Daly, M. (2016). *Gyn/ecology: The metaethics of radical feminism*. Boston: Beacon Press.
- Damasio, A. (2018). *The Strange Order of Things: Life, Feeling and the Making of Cultures*. New York: Pantheon Books.
- Djafarova, E. & Rushworth, C. (2017). Exploring the credibility of online celebrities' Instagram profiles in influencing the purchase decisions of young female users. *Computers in Human Behavior*, 68, 1-7.
- Duguay, S. (2019). "Running the numbers": Modes of microcelebrity labor in queer women's self-representation on Instagram and Vine. *Social media+ society*, 5(4). DOI: <https://doi.org/10.1177/2056305119894002>

- Echols, A. (1989). *Daring to be bad: Radical feminism in America, 1967-1975*. Chicago: University of Minnesota Press.
- Fardouly, J., Willburger, B. K. & Vartanian, L. R. (2018). Instagram use and young women's body image concerns and self-objectification: Testing mediational pathways. *New Media & Society*, 20(4), 1380-1395.
- Feltman, C. E. & Szymanski, D. M. (2018). Instagram use and self-objectification: The roles of internalisation, comparison, appearance commentary, and feminism. *Sex Roles*, 78(5-6), 311-324.
- Gayle, S. (2008). Transfeminism and the Future of Gender. In *Women's Studies on the Edge* (pp. 115-136). Durham: Duke University Press.
- Green, E. & Maurer, L. (2015). *The teaching transgender toolkit: a facilitator's guide to increasing knowledge, decreasing prejudice & building skills*. New York: Planned Parenthood of the Southern Finger Lakesv.
- Jackson, C. A. & Luchner, A. F. (2018). Self-presentation mediates the relationship between self-criticism and emotional response to Instagram feedback. *Personality and Individual Differences*, 133, 1-6.
- Jiang, S. & Ngien, A. (2020). The Effects of Instagram Use, Social Comparison, and Self-Esteem on Social Anxiety: A Survey Study in Singapore. *Social Media+ Society*, 6(2), 1-10.
- Jin, S. V., Muqaddam, A. & Ryu, E. (2019). Instafamous and social media influencer marketing. *Marketing Intelligence & Planning*, 37(5), 567-579. DOI: <https://doi.org/10.1108/MIP-09-2018-0375>
- Jin, S. V., Ryu, E. & Muqaddam, A. (2019). Romance 2.0 on Instagram! "What Type of Girlfriend Would You Date?" *Evolutionary Psychology*, 17(1), 1-17.
- Kondakciu, K., Souto, M. & Zayer, L. T. (2022). Self-presentation and gender on social media: an exploration of the expression of "authentic selves". *Qualitative Market Research: An International Journal*, 25(1), 80-99.
- Kota, K., Salazar, L., Culbreth, R., Crosby, R. & Jones, J. (2020). Psychosocial mediators of perceived stigma and suicidal ideation among transgender women. *BMC Public Health*, 125. DOI: <https://doi.org/10.1186/s12889-020-8177-z>
- Kovecses, Z. (2020). *Extended Conceptual Metaphor Theory*. Cambridge: Cambridge University Press.
- Kusumawardani, V., Santoso, N. R. & Herawati, D. M. (2020). Youtube As a Media Expression of Transgender Women. *ASPIRATION Journal*, 1(1), 99-112.
- Lindblom, J. (2020). A radical reassessment of the Body in Social Cognition. *Frontiers in Psychology*, 11, DOI: <https://doi.org/10.3389/fpsyg.2020.00987>

- Macit, H. B., Macit, G. & Gungör, O. (2018). A research on social media addiction and dopamine driven feedback. *Mehmet Akif Ersoy Üniversitesi İktisadi ve İdari Bilimler Fakültesi Dergisi*, 5(3), 882-897.
- Mackay, F. (2015). Radical feminism. *Theory, Culture & Society*, 32(7-8), 332-336.
- Martínez Pecino, R. & García Gavilán, M. (2019). Likes and problematic Instagram use: the moderating role of self-esteem. *Cyberpsychology, Behavior, and Social Networking*, 22(6), 412-416.
- Morgan, K. P. (2009). Women and the knife: Cosmetic surgery and the colonisation of women's bodies'. In Heyes, C. & Jones, M. (eds.), *Cosmetic surgery: A feminist primer* (pp. 49-77). New York: Routledge.
- Mount, L. (2020). "I am not a Hijra": Class, Respectability, and the Emergence of the "New" Transgender Woman in India. *Gender & Society*, 34(4), 620-647.
- Nandagiri, V. & Philip, L. (2018). Impact of influencers from Instagram and YouTube on their followers. *International Journal of Multidisciplinary Research and Modern Education*, 4(1), 61-65.
- Newman, M. J. (2015). Image and identity: Media literacy for young adult Instagram users. *Visual Inquiry*, 4(3), 221-227.
- Pain, P. (ed.). (2022). *LGBTQ+ Digital Cultures: A Global Perspective*. New York: Routledge.
- Putri, S. A. R. & Prihandari Satvikadewi, A. A. I. (2017). A critical discourse analysis study of cyberbullying in LGBTQ+'s Instagram account. *SHS Web of Conferences*, 33, DOI: <https://doi.org/10.1051/SHSCONF/20173300071>
- Raha, N. (2017). Transfeminine brokenness, radical transfeminism. *South Atlantic Quarterly*, 116(3), 632-646.
- Ramati-Ziber, L., Shnabel, N. & Glick, P. (2020). The beauty myth: prescriptive beauty norms for women reflect hierarchy-enhancing motivations leading to discriminatory employment practices. *Journal of Personality and Social Psychology*, 119(2), 317-343.
- Raun, T. & Christensen-Strynø, M. B. (2021). 'We belong to something beautiful': Julie Vu's and Madeline Stuart's use of minority identity as a popular feminist self-branding strategy on Instagram. *Information, Communication & Society*, 25(12). DOI: <https://doi.org/10.1080/1369118X.2021.1889638>
- Rutten, T. (2018). *MA thesis Breaking the binary: exploring gender self-presentation and passing on #TransIsBeautiful on Instagram*. Uppsala: University of Uppsala. Available at: <https://uu.diva-portal.org/smash/get/diva2:1186144/FULLTEXT01.pdf>

- Selkie, E., Adkins, V., Masters, E., Bajpai, A. & Shumer, D. (2020). Transgender adolescents' uses of social media for social support. *Journal of Adolescent Health, 66*(3), 275-280.
- Sheldon, P. & Bryant, K. (2016). Instagram: Motives for its use and relationship to narcissism and contextual age. *Computers in Human Behavior, 58*, 89-97.
- Silva, M. J. D. B., Farias, S. A. D., Grigg, M. K. & Barbosa, M. D. L. D. A. (2020). Online engagement and the role of digital influencers in product endorsement on Instagram. *Journal of Relationship Marketing, 19*(2), 133-163.
- Taha-Thomure, R., Milne, A. S., Kavanagh, E. J., & Stirling, A. E. (2022). Gender-Based Violence against Trans* Individuals: A Netnography of Mary Gregory's Experience in Powerlifting. *Frontiers in psychology, 13*. DOI: <https://doi.org/10.3389/fpsyg.2022.854452>.
- Thibodeau, P., Matlock, T. & Flusberg, S. (2019). The role of metaphor in communication and thought. *Language and Linguistic Compass, 13*(5). DOI: <https://doi.org/10.1111/lnc3.12327>
- Tiggemann, M. & Zinoviev, K. (2019). The effect of # enhancement-free Instagram images and hashtags on women's body image. *Body image, 31*, 131-138.
- Trujillo, L.T. (2019). Mental Effort and Information-Processing Costs Are Inversely Related to Global Brain Free Energy During Visual Categorization. *Frontiers in Neuroscience, 13*. DOI: <https://doi.org/10.3389/fnins.2019.01292>
- United Nations (2019). The struggle of trans and gender-diverse persons: Independent Expert on sexual orientation and gender identity. Available at: <https://www.ohchr.org/en/special-procedures/ie-sexual-orientation-and-gender-identity/struggle-trans-and-gender-diverse-persons>
- Valdivia, P. & Boegeholz, R-A. (2021). Mirror Syndrome. *OpenMind BBVA*. Available at: <https://www.bbvaopenmind.com/en/humanities/beliefs/mirror-syndrome/>
- Valdivia, P. (2019). Narrating crises and populism in Southern Europe: Regimes of metaphor. *Journal of European Studies, 49*(3-4), 282-301. DOI: <https://doi.org/10.1177/0047244119865083>
- Valdivia, P. (2020). Cultural Narratives of Crisis and Populism in Spain: Metaphor, Nation-branding and Social Change. In Boletsi, M., Houwen, J. & Minnaard, L. (eds.), *Languages of Resistance, Transformation, and Futurity in Mediterranean Crisis-Scapes* (pp. 101-117). London: Palgrave Macmillan.
- van Driel, L. & Dumitrica, D. (2020). Selling brands while staying "Authentic": The professionalisation of Instagram influencers. *Convergence: The International Journal of Research into New Media Technologies, 27*(1). DOI: <https://doi.org/10.1177/1354856520902136>

Walsh, R. & Einstein, G. (2020). Transgender embodiment: a feminist, situated neuroscience perspective. *INSEP–Journal of the International Network for Sexual Ethics and Politics*, 8, 56-70.

Williams, C. (2016). Radical inclusion: Recounting the trans inclusive history of radical feminism. *Transgender Studies Quarterly*, 3(1-2), 254-258.

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